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# House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BRADLEY of New Hampshire).

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*March 14, 2006.*

I hereby appoint the Honorable JEB BRADLEY to act as Speaker pro tempore on this day.

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

## MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

## ONE-YEAR ANNIVERSARY OF PASSAGE OF HOUSE RESOLUTION 135, ESTABLISHING HOUSE DEMOCRACY ASSISTANCE COMMISSION

Mr. DREIER. Mr. Speaker, I rise today to commemorate the 1-year anniversary of passage of House Resolution 135, which established the House Democracy Assistance Commission. Upon the resolution's passage, 16 appointments were made, and I was honored to be appointed as chairman of this effort by Speaker HASTERT; and I know that my colleague, DAVID PRICE, the ranking minority member, was equally honored to be appointed by Ms. PELOSI as the ranking minority member.

Mr. Speaker, as you know, the purpose of the House Democracy Assistance Commission is to strengthen legislatures in emerging democracies. In recent years, we have seen that the spread of democracy cannot be contained; but these new democracies have little experience in the actual practice of democracy. Over our 230-year history, we have learned that elections are relatively easy. It is the mechanics, practice, and procedure of democracy that is far more difficult.

Many fledgling democracies have a long history of authoritarian rule. The revolutions that sweep dictators and reformers in often center around charismatic leaders that, with popular support, secure the levers of executive power.

But as our Founding Fathers understood, the people's branch of government, the legislature, serves as the safeguard, ensuring that new leaders did not lead their nations back down towards a path of dictatorship. Acting as a check on executive power by conducting oversight and overseeing the national budget are necessary authorities for a parliament to exercise if democracy is to flourish.

Unfortunately, parliamentarians working in authoritarian systems often have no incentive or ability to learn about their rights and responsibilities as members of parliament. The commission has seen it in Georgia, where decades of Communist rule emasculated the parliament. We see it in Macedonia where Tito's rule and the Balkan wars made democratic rule impossible. We have seen it in Kenya, where the plague of African corruption has stalled democratic reform. We have seen it in Indonesia, where the strong-armed rule of Suharto reduced parliament to an afterthought. We have seen it in East Timor, the newest nation on the globe, which has no history of self-government, democratic or otherwise.

Mr. Speaker, the commission has or soon will travel to these places to provide peer-to-peer technical assistance to these legislatures at their request. We hope to soon be working in Afghanistan, Lebanon, Ukraine, and Iraq as well. America has long extolled the virtue of democracy to our neighbors abroad. Our commission allows the House of Representatives to do its part to keep democracy on the march.

We know that democracy remains a work in progress for all of us, but global progress requires that democracy works. It is our obligation to help new democracies by sharing the lessons that we have learned.

From Tbilisi to Dili, from Kabul to Nairobi, from Beirut to Baghdad, Mr. Speaker, stronger democracies make stronger allies; and through our work we will come closer to securing the undeniable right of freedom for all.

## STANDING UP FOR A FREE NORTH KOREA

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, the North Korean regime has the worst human rights record in the world. Citizens are denied the most fundamental freedoms in classic Communist fashion, the economy results in shortages and an ever-present threat of starvation.

Additionally, the regime has divided citizens into 51 classes. At least 7 million citizens, more than one-third of the population, are regarded as members of a hostile class, categorized as a potential threat to the existence of this regime. Members of this class are



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held in one of North Korea's 12 known prison camps. According to an MSNBC news report from January 2003, one of these prison camps is literally three times the size of Washington, DC. Meanwhile, the State Security Agency maintains at least 12 political prisons and about 30 forced labor and reeducation camps. There are also rumors of a series of underground camps. No one knows how many exist and, of course, how many prisoners are being held.

These Stalinist-style gulags await any citizen, even children, who dare to commit such crimes as reading a foreign newspaper, singing a foreign pop song, listening to a foreign radio broadcast, or making statements that could be interpreted as an insult to the regime. The camps combine starvation, hard labor and brutal and irrational punishments. In one camp, former inmates claim prisoners work in such hard conditions that 20 to 25 percent of the 50,000 prisoners die every year.

To leave North Korea without official permission is an act of treason. The Communist regime maintains a series of detention facilities along the border with the People's Republic of China for refugees forcibly returned. Pregnant women endure forced abortions or have their infants killed just after birth on the off chance that they were impregnated by Chinese men. Everyone is then interrogated to determine the extent of their exposure to the Free World, literally having the truth beaten out of them.

This determines whether the regime sends these refugees to a gulag facing certain death or to a gulag facing likely death. The massive mechanistic prison camp system, combined with the outlawing of immigration, has led many to refer to North Korea as ''the world's largest prison camp.'' Jasper Becker, former Beijing bureau chief for the South China Morning Post, has estimated that Kim Jong Il and his father, Kim Il Sung, are responsible for killing over 7 million Koreans, 3 million civilians in the Korean war, 3 million by deliberate famine, and at least 1 million more political prisoners either executed or worked to death.

Mr. Speaker, even worse is the Free World's help that props up this regime. Since 1995, the United States has provided over $1.1 billion, about 60 percent of it for food aid. About 40 percent was energy assistance through the Korean Peninsula Energy Development Corporation, KEDO, a multilateral organization established in 1994 to provide energy aid in exchange for North Korea's pledge to halt its nuclear program. The Bush administration finally shut down the KEDO program earlier this year, long after North Korea had publicly violated the agreement that secured KEDO energy payments in the first place.

Food aid to North Korea has also been an international humanitarian fraud. The Communist regime prevents donor agencies from operating in the country. The biggest suppliers of aid, China and South Korea, do little or no monitoring of what happens to the food that they supply to this country. The world's food and humanitarian aid rarely makes it to those suffering in North Korea. Instead, it has been used to feed Kim Jong Il's million-man army, almost 1 million people in his security forces, as a preference for the Communist Party elite. No such aid should be allowed against North Korea demonstrates tangible progress to freedom and transparency. Now some people worry about the risk of confronting and destabilizing a hostile and heavily armed power. These people should know that no good policy comes without risk.

President Ronald Reagan did not coddle the Soviet Union, he did not offer to provide them the nuclear fuel they need to build nuclear weapons in the silly hope they would not build any. President Reagan took the struggle for freedom and democracy to the gates of the Soviet Union country itself.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 40 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 2 p.m.

## PRAYER

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

Lord God, You speak as one who whispers to a beloved. You speak to the heart. Yet Your people do not listen. Lord, you give us Your word as a gift, truly filled with promise, a binding secret. Yet Your people pay no attention.

You have created the ear to always be open. But from somewhere within, Lord, we choose not to hear. So self-absorbed are we, so noisy in imagination, so preoccupied, Your word cannot be taken in.

Claiming to seek the truth, we play with numbers and madly put spin on language, when all You require is that we face the truth, study with honesty long and hard, then with humble attention open ourselves completely to Your saving Word to guide our very next step into realistic truth.

Now surrounded by complex and conflicting situations, Lord, each of us cries out to You: ''Speak, Lord! Your servant is listening.'' Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Indiana (Mr. PENCE) come forward and lead the House in the Pledge of Allegiance.

Mr. PENCE 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.

## POOR JUDGMENT

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

Ms. FOXX. Mr. Speaker, in their rush to be against everything that President Bush is for, Democrats have once again given us reason to question their timing and judgment.

A resolution has been introduced in the Senate to censure the President for ordering the National Security Agency to intercept communications of suspected al Qaeda members or related terrorist groups.

Apparently, this offends Democrats so much that they seek to scold the President in the midst of the war on terror. To them I ask: How would you monitor terrorist operatives who move to this country, blend in, and wait to strike? Do you think they hang a shingle on their front door reading ''Terrorist in Waiting''?

The NSA program is one that provides the speed and agility that is needed as we fight this new kind of war. We must adapt, because in this day and age, terrorists move faster than any court possibly can. A span of just a few hours could make the difference between life and death.

Mr. Speaker, we are not questioning the Democrats' patriotism, as they so often charge. We are, however, questioning their poor judgment. They are unwise in opposing what is clearly a vital tool against terrorist organizations and in allowing the censure resolution to the Senate floor which could damage the President as he fights this war on terror.

## TRIBUTE TO EZRA KATZ

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize a south Florida leader for his widespread community involvement and his dedication to keeping alive the memory and the lessons of the Holocaust.

Ezra Katz has been the president of the Greater Miami Jewish Federation,

a member of the board of directors of the Foundation for Jewish Renewal, and a founder and life trustee of the Holocaust Memorial Committee of Miami Beach.

Ezra Katz immigrated to the United States in 1958 from Israel. He has stood up for the rights of the Jewish people and has been a staunch supporter of the State of Israel. Ezra is a role model and a model citizen for all of us in south Florida, young and old alike.

It is my pleasure and honor to commend Ezra Katz as the inaugural recipient of the Simon Wiesenthal Legacy Award.

## DETAIN ILLEGALS IN FEMA TRAILERS

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

Mr. POE. Mr. Speaker, Rita was her name. She was mad and took it out on southeast Texas. Her winds blew, the water rose, the trees fell, and the homes collapsed. To the rescue was FEMA.

FEMA said, we have house trailers to help the homeless. Well, Mr. Speaker, it has been 6 months since Hurricane Rita hit, and we are still on the lookout for those house trailers. Has anybody seen them?

Yes, Mr. Speaker, they have been located. All 10,000 of them have been found in the remote hills of Arkansas. But why are they there? Because I have heard Federal bureaucrats have some comical regulation that states no trailers in flood-prone areas, like the hurricane gulf coast. So the taxpayers have bought themselves 10,000 trailers with millions of dollars of taxpayer money, and they are hidden in Arkansas, I guess for safekeeping.

Since Homeland Security's FEMA isn't using them, I suggest we take them down to the Texas-Mexico border, where there is not a whole lot of rain and we don't have enough detention facilities for illegals, so that when border agents capture illegals, they can house them there in these trailers until they are deported back to their homes.

We got illegals, FEMA's got trailers, let's match them up together.

That's just the way it is.

## RECOGNIZING THE TREMENDOUS SUCCESS OF THE NATIONAL GUARD

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

Mr. WILSON of South Carolina. Mr. Speaker, the Army National Guard recently announced it has surpassed its recruitment goals by 7 percent after enlisting 26,000 new soldiers in only 5 months.

As the Guard celebrates its best national record in 13 years, it is clear that Americans are registering in historic numbers to serve their country, States, and communities. Volunteers are showing their resolve in completing the mission for victory in the war on terrorism.

I am also pleased to announce that the South Carolina Army National Guard is now ranked seventh in the Nation for recruitment. As a 31-year veteran of this unit and the father of two Guard members, I am extremely proud of South Carolina's enormous contribution to our national security.

Guard service enables Americans to learn valuable training, meet the most competent and patriotic citizens, protect American families during national catastrophes, and win the war on terrorism.

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

## NATIONAL SECURITY

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

Mrs. BLACKBURN. Mr. Speaker, 10 days ago Democratic Senators were calling President Bush weak on national security. Now they are seeking to censure him for being too aggressive in going after terrorists. Well, they can't have it both ways.

Congressional Democrats have no serious plan for national security. Maybe that is why they are doing this. They have a plan to use the security issue in their campaigns; they have a plan to try and kill strong anti-terrorism measures, like the PATRIOT Act; but they have no plan for securing our homeland.

Instead of supporting the PATRIOT Act, instead of supporting the intelligence community's work to monitor phone calls that could yield information that will save American lives, Senate Democrats are going to push a motion to censure President Bush.

If they are pushing this censure in order to distract from the fact they do not have a security plan, it is not working.

## TRIBUTE TO REBY CARY

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

Mr. BURGESS. Mr. Speaker, last month, February, was Black History Month, but indeed every month it is appropriate to honor the Black Americans who have contributed so much to the rich history and tapestry of our country. For that purpose, I want to rise and acknowledge one of my constituents today: Mr. Reby Cary.

Mr. Cary is an African American from Fort Worth, Texas. He served on the school board back in the 1970s. He was elected to the Texas House, District 95, one of the few African Americans to serve in that body in the 1970s.

After his retirement from the House, he went on to a professorship at the University of Texas at Arlington, where he established African American studies as part of the curriculum. He is well versed on local aspects of African American history and has been a prolific author over the years. In fact, he has produced voluminous written material. His seminal work was ''Princes Shall Come Out of Egypt, Texas and Forth Worth.''

Mr. Cary has made it his life's work, for what years remain to him, to make certain that this Congressman is educated about the rich history of Black Americans in north Texas, and for that I thank him.

## PARENTAL NOTIFICATION

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

Mr. PITTS. Mr. Speaker, The New York Times published a front-page article earlier this month under the headline ''Scant Drop Seen in Abortion Rate if Parents Are Told.'' The story went on to say that laws requiring parents to be informed about a daughter's decision to have an abortion do not have the effect of reducing abortion rates.

I would just point out two things about this story, Mr. Speaker. First, other studies on the subject disagree with the findings published by the Times. Studies done by the Heritage Foundation and the Associated Press show significant drops in some States' abortion rates after the enactment of parental consent laws, such as 33 percent in Virginia and South Dakota and 25 percent in Texas.

I would also point out that all these statistics cloud the larger point of parental consent laws. The laws first and foremost seek to involve parents in one of the most important decisions their daughter will ever make. Minor girls dealing with a pregnancy desperately need their parents' involvement. That is what these laws promote.

## FREE FLOW OF INFORMATION ACT

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

Mr. PENCE. Mr. Speaker, the Constitution of the United States reads in part that Congress shall make no law abridging freedom of the press. This freedom represents a bedrock of our democracy by ensuring the free flow of information to the public. But, sadly, this freedom is under attack.

Over the last few years, more than a dozen reporters have been issued subpoenas and questioned about confidential sources. In response to this alarming trend, last year I introduced the Free Flow of Information Act, a bill designed to protect reporters' rights to keep sources confidential.

I am particularly pleased today to rise to announce to the House that the

House Judiciary Committee, under the chairmanship of JIM SENSENBRENNER, will be holding committee hearings on a Federal media shield law. I can't think of a more appropriate time to announce a hearing on this bill than during what is known as National Sunshine Week. This is a week where newspapers all across the land celebrate the importance of openness in government.

The Free Flow of Information Act strikes a proper balance between the public's interest in free dissemination of information and the needs of law enforcement. I urge my colleagues to cosponsor the Free Flow of Information Act. I commend the chairman of the House Judiciary Committee for this important step forward, and I close with Daniel Webster's missive that ''the entire and absolute freedom of the press is essential to the preservation of government on the basis of a free constitution.''

## ILLEGAL IMMIGRATION'S IMPACT ON TAXPAYERS

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

Mr. KELLER. Mr. Speaker, I rise today to discuss the impact illegal immigration has on taxpayers. Today, we have 11 million illegal aliens in the United States. Last year, our Border Patrol agents arrested 1.2 million illegal aliens attempting to enter the U.S. from Mexico.

Illegal aliens continue to enter the U.S. from the Mexican border at the rate of 8,000 per day, and I saw that firsthand on a recent trip to the Mexican border. The economic impact of illegal immigration on taxpayers is catastrophic.

Illegal immigration costs taxpayers $45 billion a year in health care, identification, and incarceration expenses. The cost of the estimated 630,000 illegal aliens in my home State of Florida is about $2 billion a year, meaning every family in my congressional district pays a hidden tax of $315 each year, yet they still face artificially depressed wages because of illegal immigration.

The House has recently passed a tough border security bill to address this problem, and I urge the Senate to act now to protect taxpayers.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, March 14, 2006.*

Hon. J. DENNIS HASTERT,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 14, 2006, at 10:00 a.m.:

That the Senate passed without amendment H.R. 1691.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

□ 1415

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

## MALCOLM MELVILLE ''MAC'' LAWRENCE POST OFFICE

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2064) to designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the Malcolm Melville ''Mac'' Lawrence Post Office.

The Clerk read as follows:

S. 2064

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

**SECTION 1. MALCOLM MELVILLE "MAC" LAWRENCE POST OFFICE.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, shall be known and designated as the ''Malcolm Melville 'Mac' Lawrence Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Malcolm Melville 'Mac' Lawrence Post Office''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, Senate 2064 introduced by the distinguished gentleman from Indiana, Senator LUGAR, would designate the Post Office in Francesville, Indiana, as the Malcolm Melville ''Mac'' Lawrence Post Office.

Mac Lawrence was a true leader in every sense of the word. After graduating from Purdue University in 1943, Mac was drafted into the Army and, with the First Medical Battalion, he participated in the D–Day landing at Normandy. For his heroics as an Army medic in World War II, Mac was awarded the Silver Star for valor, two Purple Hearts, and two Bronze Stars.

After the war, Mac and his wife moved to Francesville, Indiana, where they were again teaching at the Francesville High School in 1946. He taught vocational agriculture and industrial arts and was greatly admired by his students for his dedication to his craft and for his encouraging and optimistic nature. After 30 years of service, he retired as administrator of the high school, whose students he spent a large part of his life educating.

In addition, his service to his community did not go unnoticed. He served on the Francesville library board, was active in the Future Farmers of America, and participated in 4–H for 25 years. Mac's service to his country, State, and community were unparalleled, and I ask that all Members come together and honor this pillar of the Francesville, Indiana, community and pass Senate 2064.

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

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

Mr. Speaker, I am pleased to join my colleague, Mr. ISSA, in consideration of S. 2064, which designates the Postal facility in Francesville, Indiana, after Malcolm Melville ''Mac'' Lawrence. Senate 2064, sponsored by Senators LUGAR and BAYH, unanimously passed the Senate on March 3, 2006. An identical measure, H.R. 4346, sponsored by Representative BUYER, was unanimously passed by the Government Reform Committee on February 1, 2006.

A native of Indiana, Malcolm Lawrence was drafted into the U.S. Army after graduating from Purdue University. An Army medic serving in the 1st Medical Battalion, 18th Regiment of the 1st Infantry Division, Mac participated in the D–Day invasion of Normandy and attended to injured soldiers in numerous battles. In 1944, he was injured in a mortar attack. Before his discharge in 1945 and subsequent return home to Indiana, Mac had been awarded the Purple Heart, Bronze and Silver Star, and a host of other medals and badges.

Mac moved to Francesville and became a teacher at the local high school. He completed his teaching career as an administrator after 30 years of teaching.

A local hero, community leader and friend, Malcolm Lawrence was a beloved neighbor. Sadly, he passed away on July 8, 2004, leaving behind his family and a host of friends.

I commend my colleagues for seeking to recognize the many contributions of Malcolm Melville ''Mac'' Lawrence and urge swift passage of this bill.

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

Mr. ISSA. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I would like to thank both of my colleagues for the remarks that they have made, and share with them I wish they had an opportunity to meet this man, a remarkable human being, who was very humble, like many of his generation.

Mac Lawrence, if you were to ask Mac what was it like when you hit the beach at Omaha, and the only thing to protect you was the Red Cross on your sleeve, because he had no weapon and his only concern was to take care of his comrades, and there were many to take care of on that day.

When I asked Mac, Tell me, what was it like? I asked him that question because I was asked to give the radio address to the Nation on the 50th anniversary of Normandy, so I wanted to talk to some soldiers that actually had been on the beach that day and fought at Normandy. As he described that day to me, he wept. He said, Steve, I am one of the lucky ones. Many of the survivors of that battle, that is how they considered themselves, very lucky and very fortunate.

Mac came from humble beginnings in rural Indiana. He was morally centered. He was steeped in values, and received a pretty strong heritage from those who had come before him.

Some say that the measure of a man is the depth of the footprint that he leaves behind. I would say that Mac Lawrence left a deep footprint in the community of Francesville, not only as a war hero, but also as a community leader and as a teacher.

When you think of someone who just came out of the experience of freeing Europe from tyranny, he returns home, and what does he do, he wants to give back to his community and to serve his community in other manners. That is exactly what he did.

So yes, he was admired by his students; but he was also a very strict disciplinarian. One thing that his students remember is that principles mattered to this man. When I think about Mac, this is an individual of ordinary beginnings who, like many of his generation, were called upon to do extraordinary acts. They make the extraordinary very common.

This is a remarkable individual. I want to thank my colleague, Mr. CHOCOLA. Francesville is in Mr. CHOCOLA's congressional district, and I want to thank him for joining me in this legislation. I appreciate Senator LUGAR also taking up this cause in the United States Senate.

Here in the House, we do this often, to name a post office on behalf of someone who makes a difference and can be exemplary as a leader, so when some young lady or young man or boy visit the post office might say, who was Mac Lawrence, and we have an opportunity to then describe who Mac Lawrence is and to set the principles for them on how to lead their life. That is what Mac did for those who knew him in Francesville, Indiana. I thank both gentlemen for bringing this bill to the floor and ask Members to support it.

Special thanks to the chairman, TOM DAVIS, and the ranking member, HENRY WAXMAN, for reporting this legislation from the Government Reform Committee by unanimous consent on the first of February. Congressman CHOCOLA and I introduced H.R. 4346 in November of last year to honor Malcolm Lawrence with the naming of a post office in Francesville, IN. Today we consider S. 2064, companion legislation to our bill, which was introduced in the Senate by Senator RICHARD LUGAR.

Like many Post Office naming bills, we have the opportunity to honor a local hero by placing his name on an important community meeting place. Mac left an impression on not only his own community but on a country.

Some say the measure of a man is the depth of the footprint he leaves behind. Malcolm Melville Lawrence, known as "Mac," left a deep footprint on the community of Francesville as a war hero, community leader, and a teacher.

Born on a farm in Wheatfield, IN, Mac attended Purdue University on scholarship where he pursued a degree in Vocational Agriculture, Education, and Science. Despite being denied acceptance into the ROTC program at Purdue, Mac was drafted 5 months after graduating from college and immediately called to Fort Benjamin Harrison in Indianapolis to serve his country.

It may be insufficient to say Mac simply did his duty. He landed on the beaches of Normandy on June 6, 1944, with so many other young men from the greatest generation, with nothing to protect him but the red cross on his sleeve. He worked tirelessly to save the lives of his comrades at great risk to his own life. Mac served as a medic alongside the 1st Battalion, 18th Regiment of the 1st Infantry Division and was awarded the Silver Star for valor, two Purple Hearts, and two Bronze Stars during five campaigns in World War II.

After the war, Mac and his wife Phyllis moved to Francesville, IN, where he began teaching at Francesville High School in 1946. Mac was beloved by his students for his patience, remembered for his discipline and dedication to his craft, teaching everything from vocational agriculture to industrial arts. He finished as an administrator after more than 30 years in education.

Mac was the kind of person every community needs. Whether it was his service to his country or community, Mac asked nothing in return. He served on the library board, was active in Future Farmers of America, and participated in 4-H for 25 years. He was an exemplary citizen of the Francesville community and deserves this honor bestowed to him. Though he left this world on July 8, 2004, his legacy lives on.

I welcome the opportunity to further honor Mac Lawrence with the naming of the Francesville Post Office, the Malcolm Melville "Mac" Lawrence Post Office. Leading by quiet example while he was living, Mac deserves resounding recognition after death. I strongly urge the adoption of this legislation.

Mr. ISSA. Mr. Speaker, I urge all Members support Senate 2064, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the Senate bill, S. 2064.

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

A motion to reconsider was laid on the table.

## AMENDING OJITO WILDERNESS ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4841) to amend the Ojito Wilderness Act to make a technical correction.

The Clerk read as follows:

H.R. 4841

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

**SECTION 1. OJITO WILDERNESS MAP.**

Section 2(1) of the Ojito Wilderness Act (16 U.S.C. 1132 note; Public Law 109–94) is amended by striking ''October 1, 2004'' and inserting ''January 24, 2006''.

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

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 4841 introduced by the gentleman from New Mexico (Mr. UDALL) simply corrects a map associated with Public Law 109–94. This law made surplus Bureau of Land Management public lands adjacent to the Pueblo of Zia's reservation in New Mexico available for addition to the tribe's trust lands to protect important religious and cultural sites. The Pueblo would pay fair market value for the land, and none of the land would be available for commercial uses, including gaming.

Unfortunately, the Bureau of Land Management incorrectly drew the line representing that acreage on the map referenced in the law, omitting approximately 1,000 acres. We now have a corrected map. H.R. 4841 amends Public Law 109–44 to reference this corrected map.

H.R. 4841 is supported by the administration and the majority and the minority on the Committee of Resources. I thank Mr. UDALL, and I urge adoption of the bill.

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

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

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

Mr. UDALL of New Mexico. Mr. Speaker, I very much appreciate the attendance of Mr. RENZI on the floor and his very gracious remarks.

Mr. Speaker, H.R. 4841 is legislation I introduced to make a technical correction to the map reference contained in Public Law 109–94, the Ojito Wilderness Act. This technical correction is necessary because of an error made by the Bureau of Land Management in the printing of the map to accompany Public Law 109–94. The original map failed to include 1,035 acres of land that all parties agreed would be acquired by the Pueblo of Zia as part of the original legislation.

Mr. Speaker, I appreciate the cooperation of Chairman POMBO and ranking member RAHALL of the Resources Committee in expediting the consideration of this legislation. H.R. 4841 is truly a noncontroversial measure, and I urge its adoption by the House today.

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

Mr. RENZI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank Mr. UDALL. He has been a true friend and advocate all across Indian country, particularly on Navaho issues in teaming up and working together. This is just one more example of his advocacy for Native Americans.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 4841.

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

A motion to reconsider was laid on the table.

## HIGHER EDUCATION EXTENSION ACT OF 2006

Mr. KELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4911) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

The Clerk read as follows:

H.R. 4911

*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 ''Higher Education Extension Act of 2006''.

**SEC. 2. EXTENSION OF PROGRAMS.**

Section 2(a) of the Higher Education Extension Act of 2005 (Public Law 109–81; 20 U.S.C. 1001 note) is amended by striking ''March 31, 2006'' and inserting ''June 30, 2006''.

**SEC. 3. RULE OF CONSTRUCTION.**

Nothing in this Act, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109–171) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. KELLER) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4911.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4911, the Higher Education Extension Act of 2006. This bill will provide a clean extension of the Higher Education Act for 3 months. This extension will allow us to finish our important work on the reauthorization of the Higher Education Act and expand college access for millions of American students.

As the new chairman of the 21st Century Competitiveness Subcommittee, which is the subcommittee with jurisdiction over higher education, I am proud of the work we have done so far in reauthorizing the Higher Education Act. We have started the reauthorization process already through the passage of important higher education reforms in the Deficit Reduction Act. We strengthened student loans and cut excessive subsidies to lenders. We have increased loan limits to give students more access to the money they need, and we have reduced fees so students can keep more of what they borrow.

There is important work yet to be done. The Committee on Education and the Workforce has successfully marked up H.R. 609, the College Access and Opportunity Act. I look forward to working with my colleagues in passing H.R. 609 to continue building the Pell grant program, help control the rising cost of college, and increase college access for all students.

□ 1430

Mr. Speaker, this is a clean extension that will allow the current programs of the Higher Education Act to continue past their current March 31 expiration date. Programs like Pell grants are the passport out of poverty for millions of American students. We must not break our commitment to higher education. I urge my colleagues to vote ''yes'' on H.R. 4911, and I look forward to working to pass a comprehensive higher education reauthorization bill later this year.

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

Mr. KILDEE. Mr. Speaker. I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 4911, a 3-month extension of the Higher Education Act. And I extend my congratulations to Mr. KELLER in his new role as subcommittee Chair.

This, in essence, temporarily extends the last portions of the Higher Education Act not reauthorized in the reconciliation package.

During the 1998 reauthorization, I had the opportunity to work closely with Chairman MCKEON in crafting a bipartisan bill. Despite a rocky reauthorization process so far this Congress, I still hope we can build on our previous partnerships.

Most of the damaging changes to the Higher Education Act in student aid have already been passed in reconciliation, which I opposed. That action forever removed nearly $12 billion from student aid programs and missed an opportunity to reinvest in students already struggling to pay for college.

With this highly contentious and misguided portion no longer connected to the reauthorization, I hope we can now move forward in a bipartisan way as we reauthorize the few remaining items of the Higher Education Act.

Several good-faith compromises were made in the nonstudent aid portions of reauthorization when we marked up H.R. 609 this past summer. Yet the bill was far from bipartisan when the Committee on Education and the Workforce reported H.R. 609 in July by a party-line vote.

As we move forward this year with my good friend Mr. MCKEON as the new committee Chair, I hope we can build on the bipartisan spirit of the 1998 reauthorization that we worked on together.

Again, I would like to thank Chairman MCKEON for offering H.R. 4911, the 3-month extension of the Higher Education Act, and I am pleased to offer my support and cosponsorship. I hope that this extension will allow the Republican leadership time to work with us to move forward in a bipartisan way as we finish our work on the higher education reauthorization.

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

Mr. KELLER. Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. MCKEON), the chairman of the Education and Workforce Committee.

Mr. MCKEON. Mr. Speaker, for the last several years my colleagues on the Education and Workforce Committee have joined me in working to renew and indeed improve the Higher Education Act. Congress recently took an important step toward doing just that. Legislation enacted last month reauthorized mandatory spending programs under the Higher Education Act and made some important reforms to the law as well, reforms destined to benefit students and taxpayers alike.

Through our efforts, we have reduced lender subsidies, increased loan limits

for students, simplified the financial aid process, and provided additional resources for needy students studying math, science, and critical foreign languages in college. All the while, we have made certain that student aid programs operate more efficiently, saving U.S. taxpayers billions as part of this Congress' goal to rein in runaway entitlement spending.

It is my hope that the House will soon renew remaining Higher Education Act programs by passing the College Access and Opportunity Act, H.R. 609. This bill would strengthen the Pell grant program, empower parents and students through sunshine and transparency in college costs and accreditation, and improve college access programs. The measure was passed by the Education and Workforce Committee last summer, and I look forward to working with my colleagues from both parties to see it pass here on the House floor as well.

As Mr. KILDEE mentioned, in 1998 we worked very closely together in reauthorizing the Higher Education Act. And I am certain that we will be able to work very well in passing H.R. 609, hopefully in the next few weeks.

In the meantime, Congress again must act to extend the Higher Education Act which we have done previously on several occasions with bipartisan support. And today I rise in support of the legislation to do so once again. H.R. 4911, the Higher Education Act, will ensure that vital Federal college access and student loan programs continue to serve those students who depend upon them. This legislation extends the Higher Education Act for a brief time, 3 months, to allow the student aid program reforms enacted last month to take full effect on July 1, 2006. At the same time, H.R. 4911 also gives Congress additional time to complete a renewal of the remaining higher education programs as well.

Each year, more and more American students participate in higher education programs at our Nation's colleges and universities. The new realities of an increasingly competitive global economy made clear that higher education is more important than ever before. That is why the Federal investment in the Higher Education Act is so vital. Millions of low- and middle-income students aspire for a college education, and we are depending on these young men and women to lead our Nation into the 21st century.

Mr. Speaker, the legislation before us today is a necessary step to keep programs under the Higher Education Act from expiring. Too many students depend on this assistance, and we cannot allow it to lapse. However, we must remain focused on completing comprehensive reforms to build upon these programs.

With the enactment of the Deficit Reduction Act, we are halfway there. The extension we will vote on today is a bridge to the balance of our work, the College Access and Opportunity Act. I encourage my colleagues to support the bill before us today and work with us in the coming weeks and months to complete a fundamental reform package so we can better serve American students pursuing the dream of a college education.

Mr. KILDEE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, let me start by congratulating our new chairman, the distinguished gentleman from California (Mr. MCKEON). I am confident that he will be an excellent chairman and he will preside over our committee with fairness and bipartisanship and with the best interest of America's students and our workforce at the forefront.

And let me also congratulate Mr. KELLER on his appointment as the chair of the 21st Century Competitive Subcommittee. I look forward to working with him as well.

Mr. Speaker, I rise in support of H.R. 4911 with the hope that this third extension of the Higher Education Act may be the last short-term measure we need to pass before we produce an improved bipartisan and long overdue reauthorization bill that also reflects the best interests of America's college students.

As many of these students continue receiving their college acceptance letters, their families are now calculating how they can squeeze rising tuition and expenses into their budget. This is an uphill struggle made tougher by the President's budget for education which freezes Pell grants for the fifth year in a row, recalls the Federal portion of the Perkins Loan revolving fund, and freezes funding for the SEOG program and for work-study.

Students have done their part by working hard and getting accepted to college. Families have done their part by saving for college. Now it is our turn to help.

Mr. Speaker, let us pass this extension, defeat the budget cuts to student loan programs, and pass a reauthorization that will be improved over the bill reported out of our committee that helps make the dream of college a reality for America's students.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Florida (Mr. KELLER) that the House suspend the rules and pass the bill, H.R. 4911.

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

A motion to reconsider was laid on the table.

## EDUCATIONAL FLEXIBILITY PROGRAM EXTENSION

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2363) to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

The Clerk read as follows:

S. 2363

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

**SECTION 1. EDUCATIONAL FLEXIBILITY PROGRAM EXTENSION.**

(a) EXTENSION AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Education is authorized to carry out the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b), until the date of enactment of an Act that reauthorizes programs under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), for any State that was an Ed-Flex Partnership State on September 30, 2004.

(b) DESIGNATION.—

(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on September 30, 2004, shall be extended until the date of enactment of an Act that reauthorizes programs under part A of title I of the Elementary and Secondary Education Act of 1965, if the Secretary of Education makes the determination described in paragraph (2).

(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware.

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 2363.

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

There was no objection.

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

Mr. Speaker, I am pleased to rise today in support of Senate 2363, a bill that would extend the Education Flexibility Partnership Act, also known as Ed-Flex. This important bill will allow States that have already been approved for the Ed-Flex program to continue to participate until the No Child Left Behind Act is reauthorized and the issue of appropriate administrative flexibility can be re-examined by Congress.

As some of you may know, Ed-Flex provides greater State and local flexibility when using Federal education

funds to support locally designed comprehensive school improvement efforts. This increased flexibility is provided in exchange for increased accountability for results.

Specifically, Ed-Flex allows the Secretary of Education to delegate the authority to States to waive certain Federal statutory or regulatory requirements affecting the State and local school districts and schools, if they have adopted challenging academic standards and strong provisions for holding schools accountable for student achievement.

I would also like to point out that there are some provisions of Federal law that cannot be waived under the Ed-Flex program. Those provisions include requirements relating to fiscal accountability standards, equitable participation by private school pupils and teachers, parental involvement, allocation of funds to States and local school districts, as well as health, safety and civil rights.

I am pleased that my home State of Delaware is one of the States that has been participating in the Ed-Flex program. They have used the additional flexibility provided by Ed-Flex to better serve students and schools with a high level of poverty.

I urge all of you to support the bill. In exchange for accountability, we can give States and local schools increased flexibility and more freedom from unnecessary and burdensome Federal regulations that can so often get in the way of attaining educational excellence. I ask my colleagues to support this resolution.

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

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

I join my colleague in supporting S. 2363, a bill to extend the current Ed-Flex authority.

The Ed-Flex program was first established in 1994 through the Goals 2000 Act. I was chief sponsor of the bill and Bill Goodling of Pennsylvania was the author of the Ed-Flex language. This was part of an early effort to provide States with greater flexibility as they begin to implement education reform initiatives.

Ed-Flex addressed criticism that certain Federal education requirements stymied local education reform and allowed local school districts to apply to waive select education requirements.

In exchange for greater flexibility, the local school district must demonstrate improved academic performance. Twelve States were granted Ed-Flex authority in 1999. Ten States continue to have the authority: Colorado, Delaware, Kansas, Massachusetts, Maryland, North Carolina, Oregon, Pennsylvania, Texas, and Vermont.

S. 2363 would extend Ed-Flex for these 10 States until Congress reauthorizes No Child Left Behind.

By extending this authority for these 10 States, local school districts in these States will not have to interrupt the measures they currently have in place.

In Maryland, this includes allowing school districts that receive title I funds to allow all the students in the school to take advantage of title I services, such as extra attention in reading, in writing for elementary school students.

In Massachusetts, seven school districts are using Ed-Flex authority to provide title I service to schools that previously had access to these services; but due to shifts in school populations, these schools were no longer eligible for these funds, even though the need still existed.

I am pleased that States have been responsible in approving waivers requested by the school districts. States have adhered to the law which prohibits certain waivers such as those affecting civil rights and maintenance of effort. These provisions are important and exist to maintain necessary protection for students and funding.

Finally, Mr. Speaker, let me also mention that the Department of Education has provided assurances that it will not allow States to waive compliance with a highly qualified teacher provision in No Child Left Behind. All States must be in compliance with this provision by the end of this school year.

The highly qualified teacher provision is critical to improving student academic performance. All children should have the benefit of a teacher who is certified in the subject area they teach. The highly qualified teacher provision in No Child Left Behind ensures that that will happen, and I appreciate the Department's oversight on this issue.

Mr. Speaker, this bill is well thought out and deserves the support of this House.

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

□ 1445

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the Senate bill, S. 2363.

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

A motion to reconsider was laid on the table.

## SENSE OF HOUSE THAT AMERICANS SHOULD PARTICIPATE IN MOMENT OF SILENCE REGARDING ARMED FORCES

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 698) expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad.

The Clerk read as follows:

H. RES. 698

Whereas it was through the brave and noble efforts of the Nation's forefathers that the United States first gained freedom and became a sovereign nation;

Whereas there are more than 1,300,000 active component and more than 1,100,000 reserve component members of the Armed Forces serving the Nation in support and defense of the values and freedom that all Americans cherish;

Whereas the members of the Armed Forces deserve the utmost respect and admiration of their fellow Americans for putting their lives in danger for the sake of the freedoms enjoyed by all Americans;

Whereas members of the Armed Forces are defending freedom and democracy around the globe and are playing a vital role in protecting the safety and security of all Americans;

Whereas the nation officially celebrates and honors the accomplishments and sacrifices of veterans, patriots, and leaders who fought for freedom, but does not yet officially pay tribute to those who currently serve in the Armed Forces;

Whereas all Americans should participate in a moment of silence to support the troops; and

Whereas March 26th, 2006, is designated as "National Support the Troops Day": Now, therefore, be it

*Resolved*, That it is the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, House Resolution 698 calls on all Americans to take a moment and reflect on the sacrifices that our young men and women in the United States military make every single day. I am honored to support this resolution.

Today we stand here, not as Republicans or Democrats, not as liberals or conservatives, but as Americans, able to put our differences aside and remember the commitment and sacrifices of those who are willing to go into harm's way to preserve the very freedoms we sometimes take for granted.

As a member of the House Armed Services Committee, I sometimes have

the great distinction of traveling with my colleagues and meeting and listening to these brave men and women; and in talking with these young men and women, I can never help but to come away inspired by the strength of their convictions.

Last year, I was honored to fly aboard the USS *Theodore Roosevelt* as it was preparing for its recent deployment and spend the night aboard the massive aircraft carrier. It was there that I was able to see firsthand the thousands of 18- and 19-year-olds who transformed the *Roosevelt* from a floating piece of metal into the most powerful tool of American foreign policy.

I gained a deeper understanding of the sacrifices that these young sailors endure in defense of our Nation. Many of them will work on that flight deck and in the bowels of the ship for 17-hour days enduring a heat much worse than we ever experience on a summer day here in Washington. When they finally get some rest at the end of a long and grueling day, it is in cramped quarters with little or no privacy.

I was astounded by the dedication, professionalism, and heart of the young men and women who make up her crew. They truly show that the legacy of the Greatest Generation lives on in the spirit of our youth.

Mr. Speaker, this past weekend, the *Theodore Roosevelt* came home to Norfolk, which I proudly represent, at the end of its 6-month deployment to the Middle East, where it launched over 5,000 sorties in support of the global war on terror. This resolution is for those brave sailors, as well as all the brave men and women who have time and time again answered the call and proudly served this Nation when its principles and values have come under attack. They have never wavered in their defense of freedom and their sacrifice should never be forgotten, least of all by us here in Washington.

I would like to thank Mr. KNOLLENBERG for introducing this very important resolution and for his commitment and dedication to our fighting men and women.

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

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

Mr. Speaker, I, too, rise in support of House Resolution 698, which expresses the sense of the House that all Americans should reflect upon the service and sacrifice of members of the United States Armed Forces. I want to thank and recognize the gentlewoman from Virginia (Mrs. DRAKE) for her leadership on this matter. I also want to acknowledge the gentleman from Michigan (Mr. KNOLLENBERG) for bringing this measure forward.

Mr. Speaker, there are over 2.4 million men and women in uniform, who have volunteered to defend this Nation. Today, over 281,000 of these extraordinary individuals are deployed in over 120 countries around the world. Active and reserve component personnel are answering the call to duty in the global war on terror, as we, the homeland, defend challenges back at home.

It is only fitting, Mr. Speaker, that we recognize the service and sacrifice they make each and every day. The resolution before us calls upon all Americans to participate in a moment of silence and reflect upon the service and sacrifice that is being made by our Armed Forces, both here at home and abroad.

I would like to take this opportunity to also remind all Americans that in the coming months, May, in particular, the month of May, will be National Military Appreciation Month. It is another opportunity for us to recognize and honor those who serve and have served in our Armed Forces. I urge my colleagues to work with their communities to raise awareness and honor those who chose to serve their Nation in uniform.

Today we have thousands of soldiers, sailors, marines, airmen, and Coast Guardsmen who serve in harm's way.

I urge our communities throughout this Nation to reach out to those brave and honorable Americans and recognize their contributions by adopting a servicemember or unit or a family that is left behind. While we should take a moment to reflect upon these sacrifices these individuals are making, there are also tangible efforts that Americans can take to show their love and appreciation to our Armed Forces.

I urge all Americans to continue their strong support for our troops and to express their support in appropriate venues.

Mr. Speaker, I urge my colleagues to join me in support of this great resolution.

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

Mrs. DRAKE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. KNOLLENBERG), the sponsor of the bill.

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentlewoman from Virginia for allowing me to speak on this very important resolution today.

Mr. Speaker, last month, I came across a story of a young constituent of mine, Alexandra McGregor, who started a grass-roots campaign for a National Support the Troops Day.

After watching a news report about a fallen soldier, Alexandra began to think of all the days set aside to honor great Americans. Her idea for a National Support the Troops Day was hatched because of her belief that our active duty troops should be honored in the same way as veterans, Presidents, and other great Americans.

Alexandra was inspired to contact local, State, and Federal officials about her idea. She even went so far as to write to one high school in each State to encourage them to participate in a National Support the Troops Day.

Mr. Speaker, I stand here today because of Alexandra and those like her who wish to show their appreciation to the troops.

Currently, the U.S. officially honors the service veterans and patriots with designated national holidays. However, there is no official national day of recognition for active duty troops. We need to honor these men and women and show them that Americans across the country are appreciative of their hard work and sacrifice.

This resolution calls for Americans to participate in a moment of silence on March 26 to recognize our active duty troops. Mr. Speaker, this is no arbitrary day. Alexandra choose this day because it is the birthday of her late grandfather, a World War II veteran.

Today, there are over 1.3 million active duty troops both here at home and abroad. These men and women range from first-year military academy cadets to colonels and generals fighting in the global war against terrorism. Although we cannot thank them all individually, they all deserve our respect and admiration for their dedication to this great country. This resolution will honor our active duty troops as they deserve to be honored. On March 26, we will stand and salute these brave men and women.

With this resolution, it is my hope that our troops will know that the American people, from a 16-year-old girl in Waterford, Michigan, to the Members of the U.S. House of Representatives, are grateful for their service. With our country at war, it is more important than ever to show our appreciation for our troops.

Mr. Speaker, I stand here today to ask for support of this resolution. I appreciate very much those that have joined in support of this resolution and for the support of the dedicated, courageous, heroic men and women of our Armed Forces.

Mr. BUTTERFIELD. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Speaker, I rise today in support of House Resolution 698, offered by the gentleman from Michigan (Mr. KNOLLENBERG) to express the sense of this body that all Americans should participate in a moment of silence to reflect upon the service and the sacrifice of the members of the United States Armed Forces, both at home and abroad. Our Nation is unified in support of our men and women who sacrifice to keep us free.

This past year, Mr. Speaker, the U.S. Territory of Guam lost several servicemembers in combat. The toll seems unbearable to those who have lost loved ones, and in many ways it is. But the price that these men and women were willing to pay and ultimately did can be understood when one takes a simple moment to stop and notice what our way of life provides for us: liberty, freedom, and democracy.

Our Nation's fallen heroes know that freedom is not free. They died to protect our liberty so that we can remain

free. In many cases, they gave so others could also have a chance to live as we do, because we believe freedom-loving democracies will live at peace with us.

So as we honor all who serve with this resolution, I especially honor those who have made the greatest sacrifice. A moment of silence is especially appropriate for these fallen heroes, men and women, to whom we owe a debt of gratitude that is simply unpayable.

It allows us to reflect on our freedom; but mostly, Mr. Speaker, it captures the enormity of their individual sacrifices. Forever, each has fallen silent. For those who love them, there is consolation in knowing that our Nation will remember their sacrifice.

So let us take a moment to reflect upon and honor their memory. Today, as I read off the names of Guam's fallen heroes in the war on terror, I ask, Mr. Speaker, that we observe a brief moment of silence here today in this House on this floor to honor these men and women who sacrificed and continue to sacrifice like they did:

Specialist Christopher Wesley; First Lieutenant Michael Aguon Vega; Sergeant Yihjyh Lang Chen; Corporal JayGee Meluat; Sergeant Skipper Soram; Specialist Jonathon Pangelinan Santos; Staff Sergeant Steven Bayow; Specialist Derence Jack; Sergeant Wilgene Lieto; Specialist Richard Naputi; and Specialist Kasper Dudkiewicz.

Now for a brief moment of silence.

God bless our service men and women, and God bless our great country, the United States of America.

Mrs. DRAKE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Mrs. MILLER).

□ 1500

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in very, very strong support of this resolution offered by my colleague from the great State of Michigan (Mr. KNOLLENBERG).

Mr. Speaker, since September 11, 2001, our Nation has been at war against the cowardly terrorists who attacked our Nation on that horrible day. The men and the women who served in our Armed Forces have made tremendous sacrifices to make America and the world a safer place.

They toppled the Taliban and they brought freedom and democracy to 25 million people in Afghanistan. Because of that service and that sacrifice, Mr. Speaker, Afghanistan today is a partner and an ally in the war on terror, instead of the friendly host of our enemy.

For the past 3 years, the Armed Forces have been engaged in Operation Iraqi Freedom. That mission has been very long, very difficult, and the sacrifices have been many. But the mission is being achieved. The Iraqi people have gone to the polls three times and are now finishing the work on establishing a Democratic national unity government.

Once democracy takes root in Iraq, freedom will have gained another foothold in a part of the world where it is so desperately needed. None of these incredible accomplishments would have been possible without the sacrifice of our men and our women in uniform.

All of our volunteer military, made up of citizen soldiers, are the best emissaries of freedom our Nation has to offer. These are men and women willing to give up their lives to spread freedom and to make our Nation more secure. And for that we owe them a debt which can never be repaid.

The least we can do as Americans is to pause to reflect on everything that they have sacrificed, for the incredible service that they have given to the cause of freedom. And so to every soldier in the Army, to every airman in the Air Force, to every sailor in the Navy, to every Marine, to every member of the National Guard or the Reserves, to every brave member of the Coast Guard, thank you.

Thank you for your service and thank you for your sacrifice. Thank you all for serving the cause of freedom. Every American should observe the moment of silence asked for by this resolution and reflect upon all of our Armed Forces and all that they have done to protect our freedoms, our liberty, our democracy. And following that moment of silence, we should also personally thank every service member that we meet in our everyday lives.

Mr. Speaker, I urge my colleagues to support this very important resolution.

Ms. WATERS. Mr. Speaker, I rise in support of this resolution and thank the gentleman (Mr. KNOLLENBERG) for introducing it. No matter what one's views are on the Iraq war, or war in general, our men and women in uniform sacrifice a great deal so that we may live freely.

It is a fact of life that in every war anyone who serves in war runs the very real risk of losing their lives. This is a tremendous burden that few of us can ever imagine. However, from the moment they rise in the morning, every U.S. soldier knows that they could fall in the line of duty that day.

Unfortunately, 2,309 U.S. soldiers have paid the ultimate price in Iraq and 278 have died in Afghanistan. Thousands have died in the wars that the U.S. has fought—Vietnam, World War I and World War II, Korea, Desert Storm and others. All of these soldiers, regardless of when they served, deserve our thanks, our prayers, and our respect.

This burden is shared by not only every man and woman that puts on the uniform, but each of their families, too. In order to adequately honor those that have fallen, we must continue our responsibility to those that they have left behind.

Mr. Speaker, we must show our support for these fallen heroes and their families. This resolution is a small way of showing our gratitude.

I strongly support this resolution and thank our soldiers for their service. My prayers are with those who have lost their lives and their families.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and agree to the resolution, H. Res. 698.

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

A motion to reconsider was laid on the table.

## EXPRESSING SUPPORT OF CONGRESS REGARDING ACCESS OF MILITARY RECRUITERS TO INSTITUTIONS OF HIGHER EDUCATION

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 354) expressing the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds.

The Clerk read as follows:

H. CON. RES. 354

Whereas on March 6, 2006, the Supreme Court ruled 8–0 in favor of the Government in the case of Rumsfeld v. Forum for Academic and Institutional Rights, Inc., upholding the authority of Congress to withhold Federal funds from an institution of higher education that prevents military recruiters from gaining access to the institution's campus and students in a manner that is at least equal in quality and scope to that which is provided to any other employer;

Whereas this important decision comes at a time when the Nation finds itself at war and reaffirms the constitutional obligation of the Government to provide for the defense of the Nation;

Whereas the decision recognizes the authority of Congress under section 8 of article I of the Constitution to raise and support armies, provide and maintain a navy, and make rules for the government and regulation of the land and naval forces;

Whereas the national security interests of the United States are best served by a high level of military personnel readiness;

Whereas the ability of the Armed Forces to recruit the best possible candidates from the widest available pool of talent is of paramount importance to national security;

Whereas institutions of higher education are an important source of recruits for the Armed Forces;

Whereas an institution of higher education that prevents military recruiters from gaining access to the institution's campus or students in a manner that is at least equal in quality and scope to that which is provided to any other employer does a disservice to those students who desire the opportunity to serve in the Armed Forces; and

Whereas section 983 of title 10, United States Code, requires institutions of higher education to provide such equal access to military recruiters in order to be eligible for the receipt of certain Federal funds: Now, therefore, be it

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

continued support for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, on March 6, 2006, the Supreme Court of the United States, in unanimously deciding in favor of the government's position in the case Rumsfeld v. the Forum for Academic and Institutional Rights, Inc., sent an emphatic rebuke to those who would view opposition to military recruiting as a form of protest.

The military recruiting process within our colleges and universities is an important pillar of our national security that we can ill afford to cavalierly cast aside because of a policy disagreement.

The Supreme Court's decision upheld the Solomon Amendment named for the late U.S. Representative, Gerald Solomon, and strongly supported from its inception in 1994 by our colleague, the gentleman from California (Mr. POMBO).

Mr. Solomon's and Mr. POMBO's initial objective was simple. No institution may deny access to recruiters, to students and student information, or student access to Reserve Officer Training Corps, or ROTC programs, without forfeiting their Federal grants and other funding.

Under a number of modifications over the years, the language ruled on by the court requires access to military recruiters that is at least equal in quality and scope to the access provided to any other employer.

While the law initially put only Department of Defense funding at risk, the current law, upheld by the court's ruling, would allow the funding from eight agencies to be withheld, including the Department of Homeland Security, the Department of Transportation, the Department of Energy, the Department of Education, and the Department of Health and Human Services.

The group, representing a number of law schools and professors, had persuaded the United States Court of Appeals for the Third Circuit in Philadelphia that the Solomon Amendment violated the Unconstitutional Conditions Doctrine, because it forced a law school to choose between surrendering first amendment rights of speech and association and losing Federal funding for its university.

At the center of the debate was the objection of certain organizations to the Department of Defense policy that denies military service to open homosexuals. The Supreme Court decision discredited the case by clarifying that the Solomon Amendment regulated conduct and not speech, and that it was clear that the policy on homosexuals was a government statement and not the policy of the law schools.

The decision also noted that the Solomon Amendment presented no risk to the freedom of association of the law schools since there was no capability for recruiters to become part of an institution and actively hijack the public perception of the institution's views.

Mr. Speaker, House Concurrent Resolution 354, offered by the gentleman from California (Mr. POMBO), is a celebration of a wise and just decision by our Supreme Court and a strong statement of Congressional support for the Solomon Amendment.

The Solomon Amendment expresses the inherent wisdom of its author and the finest traditions of our Nation. In Mr. Solomon's view, barring military recruiters was an intrusion on Federal prerogatives, a slap in the face to our Nation's military personnel, and an impediment to a sound national security policy.

Mr. Speaker, the Solomon Amendment really does work to protect the future of our Nation. Today, there are only three small law schools that have chosen to deny recruiters access to campuses and student information. They simply do not require Federal funding to survive, and they have chosen to protest the Department of Defense policy on homosexuals in the military as is their right.

But for the overwhelming majority of colleges and universities, the worthy messages of patriotism and service to Nation are being heard by America's youth and they are stepping forward to confront our enemies in this long war against terror.

Mr. Speaker, I commend Mr. POMBO for introducing this resolution. It is imperative that everyone in our Nation understand the importance of military recruiting and the unequivocal committee support of the Congress for the Solomon Amendment.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 354.

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

Mr. BUTTERFIELD. Mr. Speaker, I yield myself such time as I may consume. I rise in support of House Concurrent Resolution 354, which expresses Congress' continued support to require institutions of higher education to provide military recruiters the same access to students as they provide to other employers.

I am pleased to join with the gentlewoman from Virginia (Mrs. DRAKE) in support of this measure. I would also like to recognize the gentleman from California (Mr. POMBO) for bringing this measure forward today.

Mr. Speaker, on March 6, 2006 just a few days ago, the United States Supreme Court affirmed the statutory provision that requires institutions of higher education to provide access to students at least equal in quality and equal in scope to those that are provided to other employers in order to be eligible for receipt of Federal funds.

The statutory provision, commonly referred to as the Solomon Amendment, was first enacted in 1994, and has subsequently been amended over the past several years. However, the basic underlying premise of the provision is that a college or university that denies military recruiters access equal to other recruiters would lose their Federal funds.

The Supreme Court found that the Solomon Amendment does not violate the first amendment, and that Congress can require law schools to provide equal access to military recruiters without violating the school's freedom of speech or association as schools are free to not accept Federal funding.

We are a Nation at war, and military recruiters need to be able to recruit individuals from all walks of life, from the high school graduate, to the person completing their doctorate and all of those in between, whether they are undergraduates in liberal arts, whether they are law school students or medical professionals completing their residency.

The military, in many ways, is just a microcosm of our society as a whole. And Congress has a responsibility to ensure that all Americans, all Americans are afforded the knowledge and the opportunity to serve their Nation if they choose to do so.

Therefore, Mr. Speaker, I urge my colleagues to vote for this resolution.

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

Mrs. DRAKE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, in this House, we are continually voting for increased funding for institutions of higher learning in our Nation, and it is certainly right and it is proper that we do so, because our future depends or our young people being able to receive the education that they so rightly deserve.

But what has been troubling in recent years has been attempts by many of these same institutions that receive Federal funding to restrict or to bar military recruiters from their campuses in violation of the law.

Recently, Mr. Speaker, the Supreme Court voted in an 8–0 decision to uphold the requirement that military recruiters be given access to students

like any other perspective employer, or that institution could lose their Federal funding. This policy is very, very important to the future of our military, of our freedom, and of our democracy.

The young men and women on our college campuses should not be denied the great opportunities available to them, to so many of them in the United States military, just because some college administrator may not agree with our national policy.

We have freedom in our Nation, but that freedom is not free. And there are many young people in our Nation's colleges, in our Nation's universities who are willing to pay the price of service and of sacrifice in order to protect the freedom of every one of their fellow Americans.

Mr. Speaker, this resolution restates the policy and sends a very clear message to our Nation's colleges and to our Nation's universities. We as a Nation want to support their mission to educate our young people. They must allow equal access to our military recruiters to give those students a chance to see if serving their country is perhaps the right career move for them or the right personal choice for them.

Mr. Speaker, not one person in this Nation is drafted into military service. We have an all-volunteer military. It makes us strong and it keeps us free. Free people make free decisions. Let us let our young people continue to make theirs an informed decision.

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

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

Mr. KUCINICH. Mr. Speaker, I want to thank the gentleman for the recognition to speak so that I can make my remarks with the proper perspective.

My father, Frank Kucinich, was a World War II Marine Corps veteran.

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My brother Frank Kucinich, Jr., was a Vietnam veteran in the Marines. My brother Gary Kucinich was a Marine Corps veteran, 1968 to 1972. My sister Beth Ann Kucinich served in the United States Army. I would have served as well except that I was not able to get in as I have a heart murmur.

We have a tradition of service in my family. My nephew Gary Kucinich, my brother Gary's son, is in Iraq right now. But having said all that, I want to say that while I believe it is honorable to serve our country and we should praise those who do serve, I rise in strong opposition to H. Con. Res. 354 and in support of the necessity and importance of nondiscrimination policies.

The military's misguided Don't Ask, Don't Tell ban on lesbian, gay and bisexual servicemembers is clearly not compatible with university policies that prohibit campus recruiting by employers who discriminate on the basis of sexual orientation.

There is no lack of ''equal'' access for any employer that seeks to recruit on America's college campuses, assuming those employers do not discriminate. But granting access to an employer, whether military, private sector or otherwise, that fails to meet a school's nondiscrimination policy is not equal access, but special access. It is a unique right to discriminate, granted only to the military.

This Congress should be leading the way in the fight against discrimination, not supporting policies that allow the military to sidestep nondiscrimination policies. We should ensure that all men and women who wish to serve in the Armed Forces are allowed to do so by repealing Don't Ask, Don't Tell.

Requiring schools to suspend their nondiscrimination policies for military recruiters and their openly discriminatory policies is a step backwards. Rather than condone and supporting these discriminatory policies, this Congress should work diligently to eliminate the need for nondiscrimination policies. I urge my colleagues to take the lead in the fight against discrimination. I urge my colleagues to vote against this bill.

Mr. MCKEON. Mr. Speaker, I rise in very strong support of H. Con. Res. 354. As chairman of the Education and the Workforce Committee and a member of the Armed Services Committee, this measure touches on two issues very near and dear to my heart: higher education and our national security.

Just over a week ago, the U.S. Supreme Court announced a unanimous decision to protect the rights of military recruiters seeking access to colleges and universities that accept Federal funding. I applaud the Supreme Court's decision, which embodies the same spirit as many of our own legislative efforts here in Congress.

Since its enactment in 1996, the Solomon amendment has found many allies on the Education and the Workforce and the Armed Services Committees, as well as throughout the entire House. Our consistent message has been this: Whether in a time of war or a time of peace, if colleges and universities are willing to accept taxpayer dollars to operate, they also must be willing to accept those who recruit the men and women who defend our Nation—and our freedom.

At no time in recent memory has our Nation placed more responsibility upon the shoulders of our men and women in uniform. We're fighting a war unlike any we have ever fought before and doing so on multiple fronts. As we struggle to preserve our very way of life, it is essential that we promote military service as an option for college students across the country. Indeed, if we are going to find success in defending our freedom and protecting our homeland, then our military recruiters must have access to our Nation's best and brightest students. And that access is what the Solomon amendment, last week's unanimous Supreme Court decision, and our ongoing efforts here in Congress continue to protect.

Mr. Speaker, this Congress has established a record of action on national security issues, from supporting our military to providing for a strong national defense to fighting and winning the war on terror. We remain committed to standing behind our troops and defending our Nation from every threat, and this resolution is a reflection of that fact. I urge my colleagues to join me in supporting this measure.

Mr. FARR. Mr. Speaker, I rise in opposition today to H. Con. Res. 354.

Last year, students at the University of California at Santa Cruz in my district organized a demonstration protesting the Department of Defense's ''Don't Ask, Don't Tell'' policy and the presence of military recruiters to campus. How did DOD respond? They sent someone to spy on the protest and deemed the participants, students exercising their constitutional rights, a ''credible threat''! .

Our country was founded on the principle that its citizens have the authority to disagree with their government. As Edward R. Murrow said, ''We must not confuse dissent with disloyalty.'' Unwarranted domestic spying is the kind of extreme DOD reaction that concerns me if military recruiters are allowed unfettered access to campuses across the Nation.

The Republican leadership may be eager to endorse the recent Supreme Court decision requiring higher education institutions to provide access to a Government agency that practices blatant discriminatory practices, but my constituents and I are not.

Conditional Federal funding may be constitutional, but discrimination in all practices should not be.

Congress should be working to encourage civil rights and non-discriminatory practices, not endorsing a decision that forces universities to disregard their own values and the constitutional rights of their students. Equating equal opportunity employers with a Government agency that abides by the discriminatory ''Don't ask, don't tell'' policy is unreasonable and unjust.

I urge a ''no'' vote on this resolution.

Mr. STARK. Mr. Speaker, I rise in strong opposition to H. Con. Res. 354 because the military should not discriminate based on sexual orientation. Colleges and universities should be able to deny access to military recruiters without losing Federal funds.

In 1948, President Harry S. Truman courageously integrated the Armed Forces, signing Executive Order 9981 when many in his party opposed racial equality. As a result, the military has since served as an example for private and public organizations alike, encouraging racial equality and opportunity in hiring and promotion.

In contrast, President Bush promotes divisive prejudices and his friends in Congress are here today promoting a backward agenda. This resolution declares support for a court decision that prevents institutions of higher education from promoting higher understanding.

President Truman demonstrated great courage by racially integrating the military. President Bush and his Republican cronies show great cowardice in failing to advance additional civil rights today. If they were in power in 1948, I doubt they would have acted then either.

I urge my colleagues to oppose this resolution and allow universities to continue to promote racial, religious, gender—and sexual—equality.

Mr. BLUMENAUER. Mr. Speaker, my support for this resolution is reluctant because, while I believe that allowing military recruiters

equal access to institutions of higher education is beneficial to both the military and the students, I am also strongly opposed to policies that discriminate on the basis of sexual orientation, such ''Don't Ask, Don't Tell.'' This policy has deprived the military of over 10,000 highly trained soldiers during a time of war and continues to cost the government millions of dollars in wasted training and enforcement costs. If we want to bridge the divide between the military and universities, we should, instead of passing resolutions like H. Con. Res. 354, pass H.R. 1059, the ''Military Readiness Enhancement Act,'' which, by repealing ''Don't Ask, Don't Tell,'' would end the dispute over equal access for military recruiters. At the end of the day, our security is best served by giving all qualified Americans the freedom to serve our country.

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

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 354.

The question was taken.

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

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

The yeas and nays were ordered.

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

## WAIVING PASSPORT FEES FOR RELATIVES OF DECEASED MEMBERS OF ARMED FORCES

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1184) to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

The Clerk read as follows:

S. 1184

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

**SECTION 1. PASSPORT FEES.**

Section 1 of the Act of June 4, 1920 (41 Stat. 750, chapter 223; 22 U.S.C. 214) is amended in the third sentence by striking ''or from a widow, child, parent, brother, or sister of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member'' and inserting ''or from a widow, widower, child, parent, grandparent, brother, or sister of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member''.

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1184, as passed by the Senate, corrects a minor flaw in current passport law. While this flaw is minor in the sense of its legal impact, the possible impact it has had and could have on family members of our brave servicemen and -women who have made the ultimate sacrifice is significant enough that we should move to correct it quickly.

Under current law, the State Department waives passport fees for family members traveling abroad to official grave sites of armed servicemembers. However, the current law does not make a similar exception for family members traveling to attend a funeral or memorial service for a servicemember killed in action and then buried or memorialized overseas. S. 1184 would rightly extend this fee waiver to these families as well.

The ability to attend a funeral or memorial service for one who has paid the ultimate price in the service of our country is just as necessary an aspect of paying our final respects as being able to visit their grave.

Mr. Speaker, the logistical and financial burden imposed by these fees on grieving families can quickly build up. This small flaw in our current law has had large ramifications, and it does a disservice to the families of our fallen heroes and creates undue stress and pain that could easily be corrected.

Correcting this flaw would mean a great deal to those families who have given most. In this regard, I urge that S. 1184 be passed quickly and sent to the President for his signature.

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

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

Mr. Speaker, I rise in strong support of this legislation. This legislation, Mr. Speaker, represents a small, but important, change to existing law to help ease in one small way the suffering of U.S. citizens whose relatives have made the ultimate sacrifice on behalf of our Nation.

Mr. Speaker, we are at war. Hundreds of thousands of Americans from both our regular forces and from the National Guard and Reserves have been deployed in Afghanistan, Iraq, and other countries around the globe. Our forces have been subject to more stress than any time since the Vietnam War when the United States had the draft.

The men and women who have performed so magnificently for their country deserve all the support we can give them, and their families deserve every possible relief we can give them as well.

The legislation before us today affords those families some relief at a time of unimaginable loss.

Many members of our Armed Forces have developed ties and families abroad, and a few of them are being buried at private cemeteries in foreign lands after making the ultimate sacrifice. At present, our law requires grieving parents, grandparents, and other relatives to pay nearly $100 in first-time passport fees when all they want to do is to attend their family member's final honor. For a large family these costs can add up and for no good reason.

The legislation before us remedies this problem. It authorizes the Department of State to waive the passport fees in this situation, just as the Department is currently allowed to do when the family member is being buried in a U.S. military cemetery. It also extends the waiver to allow grandparents to be eligible for it.

Mr. Speaker, this is a problem that affects relatively few people. Indeed, the Congressional Budget Office has concluded that it would have no significant impact on the Federal budget; but when it does happen, it can be a godsend to those who have lost so much.

I commend my dear friend, the Senate sponsor of this legislation, Senator JOE BIDEN of Delaware, for introducing this humanitarian measure; and I urge all of my colleagues to join me in supporting it.

Mr. GARRETT of New Jersey, Mr. Speaker, I rise today in support of our men and women bravely serving in the Armed Forces—past, present, and future. As they fight the forces of terrorism around the globe we must seek to honor their sacrifices made to preserve our freedoms.

As we remember them on March 26, National Support the Troops Day, it is only fitting that we participate in a moment of silence to reflect on their service. Those currently serving in our Armed Forces are protecting liberty that was established by the Founding Fathers and has been preserved by our Nation's veterans. Soldiers, sailors, and airmen daily risk their lives fighting those who wish to enslave mankind to religious extremism, oppression, and tyranny.

Today I also rise in support of S. 1184, an effort to properly honor those whose loved ones have fallen in combat. It is the least we can do to waive passport fees for those who must travel overseas in order to visit the resting place of their relatives who have given the full measure of service. From the beaches of France to deserts of Africa, American soldiers have given their lives and been interred on foreign soil.

We are ever grateful for their sacrifice and this is but a small way we can now support their relatives.

Finally, recognizing that our military is dependent on a robust recruiting operation, I give my full support for H. Con. Res. 354. To preserve an all volunteer military service, it is essential that recruiters be granted access to the best and brightest American students. Service in the military is an honorable position and without our Armed Services, we would not have the academic freedoms that have made our Nation so advanced in culture and science.

I recently had the pleasure of recognizing New Jersey's Fifth District nominees to the U.S. Service Academies. Not all students have that honor, but all students should have the option of learning more about this noble profession from qualified Armed Forces recruiters.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the Senate bill, S. 1184.

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

A motion to reconsider was laid on the table.

## EXPRESSING THE SENSE OF CONGRESS THAT THE RUSSIAN FEDERATION SHOULD FULLY PROTECT THE FREEDOMS OF ALL RELIGIOUS COMMUNITIES WITHOUT DISTINCTION

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 190) expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

The Clerk read as follows:

H. CON. RES. 190

Whereas the Russian Federation is a participating State of the Organization for Security and Cooperation in Europe (OSCE) and has freely committed to fully respect the rights of individuals, whether alone or in community with others, to profess and practice religion or belief;

Whereas the Russian Federation specifically committed in the 1989 Vienna Concluding Document to ''take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief'' and to ''grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in the respective countries'';

Whereas Article 28 of the Constitution of the Russian Federation declares ''everyone shall be guaranteed the right to freedom of conscience, to freedom of religious worship, including the right to profess, individually or jointly with others, any religion'' and Article 8 of the 1997 Law on Freedom of Conscience and Religious Associations provides for registration for religious communities as ''religious organizations,'' if they have at least 10 members and have operated within the Russian Federation with legal status for at least 15 years;

Whereas registration is critical for religious groups to fully enjoy their religious freedoms, as many rights and privileges afforded to religious communities in the Russian Federation are contingent on obtaining registration;

Whereas many religious groups refuse to seek registration on theological or other grounds, while other communities have been unjustly denied registration or had their registration improperly terminated by local authorities;

Whereas many of the unregistered communities in the Russian Federation today were never registered under the Soviet system because they refused to collaborate with that government's anti-religious policies and they are now experiencing renewed discrimination and repression from the authorities;

Whereas over the past 2 years there have been an estimated ten arson attacks on unregistered Protestant churches, with little or no effective response by law enforcement officials to bring the perpetrators to justice;

Whereas in some areas of the Russian Federation law enforcement personnel have carried out violent actions against believers from unregistered communities peacefully practicing their faith; and

Whereas the United States has sought to protect the fundamental and inalienable human right to seek, know, and serve God according to the dictates of one's own conscience, in accordance with the international agreements committing nations to respect individual freedom of thought, conscience, and belief: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the United States should—

(1) urge the Russian Federation to ensure full protection of freedoms for all religious communities without distinction, whether registered and unregistered, and end the harassment of unregistered religious groups by the security apparatus and other government agencies;

(2) urge the Russian Federation to ensure that law enforcement officials vigorously investigate acts of violence against unregistered religious communities, as well as make certain that authorities are not complicit in such attacks;

(3) continue to raise concerns with the Government of the Russian Federation over violations of religious freedom, including those against unregistered religious communities, especially indigenous denominations not well known in the United States;

(4) ensure that United States Embassy officials engage local officials throughout the Russian Federation, especially when violations of freedom of religion occur, and undertake outreach activities to educate local officials about the rights of unregistered religious communities;

(5) urge both the Personal Representative of the OSCE Chair-in-Office on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, and the United Nations Special Rapporteur on Freedom of Religion or Belief to visit the Russian Federation and raise with federal and local officials concerns about the free practice of unregistered religious communities; and

(6) urge the Council of Europe and its member countries to raise with Russian Federation officials issues relating to freedom of religion, especially in light of the Russian Federation's responsibilities as President of the Council in 2006.

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

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

H. Con. Res. 190 expresses the sense of the Congress that the Russian Federation should fully protect the right of its people to worship and practice their faith as they see fit. This freedom is the right of all religious communities without distinct, whether registered or unregistered, and that is stipulated by the Russian Constitution and by international standards.

Yet I am sorry to report religious freedom for minority religious communities throughout the Russian Federation have been under growing pressure as local officials and government authorities continue to harass and limit the abilities of these groups to practice their faith freely.

As we learned at a recent Helsinki Commission hearing, instances of violence have become alarmingly common. Arson attacks against churches in Russia have occurred in several towns and cities with little or no police response.

In its 2005 International Religious Freedom Report, the State Department Office on International Religious Freedom notes: ''Some Federal agencies and many local authorities continue to restrict the rights of various religious minorities. Moreover, contradictions between Federal and local laws and varying interpretations of the law provide regional officials with opportunities to restrict the activities of religious minorities. Many observers attribute discriminatory practices at the local level to the greater susceptibility of local governments than the Federal Government to discriminatory attitudes in lobbying by local majority religious groups. The government only occasionally intervenes to prevent or reverse discrimination at the local level.''

Mr. Speaker, the internationally recognized expert on religious liberty in Russia, Larry Uzzell, has written: ''Russia has now come to use as standard practice methods of religious repression that were applied only occasionally in the 1990s. Secular bureaucrats now typically refuse to authorize land transfers to Baptist churches and also forbid movie theaters or other public halls to sign rental contracts with them.'' As a result, as an example: ''In Moscow City alone some 10 Baptist congregations have ceased to exist simply because they could not find places within which to worship.''

I would just note parenthetically, Mr. Speaker, I want to thank Larry for his extraordinary work in bringing this matter to the attention of the Congress. Larry is a tireless advocate for oppressed believers throughout Russia

and Central Asia. He is facing some serious health issues now, and I would like to wish him a very speedy recovery.

Mr. Speaker, in response to this growing and very negative trend in Russia, this resolution urges the Russian Federation to ''ensure full protections of freedoms for all religious communities without distinction, whether registered or unregistered, and to end the harassment of unregistered religious groups by the security apparatus and other government agencies, as well as to ensure that law enforcement officials rigorously investigate acts of violence against unregistered religious communities, and to make certain that authorities are not complicit in such attacks.''

I point out that in March 2004 a district court banned the religious activity of Jehovah's Witnesses in Moscow. For 2 years now the authorities have used the Moscow decision to harass the Jehovah's Witnesses Administration Center in St. Petersburg, with threats to ''liquidate'' the administrative center which could threaten local congregations of Jehovah's Witnesses throughout all of Russia.

Members of the Russia's Muslim community and respected human rights activists have expressed concern regarding what they contend are large-scale fabrications of terrorism against Russian Muslims. One of Russia's Supreme Muftis has stated that random police checks and arrests are becoming commonplace throughout Russia for Russian Muslims.

Let me reiterate that Russia has every right to defend itself against terrorism and to investigate and prosecute terrorists. Of course it does. Here in the United States we face the problem of combating terrorism while safeguarding civil liberties. I would urge the government, however, to strive for the proper balance in defending both its citizens as well as their civil liberties.

Mr. Speaker, the religious liberty picture in Russia is not entirely dark, and it would be disingenuous to make that assertion.

□ 1530

There are Nations that have worse records. They can be found on the list of ''countries of particular concern'' that is issued by the U.S. Department of State in its annual report on religious freedom around the world, so-called CPC countries like Vietnam.

However, Russia is a member of the U.N. Security Council, an OSCE-participating State, and will soon chair the Council of Europe. In addition, this year, it is the chair of the G–8 and the host of the G–8 Summit in St. Petersburg in July. Considering all of these positions, they should be expected to uphold basic, internationally recognized and accepted standards to protect peaceful religious practice.

That is what this resolution is all about.

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

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

First of all, I want to commend my good friend from New Jersey for introducing yet another important resolution concerning religious freedom in Russia. CHRIS SMITH has been a leader on this issue for many years, and I want to pay public tribute to his commitment. His tireless leadership in support of both religious freedom and all human rights are legendary in this body.

Mr. Speaker, the fall of Soviet communism was a watershed event of the 20th century. What emerged was, by no means, a Jeffersonian democracy. Only a fool would have expected that outcome, but for the first time in over seven decades, the citizens of the former Soviet Union truly expressed their views, practiced their religions, opened private businesses and traveled outside what we used to call the Iron Curtain.

But Mr. Speaker, I am profoundly troubled that the limited and growing democracy which emerged from the dissolution of the Soviet Union and the ensuing respect for human rights and religious freedom are quickly vanishing. Under the rule of Vladimir Putin and his small junta of former KGB officers, the achievements of the past decade are being reversed, with very little criticism from the international community.

This is a very sad development for the entire civilized world, for the United States, but most particularly for the people of Russia. And while we are nowhere near omnipotent in our relations with Russia, we must do whatever we can to counteract this very troubling trend.

As this resolution correctly notes, one of the casualties of rising authoritarianism in Russia under Putin has been the increased harassment of religious organizations that are not registered with the Russian Government, as well as stepped-up violence aimed at their membership. While some of these religious organizations refuse to register with the Russian State on principle, others have sought to register, only to be turned down repeatedly by the Russian Government.

Mr. Speaker, the Russian constitution commits the government to protect the right of Russian citizens to exercise their religious beliefs freely. It is most unfortunate that Mr. Putin and his cronies have failed to use the power of the Russian State to put an end to the mistreatment of unregistered churches and to stop acts of violence against average Russian citizens who simply wish to express their religious beliefs freely.

With passage of this resolution submitted by my friend, Mr. SMITH, Congress will demand that the Russian Federation reverse the troubling trend away from freedom and democracy under Vladimir Putin and urges our administration and our European friends to ensure that religious freedom remains firmly on the radar screen in our dealings with the Russians.

Mr. Speaker, this summer, a Group of Eight industrialized democracies, so-called, will meet in St. Petersburg for their annual summit. Given the dramatic erosion of religious and political freedom in Russia, it is imperative that the original G–7 nations clearly and unequivocally inform Russia that its membership in the G–8 will be suspended unless Mr. Putin is willing to change the negative direction in which he is taking the Russian nation.

Russia was originally invited to join the G–7 as merely a guest, at a time when Russia, under Yeltsin, was moving in a positive direction. Now that churches are being closed, political opponents are being locked away in Siberia and the media no longer is free, the parliament is no longer independent, the courts are an adjunct of the Kremlin, we can no longer pretend that Russia belongs in the G–8.

Mr. Speaker, I strongly support the legislation submitted by Mr. SMITH. I urge all of my colleagues to do so.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself the balance of the time to, first of all, thank my good friend and colleague, Mr. LANTOS, for his eloquent statement and for his leadership for decades on the fundamental issue of human rights, particularly as it relates to religious freedom. We have been partners, along with FRANK WOLF and a few other Members of this body for years in pressuring Moscow and what was formerly the Warsaw Pact nations to liberalize their policies.

As Mr. LANTOS pointed out so well a moment ago, there is a very troubling and dangerous trend as Putin takes Russia in the wrong direction, especially as it relates to NGOs, religious freedom and religious bodies of all kinds and various denominations, and just basic civil liberties are being constricted in that country, Russia needs the oxygen of liberty and freedom in order to realize it's vast potential.

So I want to thank again Mr. LANTOS for his wonderful statement and leadership.

I would also like to thank John Finerty from the Commission on Security and Cooperation in Europe, who is our Russian expert. John has been on the commission since 1981. When I got elected 26 years ago, John Finerty was there, a Russian speaker, a Russian expert, who has provided valuable insight to both Democrats and Republicans on the Commission on Security and Cooperation in Europe. His wisdom, his council, his clarity has aided us while we travelled to Russia, when we met with lawmakers in bilateral discussions, with members of the Duma and

other officials from Russia, and has always provided us the insight that we needed, and like I said, that sense of perspective and timeliness as well as what our next steps ought to be. John has been to Russia and to the Soviet Union at least 27 times over the years.

I will never forget when he accompanied FRANK WOLF and I, when we went to Moscow on a very I think historic trip where we visited Perm Camp 35 where Nathan Sharansky had spent so many years of his life, John was with us on an historic trip/meeting with the Duma. Four days of talks—and did we ever need John's incredible knowledge and insight. He was amazing! So I want to thank John for his leadership for all of these years and helping us with this legislation today.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CARDIN. Mr. Speaker, I rise as a cosponsor and in support of H. Con. Res. 190, which urges the Russian Federation to "ensure full protection of freedoms for all religious communities without distinction, whether registered and unregistered, and end the harassment of unregistered religious groups by the security apparatus and other government agencies," as well as to "ensure that law enforcement officials vigorously investigate acts of violence against unregistered religious communities, as well as make certain that authorities are not complicit in such attacks."

As the Ranking House Member on the Helsinki Commission, I have seen how religious freedoms for minority religious communities throughout the Russian Federation have come under increasing pressure. Throughout that vast country, local officials and government authorities continue to harass and limit the ability of these groups to practice their faith freely. In addition, instances of violence, such as arson attacks, have been alarmingly common in recent years. The Helsinki Commission heard disturbing testimony to this effect in April of last year.

The State Department's International Religious Freedom Report for 2005 reported that some federal agencies and many local authorities continued to restrict the rights of various religious minorities, and the internationally recognized expert on religious liberty in Russia, Larry Uzzell, has written that even in Moscow some 10 Baptist congregations have ceased to exist because local bureaucrats refused to allow rentals or property transfers for the use of worship services.

Mr. Speaker, I am concerned that the religious liberty picture in Russia is deteriorating at a critical time for Russia. Russia is an OSCE participating state and assumes the leadership of the Council of Europe in May of this year. Russia also chairs the G–8 this year. A nation holding such positions should not be a country where members of minority religious groups need to constantly battle with bureaucrats in order to have a place to worship, or to get permission from the local clergy of another faith in order to hold a public gathering, or to wonder if their prayer house will be the target of vandalism.

Mr. Speaker, I urge my colleagues to support H. Con. Res. 190, and I again thank my Helsinki Commission Chairman, CHRIS SMITH, for introducing this resolution, and for his tireless efforts on behalf of religious freedom and liberty around the world. I also join Chairman SMITH in commending John Finerty of the Helsinki Commission staff for his decades of service to the Commission, and I especially thank him for assisting me in my interactions with members of the Russian Duma through our OSCE Parliamentary Assembly process.

Mr. PITTS. Mr. Speaker, I rise today in support of H. Con. Res. 190, urging the Russian Federation to protect and ensure religious freedom for all people in Russia.

Last year witnesses at a Helsinki Commission hearing on unregistered religious groups in Russia, provided alarming reports about the actions of local authorities towards unregistered or minority religious communities. Recurring reports of police harassment and criminal violence (that is rarely vigorously investigated) against these groups is jeopardizing the status of religious liberties in Russia.

Adding to the concerns are recent reports that the Duma is preparing legislation to regulate the activities of missionaries. Reportedly, the bill would create administrative and criminal penalties for "unlawful missionary work connected with provoking religious extremism." There was also speculation in the Russian media that the Justice Ministry was looking to tighten the rules for granting visas to foreign missionaries. Furthermore, there are also reports that the Duma is considering an amendment to existing legislation that would require re-registration of registered religious organizations.

Mr. Speaker, these initiatives make evident that some people in the Russian government believe the role of the state is to control religious freedom rather than to facilitate and protect free expression. Officials know that it is very difficult for unregistered religious organizations to function effectively and freely—they know that limiting the actions of missionaries and restricting the distribution of visas would be the best option to control the growth of religious organizations.

The Congress must send a clear signal to President Putin and other Russian officials that religious freedom is a critically important issue and that we expect Russia to uphold its own constitution and its international commitments and protect the fundamental right of freedom of conscience. This resolution specifically urges Russia to fully protect religious freedoms for all religious communities, whether registered or unregistered, and to prevent the harassment of unregistered religious groups by the security apparatus and other government agencies. I strongly urge my colleagues to support H. Con. Res. 190.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 190.

The question was taken.

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

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

## PERMITTING USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 350) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read as follows:

H. CON. RES. 350

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.**

The rotunda of the Capitol is authorized to be used on April 27, 2006, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentlewoman from California (Ms. MILLENDER-MCDONALD) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this bill.

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

There was no objection.

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

One of the stated purposes of the United States Holocaust Memorial Museum is to provide for appropriate ways for the Nation to commemorate the days of remembrance as an annual, national, civic commemoration of the Holocaust and encourage and sponsor appropriate observances of such days of remembrance throughout the United States.

The first Days of Remembrance ceremony in the rotunda of the United States Capitol occurred in 1979, and the rotunda ceremony has since become the inspiration for similar Holocaust remembrance ceremonies that take place throughout the United States.

H. Con. Res. 350 will allow for this year's national ceremony to be conducted in the rotunda on April 27, 2006. Mr. Speaker, it is necessary to go through this procedure, joint authorization by both Chambers, to use the very sacred center of the Capitol for this ceremony. The enormity of the crimes of the Holocaust, and the need to ensure they are never forgotten, make the rotunda a fitting place for this ceremony.

The theme of this year's commemoration is ''Legacies of Justice'' in honor of the courage of, and the precedents set by, those who testified during the trials of Nazi war criminals. The theme also pays tribute to those who work tirelessly for the cause of justice, both then and now.

This year, we mark the 60th anniversary of the International Military Tribunal at Nuremberg, Germany. The unprecedented Nuremberg trials established a judicial process to rule on the atrocities committed by the Germans during World War II and brought to the forefront the ideas of universal justice, human rights and responsibility for war crimes. Evil persists in the world, Mr. Speaker, but our prosecution of the perpetrators of the Holocaust taught us that evil can be defeated and justice can be done, but only if we have the courage to stand up to the perpetrators. That is a vital lesson, one we must never forget, and this ceremony will help us remember it.

Mr. Speaker, I urge support of this resolution.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise today in support of H. Con. Res. 350, authorizing the use of the Capitol rotunda for the days of remembrance ceremony on April 27 of this year. As in the past, Congress has always passed this concurrent resolution for the use of the Capitol rotunda as it is the sacred location of America's historic ceremonies.

I would like to thank the gentleman from Virginia (Mr. CANTOR) for introducing this legislation, as well as the gentleman from Michigan (Mr. EHLERS), my chairman, and California's Mr. LANTOS, my friend, for cosponsoring this bill with me.

This event will mark our country's annual commemoration of the victims of the Holocaust. As we have done nearly every year since 1979, Congress will use this historic rotunda location to reflect on the Holocaust, one of the most painful moments in our world's history.

In 1980, Congress created the United States Holocaust Memorial Council, which oversees the U.S. Holocaust Memorial Museum and organizes the annual days of remembrance. These efforts were established by Congress to permanently honor the victims of the Holocaust. During the week of April 23, similar observances of such Holocaust remembrance days will take place around our Nation. The days of remembrance provides Americans of all faiths and ethnic backgrounds the opportunity to reflect on the Holocaust, remind our Nation of the victims who perished, and strengthen our commitment to human rights and democracy.

Each year, the days of remembrance observes a specific theme, which highlights different events of the Holocaust. This year's theme will be commemorated in the title of ''Legacies of Justice'' in honor of the courage of those who testified during the trials of Nazi war criminals.

□ 1545

This year marks the 60th anniversary of these Nuremberg trials, which brought to justice the unfathomable crimes committed during the Holocaust.

The International Military Tribunal held at Nuremberg, Germany, attempted to seek justice for the millions of murders, wrongful imprisonments, tortures, rapes, theft and destruction that took place during the Holocaust. The tribunal was created to bring judgment for the war crimes committed in the course of the most massive conflict the world has ever known. Six decades after IMT, the body of international law that addresses crimes against humanity has grown dramatically and relies significantly on the framework and legal standards established at Nuremberg.

In addition to honoring this watershed moment in international justice, this year's theme pays tribute to the numerous advocates who tirelessly worked for the cause of justice today. Every human being deserves to be treated with dignity, Mr. Speaker. We commend these individuals who continue to vigorously pursue justice for current victims of hatred and inhumanity. We must be reminded that such tragedies should never be permitted to occur again.

Mr. Speaker, I encourage all my colleagues to join me in supporting passage of this concurrent resolution.

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

Mr. EHLERS. Mr. Speaker, it is with great pleasure that I yield 5 minutes to the gentleman from Virginia (Mr. CANTOR), who is the sponsor of this resolution.

Mr. CANTOR. Mr. Speaker, I thank the chairman for yielding me this time, for his leadership in bringing this bill forward, as well as the gentlewoman from California.

Mr. Speaker, I rise today in support of this important resolution, H. Con. Res. 350, permitting the use of the United States Capitol rotunda to observe Yom Hashoah, the Day of Remembrance, for victims of the Holocaust.

Mr. Speaker, it is our obligation to remember with great reverence and respect the victims of the Holocaust and to tell their story to all generations. It is our duty to never forget.

More than 70 years ago, a tyrant as evil as any known in the history of man rose to power preaching an agenda of hate and racial superiority. His shadow caused darkness to fall upon the Earth. He slew the innocent and pure, men, women, and children, with vapors of poison and burned them with fire. And when the light of freedom shined again, tens of millions lay dead, cities and nations lay in ruin, and a world stood awestruck at the horrors that had occurred.

Ironically, Mr. Speaker, today we celebrate the Jewish holiday of Purim. On this day we read the Book of Esther, which tells of, in this case, another attempted genocide perpetrated against the Jewish people. Like Hitler, Haman wanted to annihilate the Jewish people from existence. Yet unlike the Holocaust, the Jewish people were able to rally an army and defend themselves against that attempted genocide. And on the 14th day of the Jewish month of Adar, the Jewish people take this opportunity to remember that threat and to celebrate their survival.

Sadly, today, we still face totalitarian regimes led by maniacal dictators who threaten the peace and stability of the world. The rotunda of the U.S. Capitol represents the seat of free and open discourse, the foundation of our democracy, and is an anathema to those tyrannical leaders and their regimes.

We in the U.S., the birthplace of Thomas Jefferson and Martin Luther King, enjoy a great deal of freedom. We must not take those freedoms for granted. We must not forget that genocide and human rights abuses continue to occur around the world. We must not remain silent when such atrocities occur. And we must dedicate ourselves to continuing to educate people around the globe about the horrors of the Holocaust. We must be forever mindful of the danger of such intolerance and ensure that it never happens again.

Ms. MILLENDER-McDONALD. Mr. Speaker, I urge all of my colleagues to support this resolution that commemorates those victims of the Holocaust.

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

Mr. EHLERS. Mr. Speaker, I yield myself 2 minutes to close.

Mr. Speaker, this is not a joyous event to celebrate. At the end of World War II, we realized that we had witnessed the greatest genocide in the history of this planet. I was a young lad at that time, but I thought: never again could this happen. Yet now that we know it can happen and how horrible it is, we must guard against it ever happening again.

I am sorry to say that it has happened, not on that scale, but we saw that happening in Iraq, we are seeing it happen right now in Darfur and other parts of the Sudan. The ability of humans to commit great horror against their fellow human beings has not died out.

That is why it is essential for us to engage in this ceremony and to participate and recognize that this is an ongoing battle to fight against those who would kill their fellow human beings indiscriminately at times, and at other times kill them simply because of their race or ethnic background.

I am very pleased to be here presenting this resolution, because this event is something that we should all participate in every year to remind us of what can happen if we let our guard down, and if we assume that we have conquered evil. Evil will always be with us, and we must continually fight it.

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 350.

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

A motion to reconsider was laid on the table.

## EXTENDING AUTHORITY TO EXPEDITE PROCESSING OF PERMITS

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4826) to extend through December 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

The Clerk read as follows:

H.R. 4826

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

**SECTION 1. FUNDING TO PROCESS PERMITS.**

Section 214(c) of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note; 114 Stat. 2594; 117 Stat. 1836; 119 Stat. 2169) is amended by striking ''March 31, 2006'' and inserting ''December 31, 2006''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 4826, to authorize an extension of the Army Corps of Engineers' section 214 program. Section 214 of the Water Resources Development Act of 2000 allows the Army Corps of Engineers to accept and expend funds provided by non-Federal public entities to hire additional personnel to process regulatory permits.

Mr. Speaker, H.R. 4826 is urgently needed since authority for this program expires on March 31 of this calendar year. If this program expires, the corps will have to fire some regulatory personnel, reducing its ability to process permits in a timely manner.

The Committee on Transportation and Infrastructure has heard from Members on both sides of the aisle supporting this section 214 program. H.R. 4826 is nearly identical to section 2003 of the Water Resources Development Act of 2005, which passed the House on July 14, 2005 by a vote of 406–14.

While the other body has not yet acted on the Water Resources Development Act this year, I am hopeful, in the wake of Hurricanes Rita and Katrina, they will move quickly to pass the bill providing for the water resources needs of the Nation. But because the authority for section 214 program is expiring, it is necessary to move this piece of legislation separately.

I thank Representative BAIRD and our colleagues from the western United States for introducing this bill, and I urge all Members to vote in favor of H.R. 4826.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I begin, I would like to express my heartfelt condolences to my good friend and subcommittee chairman, Representative JIM DUNCAN, on the passing of his 89-year-old mother, Ms. Lois Swisher-Duncan. I want JIMMY and his wife, Lynn, and the entire Duncan family to know that my thoughts and prayers are with them. It is my prayer that God brings peace to each of their respective hearts during the days ahead.

Mr. Speaker, I support the passage of H.R. 4826. This bill extends through December 31, 2006, the authority of the Secretary of the Army to accept and expend the funds contributed by non-Federal public entities to process permits under the Clean Water Act and the Rivers and Harbor Act of 1899. This program is popular and well received, particularly in the northwest part of our country.

I congratulate my committee colleague, Mr. BAIRD, for his attention to this issue and for securing today's consideration of this bill. I can think of no other Member who has served his local and regional issues with more enthusiasm and effectiveness.

The language in H.R. 4826 is similar to language contained in H.R. 2864, the Water Resources Development Act of 2005, which passed the House on July 14, 2005, by an overwhelming vote of 406–14. The difference between the language contained in this bill and that contained in the comprehensive Water Resources Development Act is that this provision only extends the program for 9 months. The water resources bill is a full 12 months longer, but 9 months is all the Senate would agree to. However, this bill should likewise receive strong support.

Today's consideration of one section of the larger Water Resources Development Act should not be viewed as an indication that the larger bill will not be enacted this year. I remain optimistic that the other House of Congress will soon consider this vital legislation, particularly in light of the vital role of flood damage reduction, navigation, and storm damage reduction projects in protecting lives and property and enhancing economic well-being.

The tragic events associated with Hurricane Katrina indicate how important our water infrastructure truly is. However, the Senate is not likely to act on the broader legislation before the Secretary's authority to accept funds expires March 31, in just a little over 2 weeks from now. By providing this extension, the program can continue uninterrupted.

Mr. Speaker, I urge support of this bill.

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

Mr. BOUSTANY. Mr. Speaker, we have no further requests for time, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman, and the gentleman from Louisiana as well, and want to begin by extending my condolences to JIMMY DUNCAN and his family at the loss of Congressman DUNCAN's mother.

I rise today to support H.R. 4826, a bill to extend section 214 of the Water Resources Development Act of 2000 until December 31 of this year, 2006. This is a commonsense bill that will save jobs and continue to promote economic growth.

Section 214 was enacted in WRDA 2000 to permit non-Federal public entities to contribute funds to the Army Corps of Engineers to help expedite the processing of corps permits. This provision has allowed municipalities and ports to move forward with vital infrastructure projects; and in doing so, these entities that are providing funding are given no partiality by the corps in their review of the projects. By funding additional staff to work on specific time-intensive permits, the staff in the corps' budget is freed up to work on the permit backlog.

Let me give an example of this: the Army Corps' Seattle district has been utilizing this authority very well. They have seen their total average review time per project reduced from 804 days

to just 69 days in the first 3 years of implementation. The city of Seattle alone estimates that for $114,000 spent, they have saved over $5 million.

□ 1600

This is particularly urgent as the Corps staff have volunteered to assist in Hurricane Katrina response efforts, as well as reconstruction and rebuilding efforts in Iraq and Afghanistan. The Seattle Corps alone has deployed a total of 233 civilian and military staff, or approximately 29 percent of their staff, to these areas, and that leaves a limited number of staff to handle the urgent needs of local areas.

It is during times of emergency response that expedited processes such as 214 become particularly vital in continuing to support regional growth and economic need.

Let me underscore a few points. Section 214 was extended last year unanimously as H.R. 3765 in both the House and the Senate, and is currently set to expire on March 31, 2006. That is the need we face today. An extension of the provision was also passed in the House WRDA bill in 2005, and a permanent extension is included in the other body's WRDA bill. Unfortunately, WRDA is not likely to pass both Chambers before March 31 when the provision expires, so we are seeking an essential short-term extension until the end of this year.

This provision is absolutely vital to Corps activities. Although the authority exists for all regions, it has been utilized primarily in the Pacific Northwest by the ports of Seattle and Tacoma, the city of Seattle, the Port of Los Angeles, as well as the city of San Diego, and by public entities around Sacramento due to the huge backlog of Corps permits in those regions. In addition, it has been utilized by a number of ports in my home district along the Columbia River.

In the Pacific Northwest, we have seen the backlog of permits with the listing of endangered species grow to over 1,000 permits in the last years, and the residual effects have been harmful to our region's economy, resulting in expensive and costly delays.

Without extension of this authority, the Corps will need to make up the shortfall in funding the analysis of projects either through project delays or layoffs in Corps staff.

I am pleased to have the support of this legislation of all of the House Members representing my home State of Washington, our friends and neighbors in Oregon and Idaho, as well as Members representing California. I want to join my colleagues in thanking Chairman YOUNG and Ranking Member OBERSTAR, reiterate my gratitude toward Mr. DUNCAN and the gentlewoman, Ms. EDDIE BERNICE JOHNSON. I appreciate their leadership. I also want to acknowledge the outstanding work performed by the Pacific Northwest Waterways Association, and my own staff, Katie Stevens, on this issue.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, I also want to express my condolences to Chairman DUNCAN on the loss of his mother. I want to thank the ranking member on the subcommittee, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), and I also want to thank my colleague from Washington State for introducing this very important piece of legislation and I urge its passage.

Mr. OBERSTAR. Mr. Speaker, I am pleased to support H.R. 4826, a bill to extend authority of the Secretary of the Army to accept funds from non-Federal public entities for the consideration of permits under the Clean Water Act and the Rivers and Harbor Act of 1899.

This language is modeled after language which the House approved last July as a part of H.R. 2864, the Water Resources Development Act of 2005. While I remain optimistic that the Senate will soon act on its version of the Water Resources Development Act, the authority of the Secretary that this bill would extend expires on March 31. This bill will continue the program through the end of December, 2006.

Mr. Speaker, I have been carefully monitoring the implementation of this authority. While it is very popular for those that have used it, I remain concerned that allowing a regulated entity to pay the costs of its regulator could affect the objectivity of that regulator.

As a track record of implementation develops, the Committee on Transportation and Infrastructure will have an opportunity to review the implementation of this authority and ensure a fair and equitable process.

I support the passage and quick enactment of this 9 month extension.

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 4826.

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

A motion to reconsider was laid on the table.

## RECESS

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

Accordingly (at 4 o'clock and 2 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1810

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REHBERG) at 6 o'clock and 10 minutes p.m.

## MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2006

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4944) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

The Clerk read as follows:

H.R. 4944

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Miscellaneous Trade and Technical Corrections Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TARIFF PROVISIONS

Sec. 1101. Reference.

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—NEW DUTY SUSPENSIONS AND REDUCTIONS

Sec. 1111. Chloroneb.
Sec. 1112. P-nitrobenzoic acid (pnba).
Sec. 1113. Allyl pentaerythritol (ape).
Sec. 1114. Butyl ethyl propanediol (bep).
Sec. 1115. BEPD701.
Sec. 1116. Boltorn-1 (bolt-1).
Sec. 1117. Boltorn-2 (bolt-2).
Sec. 1118. Cyclic tmp formal (ctf).
Sec. 1119. DITMP.
Sec. 1120. Polyol dpp (dpp).
Sec. 1121. Hydroxypivalic acid (hpa).
Sec. 1122. TMPDE.
Sec. 1123. TMPME.
Sec. 1124. TMP oxetane (tmpo).
Sec. 1125. TMPO ethoxylate (tmpoe).
Sec. 1126. Certain non-knit gloves designed for use by auto mechanics.
Sec. 1127. Certain microphones for use in automotive interiors.
Sec. 1128. Certain footwear.
Sec. 1129. Amyl-anthraquinone.
Sec. 1130. Acrylic or modacrylic synthetic staple fibers, not carded, combed, or otherwise processed for spinning.
Sec. 1131. Acrylic or modacrylic synthetic filament tow.
Sec. 1132. Acrylic or modacrylic synthetic staple fibers, carded, combed, or otherwise processed for spinning.
Sec. 1133. Nitrocellulose.
Sec. 1134. Potassium sorbate.
Sec. 1135. Sorbic acid.
Sec. 1136. Certain capers.
Sec. 1137. Certain pepperoncini prepared or preserved otherwise than by vinegar or acetic acid.
Sec. 1138. Certain capers.
Sec. 1139. Certain pepperoncini prepared or preserved by vinegar or acetic acid in concentrations at 0.5 percent or greater.
Sec. 1140. Certain pepperoncini prepared or preserved otherwise than by vinegar or acetic acid in concentrations less than 0.5 percent.
Sec. 1141. Chloral.
Sec. 1142. Imidacloprid technical (imidacloprid).
Sec. 1143. Triadimefon.
Sec. 1144. Polyethylene he1878.
Sec. 1145. Thiacloprid.
Sec. 1146. Pyrimethanil.

Sec. 1147. Foramsulfuron.
Sec. 1148. Fenamidone.
Sec. 1149. Cyclanilide technical.
Sec. 1150. Para-benzoquinone.
Sec. 1151. O-anisidine.
Sec. 1152. Tetrakis.
Sec. 1153. 2,4-xylidine.
Sec. 1154. Crotonaldehyde.
Sec. 1155. T-butyl acrylate.
Sec. 1156. Propyl gallate.
Sec. 1157. Butanedioic acid, dimethyl ester, polymer with 4-hydroxy-2,2,6,6,-tetramethyl-1-piperidineethanol.
Sec. 1158. Mixtures of CAS Nos. 106990-43-6 and 65447-77-0.
Sec. 1159. 3-cyclohexene-1-carboxylic acid, 6-[(di-2-propenylamino)carbonyl]-, rel-(1r,6r)-, reaction products with pentafluoroiodoethane-tetrafluoroethylene telomer, ammonium salt.
Sec. 1160. Glycine, n,n-bis[2-hydroxy-3-(2-propenyloxy)propyl]-, monosodium salt, reaction products with ammonium hydroxide and pentafluoroiodoethane-tetrafluoroethylene telomer.
Sec. 1161. mixtures of phosphate ammonium salt derivatives of a fluorochemical.
Sec. 1162. 1-(3h)-isobenzofuranone, 3,3-bis(2-methyl-1-octyl-1h-indol-3-yl)-.
Sec. 1163. Mixture of poly[[6-[(1,1,3,3-tetramethylbutyl)amino]-1,3,5-triazine-2,4-diyl] [2,2,6,6-tetramethyl-4-piperidinyl)imino]-1,6-hexanediyl[(2,2,6,6-tetramethyl-4-piperidinyl)imino]] and bis(2,2,6,6-tetramethyl-4-piperidyl) sebacate.
Sec. 1164. MCPA.
Sec. 1165. Bronate advanced.
Sec. 1166. Bromoxynil octanoate tech.
Sec. 1167. Bromoxynil meo.
Sec. 1168. Certain bitumen-coated polyethylene sleeves specifically designed to protect in-ground wood posts.
Sec. 1169. Nylon woolpacks used to package wool.
Sec. 1170. Magnesium zinc aluminum hydroxide carbonate hydrate.
Sec. 1171. C12–18 alkenes.
Sec. 1172. Hydraulic control units.
Sec. 1173. Shield asy-steering gear.
Sec. 1174. 2,4-dichloroaniline.
Sec. 1175. 2-acetylbutyrolactone.
Sec. 1176. Alkylketone.
Sec. 1177. Cyfluthrin (baythroid).
Sec. 1178. Beta-cyfluthrin.
Sec. 1179. Cyclopropane-1,1-dicarboxylic acid, dimethyl ester.
Sec. 1180. Spiroxamine.
Sec. 1181. Spiromesifen.
Sec. 1182. 4-chlorobenzaldehyde.
Sec. 1183. Oxadiazon.
Sec. 1184. NAHP.
Sec. 1185. Phosphorus thiochloride.
Sec. 1186. Trifloxystrobin.
Sec. 1187. Phosphoric acid, lanthanum salt, cerium terbium-doped.
Sec. 1188. Lutetium oxide.
Sec. 1189. ACM.
Sec. 1190. Permethrin.
Sec. 1191. Thidiazuron.
Sec. 1192. Flutolanil.
Sec. 1193. Resmethrin.
Sec. 1194. Clothianidin.
Sec. 1195. Acrypet ut100.
Sec. 1196. Diethyl ketone.
Sec. 1197. 5-amino-1-[2,6-dichloro-4-(trifluoromethyl)phenyl]-4-[(1r,s)–(trifluoromethyl)-sulfinyl]-1h-pyrazole-3-carbonitrile (fipronil).
Sec. 1198. 2,3-pyridinedicarboxylic acid.
Sec. 1199. 80% 2,3-dimethylbutylnitrile and 20% toluene.
Sec. 1200. 2,3-Quinolinedicarboxylic acid.
Sec. 1201. 3,5-Difluoroaniline.
Sec. 1202. Certain master cylinder assembles.
Sec. 1203. Certain transaxles.
Sec. 1204. Converter asy.
Sec. 1205. Module and bracket asy-power steering.
Sec. 1206. Unit asy-battery hi volt.
Sec. 1207. Clomazone.
Sec. 1208. Chloropivaloyl chloride.
Sec. 1209. Certain articles of natural cork.
Sec. 1210. Glyoxylic acid.
Sec. 1211. Cyclopentanone.
Sec. 1212. Mesotrione technical.
Sec. 1213. Malonic acid-dinitrile 50% nmp.
Sec. 1215. Formulations of noa 446510.
Sec. 1216. DEMBB distilled-iso tank.
Sec. 1217. N,N′-hexane-1,6-diylbis(3-(3,5-di-tert-butyl-4-hydroxyphenylpropionamide)).
Sec. 1218. 2-Naphthalenesulfonic acid, 7,7″ -[(2-methyl-1,5-pentanediyl) bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl) imino]] bis[ 4-hydroxy-3-[(4-methoxy sulfophenyl) azo]-, potassium sodium salt.
Sec. 1219. 2,7-Naphthalenedisulfonic acid, 5-[[4-chloro-6-[[3-[[8-[4-fluoro-6-(methylphenylamino)–1,3,5-triazin-2-yl]amino-1-hydroxy-3,6-disulfo-2-naphthalenyl]azo]-4-sulfophenyl],amino]-1,3,5-triazin-2-yl]amino]-4-hydroxy-3-[(1-sulfo-2-naphthalenyl)azo], sodium salt.
Sec. 1220. Methylionone.
Sec. 1221. Certain acrylic fiber tow.
Sec. 1222. Certain acrylic fiber tow.
Sec. 1223. MKH 6561 isocyanate.
Sec. 1224. Endosulfan.
Sec. 1225. Tetraconazole.
Sec. 1226. M-alcohol.
Sec. 1227. Certain machines for use in the assembly of motorcycle wheels.
Sec. 1228. Certain glass thermo bulbs.
Sec. 1229. Pyriproxyfen.
Sec. 1230. Uniconazole-p.
Sec. 1231. Acephate.
Sec. 1232. Bispyribac-sodium.
Sec. 1233. Dinotefuran.
Sec. 1234. Etoxazole.
Sec. 1235. Bioallethrin.
Sec. 1236. Deltamethrin.
Sec. 1237. S-bioallethrin.
Sec. 1238. Tetramethrin.
Sec. 1239. Tralomethrin.
Sec. 1240. Flumiclorac-pentyl.
Sec. 1241. Flumioxazin.
Sec. 1242. Palm fatty acid distillate.
Sec. 1243. Garenoxacin mesylate.
Sec. 1244. Butylated hydroxyethylbenzene.
Sec. 1245. 4-Methoxy-2-methyldiphenylamine.
Sec. 1246. 2-Methylhydroquinone.
Sec. 1247. 1-Fluoro-2-nitrobenzene.
Sec. 1248. 1-Propene-2-methyl homopolymer.
Sec. 1249. Acronal-s-600.
Sec. 1250. Lucirin tpo.
Sec. 1251. Sokalan pg ime.
Sec. 1252. Lycopene 10%.
Sec. 1253. Cosmetic bags with a flexible outer surface of reinforced or laminated polyvinyl chloride (pvc).
Sec. 1254. Mixtures of methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)ureidosulfonyl]benzoate, sodium salt (iodosulfuron methyl, sodium salt).
Sec. 1255. Ethyl 4,5-dihydro-5,5-diphenyl-1,2-oxazole-3-carboxylate (isoxadifen-ethyl).
Sec. 1256. (5-cyclopropyl-4-isoxazolyl)[2-(methylsulfonyl)–4-(trifluoromethy-l)phenyl]methanone (isoxaflutole).
Sec. 1257. Mixtures of CAS Nos. 181274–15–7 and 208465–21–8.
Sec. 1258. Methyl 2-[(4,6-dimethoxypyrimidin-2-ylcarbamoyl)sulfamoyl]-α-(methanesulfonamido)-p-toluate (Mesosulfuron-methyl) whether or not mixed with application adjuvants.
Sec. 1259. Mixtures of foramsulfuron and iodosulfuron-methyl-sodium.
Sec. 1260. 2-Methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)–1-propanone.
Sec. 1261. 1,6-Hexanediamine, n,n- bis(2,2,6,6-tetramethyl-4- piperidinyl)-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with n-butyl-1-butanamine and n-butyl- 2,2,6,6-tetramethyl-4-piperidinamine.
Sec. 1262. Vat black 25.
Sec. 1263. Acid orange 162.
Sec. 1264. Vulcuren upka 1988.
Sec. 1265. Vullcanox 41010 na/lg.
Sec. 1266. Vulkazon afs/lg.
Sec. 1267. P-Anisaldehyde.
Sec. 1268. Methyl salicylate.
Sec. 1269. 1,2-Octanediol.
Sec. 1270. 1,2-Pentanediol.
Sec. 1271. Menthone glycerin acetal.
Sec. 1272. Agrumex.
Sec. 1273. Cohedur rl.
Sec. 1274. Formulations of prosulfuron.
Sec. 1275. Pontamine green 2b.
Sec. 1276. Bayderm bottom 10 ud.
Sec. 1277. Bayderm finish dlh.
Sec. 1278. Levagard dmpp.
Sec. 1279. Bayderm bottom dlv.
Sec. 1280. Certain ethylene-vinyl acetate copolymers.
Sec. 1281. Lewatit.
Sec. 1282. para-Chlorophenol.
Sec. 1283. Cyazofamid.
Sec. 1284. Cypermethrin.
Sec. 1285. Flonicamid.
Sec. 1286. Zeta-cypermethrin.
Sec. 1287. Certain adsorbent resins.
Sec. 1288. Ion-exchange resin powder.
Sec. 1289. Ion-exchange resin powder.
Sec. 1290. Desmodur e 14.
Sec. 1291. Desmodur hl.
Sec. 1292. Desmodur vp ls 2253.
Sec. 1293. Desmodur r-e.
Sec. 1294. Walocel mw 3000 pfv.
Sec. 1295. TSME.
Sec. 1296. Walocel vp-m 20660.
Sec. 1297. Xama 2.
Sec. 1298. Xama 7.
Sec. 1299. 2-Ethylhexyl 4-methoxycinnamate.
Sec. 1300. Certain cases for toys.
Sec. 1301. Certain cases for toys.
Sec. 1302. Aniline 2.5-disulfonic acid.
Sec. 1303. 1,4-Benzenedicarboxylic acid, polymer with N,N′-Bis(2-aminoethyl)–1,2-ethanediamine, cyclized, methosulfate.
Sec. 1304. Sulfur blue 7.
Sec. 1305. Formaldehyde, reaction products with 1,4-benzenediol and m-phenylenediamine, sulfurized.
Sec. 1306. Isocyanatosulfonyl.
Sec. 1307. Isocyanatosulfonyl.
Sec. 1308. Certain automotive catalytic converter mats.
Sec. 1309. Gemifloxacin, gemifloxacin mesylate, and gemifloxacin mesylate sesquihydrate.
Sec. 1310. Butralin.
Sec. 1311. Spirodiclofen.
Sec. 1312. Propamocarb hcl (previcur).
Sec. 1313. Desmodur il.
Sec. 1314. Chloroacetone.
Sec. 1315. IPN (isophthalonitrile).
Sec. 1316. NOA 446510 technical.
Sec. 1317. Hexythiazox technical.
Sec. 1318. 1,10-Diaminodecane.
Sec. 1319. Crelan (self-blocked cycloaliphatic polyuretdione).

Sec. 1320. Aspirin.
Sec. 1321. Desmodur bl xp 2468.
Sec. 1322. Certain flame retardant plasticizers.
Sec. 1323. Baypure ds.
Sec. 1324. Bayowet c4.
Sec. 1325. Desmodur rf-e.
Sec. 1326. Desmodur hl.
Sec. 1327. D-Mannose.
Sec. 1328. Certain camel hair.
Sec. 1329. Waste of camel hair.
Sec. 1330. Certain camel hair.
Sec. 1331. Woven fabric of vicuna hair.
Sec. 1332. Certain camel hair.
Sec. 1333. Noils of camel hair.
Sec. 1334. Certain bicycle parts.
Sec. 1335. Certain bicycle parts.
Sec. 1336. Other cycles.
Sec. 1337. Certain bicycle parts.
Sec. 1338. Certain bicycle parts.
Sec. 1339. Certain bicycle parts.
Sec. 1340. Certain bicycle parts.
Sec. 1341. Chloroacetic acid, ethyl ester.
Sec. 1342. Chloroacetic acid, sodium salt.
Sec. 1343. Cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)–2,2-imethyl-, (2-methyl(1,1′-biphenyl)–3-yl)methyl ester, (z)-.
Sec. 1344. (2-Chloroethyl)phosphonic acid (ethephon).
Sec. 1345. Preparations containing, 2-(1-(((3-chloro-2-propenyl)oxy)imino)propyl)–5-(2-(ethylthio)propyl)–3-hydroxy-2-cyclohexene-1-one (clethodim).
Sec. 1346. Urea, polymer with formaldehyde (pergopak).
Sec. 1347. Low expansion laboratory glass.
Sec. 1348. Stoppers, lids, and other closures.
Sec. 1349. Pigment yellow 213.
Sec. 1350. Indoxacarb.
Sec. 1351. Dimethyl carbonate.
Sec. 1352. 5-Chloro-1-indanone (ek179).
Sec. 1353. Mixtures of famoxadone and cymoxanil.
Sec. 1354. Ortho nitro aniline.
Sec. 1355. Decanedioic acid, bis(2,2,6,6-tetramethyl-4-piperidinyl) ester.
Sec. 1356. 2,2 -(2,5-thiophenediyl)bis(5-(1,1-dimethylethyl)benzoxazole).
Sec. 1357. Acid blue 80.
Sec. 1358. Pigment brown 25.
Sec. 1359. Formulations of azoxystrobin.
Sec. 1360. Formulations of pinoxaden/cloquintocet.
Sec. 1361. Mixtures of difenoconazole/mefenoxam.
Sec. 1362. Fludioxinil technical.
Sec. 1363. Mixtures of clodinafop-propargyl.
Sec. 1364. Avermectin b, 1,4″-deoxy-4″-methylamino-, (4″r)-, benzoate.
Sec. 1365. Cloquintocet-mexyl.
Sec. 1366. Metalaxyl-m technical.
Sec. 1367. Cyproconazole technical.
Sec. 1368. Pinoxaden technical.
Sec. 1369. Mixtures of tralkoxydim.
Sec. 1370. 3,3′-dichlorobenzidine dihydrochloride.
Sec. 1371. TMC114.
Sec. 1372. Certain chemicals and chemical mixtures.
Sec. 1373. Certain chemicals.
Sec. 1374. Mixtures of (±)–(cis and trans)–1-[[2-(2,4-dichlorophenyl)–4-propyl-1,3-dioxolan-2-yl]-methyl]-1h-1,2,4-triazole.
sec. 1375. Chromate(2-), [2,4-dihydro-4-[[2-(hydroxy-ko)–4-nitrophenyl]azo-kn1]-5-methyl-3h-pyrazol-3-onato(2-)-ko3][3-[[4,5-dihydro-3-methyl-1-(4-methylphenyl)–5-(oxo-ko)–1h-pyrazol-4-yl]azo-kn1]-4-(hydroxy-ko)–5-nitrobenzenesulfonato(3-)]-, disodium.
Sec. 1376. Solvent yellow 163.
Sec. 1377. 4-Amino-3,6-bis[[5-[[4-chloro-6-[methyl[2-(methylamino)–2-oxoethyl]amino]-1,3,5-triazin-2-yl]amino]-2-sulfophenyl]azo]-5-hydroxy-2,7-naphthalenedisulfonic acid, lithium potassium sodium salt.
Sec. 1378. Reactive red 123.
Sec. 1379. Reactive blue 250.
Sec. 1380. Reactive black 5.
Sec. 1381. [2,2'-bi-1h-indole]-3,3'-diol, potassium salt (reduced vat 1).
Sec. 1382. 5-[(2-Cyano-4-nitrophenyl)azo]-2-[[2-(2-hydroxyethoxy)ethyl]amino]-4-methyl-6-(phenylamino)–3-pyridinecarbonitrile.
Sec. 1383. Cyano[3-[(6-methoxy-2-benzothiazolyl)amino]-1h-isoindol-1-ylidene]-acetic acid, pentyl ester.
Sec. 1384. [(9,10-dihydro-9,10-dioxo-1,4-anthracenediyl)bis[imino[3-(2-methylpropyl)–3,1-propanediyl]]]bisbenzenesulfonic acid, disodium salt.
Sec. 1385. [4-(2,6-Dihydro-2,6-dioxo-7-phenylbenzo[1,2-b:4,5-b′]difuran-3-yl)phenoxy]-acetic acid, 2-ethoxyethyl ester.
Sec. 1386. 3-Phenyl-7-(4-propoxyphenyl)-benzo[1,2-b:4,5-b′]difuran-2,6-dione.
Sec. 1387. 2-[[[2, 5-Dichloro-4-[(2-methyl-1h-indol-3-yl)azo]phenyl]sulfonyl]amino]-ethanesulfonic acid, monosodium salt.
Sec. 1388. 2,7-Naphthalenedisulfonic acid, 5-[[4-chloro-6-[(3-sulfophenyl)amino]-1,3,5-triazin-2-yl]amino]-4-hydroxy-3-[[4-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo]-, sodium salt.
Sec. 1389. 7-[[2-[(Aminocarbonyl)amino]-4-[[4-[4-[2-[[4-[[3-[(aminocarbonyl) amino]-4-[(3,6,8-trisulfo-2-naphthalenyl)azo]phenyl]amino]-6-chloro-1,3,5-triazin-2-yl]amino]ethyl]-1-piperazinyl]-6-chloro-1,3,5-triazin-2-yl]amino]phenyl]azo]-1,3,6-naphthalenetrisulfonic acid, lithium potassium sodium salt.
Sec. 1390. 24-[[3-(Acetylamino)phenyl]amino]-1-amino-9,10-dihydro-9,10-dioxo-2-anthracenesulfonic acid, monosodium salt.
Sec. 1391. [4-[2,6-Dihydro-2,6-dioxo-7-(4-propoxyphenyl)benzo[1,2-b:4,5-b ]difuran-3-yl]phenoxy]-acetic acid, 2-ethoxyethyl ester.
Sec. 1392. Basic yellow 40 chloride based.
Sec. 1393. Direct yellow 119.
Sec. 1394. Naugard 412s.
Sec. 1395. Triacetonamine.
Sec. 1396. Ipconazole.
Sec. 1397. Omite tech.
Sec. 1398. Pantera technical.
Sec. 1399. Paraquat dichloride.
Sec. 1400. Certain basketballs.
Sec. 1401. Certain leather basketballs.
Sec. 1402. Certain rubber basketballs.
Sec. 1403. Certain volleyballs.
Sec. 1404. 4-Chloro-3-[[3-(4-methoxyphenyl)–1,3-dioxopropyl]-amino]-dodecyl ester.
Sec. 1406. Certain inflatable balls.
Sec. 1407. p-Toluenesulfonyl chloride.
Sec. 1408. 3,3 Dichlorobenzidine dihydrochloride.
Sec. 1409. p-Aminobenzamide (4-aminobenzamide).
Sec. 1410. p-Cloro aniline.
Sec. 1411. 4-Chloro-2-nitroaniline.
Sec. 1412. o-Chloro-p-toluidine (3-chloro-4-methylaniline).
Sec. 1413. 2-Chloroacetoacetanilide.
Sec. 1414. p-Acetoacetanisidide.
Sec. 1415. 1-Hydroxy-2-naphthoic acid.
Sec. 1416. Pigment green 7 crude, not ready for use as a pigment.
Sec. 1417. 1,8-Naphthalimide (1h-benz[de]isoquinoline-1,3(2h)-dione).
Sec. 1418. Linuron.
Sec. 1419. N,N-Dimethylpiperidinium chloride (Mepiquat chloride).
Sec. 1420. Diuron.
Sec. 1421. Formulated product krovar i df.
Sec. 1422. Triasulfuron technical.
Sec. 1423. Brodifacoum technical.
Sec. 1424. Pymetrozine technical.
Sec. 1425. Formulations of thiamethoxam, difenoconazole, fludioxinil, and mefenoxam.
Sec. 1426. Trifloxysulfuron-sodium technical.
Sec. 1427. Diisopropyl succinate.
Sec. 1428. 2,4-Di-tert-butyl-6-(5-chlorobenzotriazol-2-yl)phenol.
Sec. 1429. 4-Chlorobenzonitrile.
Sec. 1430. 2-Naphthalenesulfonic acid, 6-[(2,4-diaminophenyl)azo]-3-[[4-[[4-[[7-[(2,4-diaminophenyl)azo]-1-hydroxy-3-sulfo-2-naphthalenyl]azo]phenyl]amino]-3-sulfophenyl]azo]-4-hydroxy-, trisodium salt (direct black 22).
Sec. 1431. Methylene bis-benzotriazolyl tetramethylbutylphenol.
Sec. 1432. Bis-ethylhexyloxyphenol methoxyphenol triazine.
Sec. 1433. Benzenesulfonic acid, 2,2-[(1-methyl-1,2-ethanediyl)bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl) imino[2-[(aminocarbonyl)amino]-4,1-phenylene]azo]]bis[5-[(4-sulfophenyl)azo]-, sodium salt (reactive orange 132).
Sec. 1434. Chromate(2-), [3-(hydroxy-κo)–4-[[2-(hydroxy-κo) -1-naphthalenyl] azo-κn2] -1-naphthalenesulfonato(3-)][1-[[2-(hydroxy-κo)–5-[4-methoxyphenyl)azo]phenyl]azo-κn2]-2-naphthalenolato(2-)-κo]-, disodium (acid black 244).
Sec. 1435. 2 Benzylthio-3-ethyl sulfonyl pyridine.
Sec. 1436. 2-Amino-4-methoxy-6-methyl-1,3,5-triazine.
Sec. 1437. Formulated products containing mixtures of the active ingredient 2-chloro-n-[[(4-methoxy-6-methyl-1,3,5-triazin-2y1) amino]carbonyl] benzenesulfonamide and application adjuvants.
Sec. 1438. 2-Methyl-4-methoxy-6-methylamino-1,3,5-triazine.
Sec. 1439. Mixtures of sodium-2-chloro-6-[(4,6 dimethoxypyrimidin-2-yl)thio]benzoate and application adjuvants (pyrithiobac-sodium).
Sec. 1440. Certain decorative plates, decorative sculptures, decorative plaques, and architectural miniatures.
Sec. 1441. Certain music boxes.
Sec. 1442. Certain cores used in remanufacture.
Sec. 1443. ADTP.
Sec. 1444. DCBTF.
Sec. 1445. Noviflumuron.
Sec. 1446. Parachlorobenzotrifluoride.
Sec. 1447. Mixtures of insecticide.
Sec. 1448. Mixture of fungicide.

Sec. 1449. 1,2-Benzisothiazol-3(2h)-one (9ci).
Sec. 1450. Styrene, ar-ethyl-, polymer with divinylbenzene and styrene (6ci) beads with low ash.
Sec. 1451. Mixtures of fungicide.
Sec. 1452. 2-Methyl-4-chlorophenoxyacetic acid.
Sec. 1453. 2-Methyl-4-chlorophenoxy-acetic acid, di-methylamine salt.
Sec. 1454. Biaxially oriented polypropylene dielectric film.
Sec. 1455. Biaxially oriented polyethylene terephthalate dielectric film.
Sec. 1456. Charge control agent 7.
Sec. 1457. Pro-jet black 820 liquid feed.
Sec. 1458. Pro-jet magenta m700.
Sec. 1459. Pro-jet fast black 287 na liquid feed.
Sec. 1460. Pro-jet fast black 286 stage.
Sec. 1461. Pro-jet cyan 485 stage.
Sec. 1462. Pro-jet black 661 liquid feed.
Sec. 1463. Pro-jet black cyan 854 liquid feed.
Sec. 1464. Erasers.
Sec. 1465. Nail clippers and nail files.
Sec. 1466. Artificial flowers.
Sec. 1467. Electrically operated pencil sharpeners.
Sec. 1468. Phenmedipham.
Sec. 1469. Desmedipham.
Sec. 1470. Certain footwear with open toes or heels.
Sec. 1471. Certain work footwear.
Sec. 1472. Certain women's footwear.
Sec. 1473. Certain athletic footwear.
Sec. 1474. Certain footwear with open toes or heels.
Sec. 1475. Certain work footwear.
Sec. 1476. Certain work footwear.
Sec. 1477. Certain work footwear.
Sec. 1478. Certain refracting and reflecting telescopes.
Sec. 1479. Mixture of magnesium peroxide and magnesium oxide containing 35 percent magnesium peroxide.
Sec. 1480. Certain footwear.
Sec. 1481. Certain athletic footwear.
Sec. 1482. Certain work footwear.
Sec. 1483. Certain footwear for men.
Sec. 1484. Certain rubber or plastic footwear.
Sec. 1485. Certain work footwear.
Sec. 1486. Certain athletic footwear.
Sec. 1487. Certain rubber or plastic footwear.
Sec. 1488. Certain leather footwear.
Sec. 1489. Zinc dimethyldithiocarbamate.

CHAPTER 2—EXISTING DUTY SUSPENSIONS AND REDUCTIONS

Sec. 1501. Extension of certain existing duty suspensions and reductions.

Subtitle B—Other Tariff Provisions

CHAPTER 1—LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES

Sec. 1601. Certain tramway cars and associated spare parts.
Sec. 1602. Reliquidation of certain entries of candles.
Sec. 1603. Certain entries of roller chain.
Sec. 1604. Certain entries of pasta.
Sec. 1605. Payment of interest on amounts owed pursuant to reliquidation of certain entries.
Sec. 1606. Clarification of reliquidation provision.
Sec. 1607. Certain entries of soundspa clock radios.

CHAPTER 2—MISCELLANEOUS PROVISIONS

Sec. 1701. Rattan webbing.
Sec. 1702. Certain monochrome glass envelopes.
Sec. 1703. Certain tractor body parts.
Sec. 1704. Flexible magnets and composite goods containing flexible magnets.
Sec. 1705. Kashmir.
Sec. 1706. Technical corrections.

Subtitle C—Effective Date

Sec. 1801. Effective date.

TITLE II—OTHER TRADE PROVISIONS

Sec. 2001. Cellar treatment of wine.
Sec. 2002. Effective date for AGOA.
Sec. 2003. Technical amendments.

## TITLE I—TARIFF PROVISIONS

**SEC. 1101. REFERENCE.**

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

### Subtitle A—Temporary Duty Suspensions and Reductions

### CHAPTER 1—NEW DUTY SUSPENSIONS AND REDUCTIONS

**SEC. 1111. CHLORONEB.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.01 | Chloroneb (1,4-dichloro-2,5-dimethoxybenzene) (CAS No. 2675–77–6) (provided for in subheading 2909.30.30) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1112. P-NITROBENZOIC ACID (PNBA).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.02 | p-Nitrobenzoic acid (CAS No. 62–23–7) (provided for in subheading 2916.39.75) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1113. ALLYL PENTAERYTHRITOL (APE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.03 | Allyl pentaerythritol (CAS No. 91648–24–7) (provided for in subheading 2909.49.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1114. BUTYL ETHYL PROPANEDIOL (BEP).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.04 | 2-Butyl-2-ethylpropane-1,3-diol (CAS No. 115–84–4) (provided for in subheading 2905.39.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1115. BEPD70L.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.05 | Mixture of 2-butyl-2-ethylpropane-1,3-diol (CAS No. 115–84–4) and neopentyl glycol (CAS No. 126–30–7) (provided for in subheading 3824.90.91) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1116. BOLTORN-1 (BOLT-1).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.06 | Polymers of propanoic acid, 3-hydroxy-2-(hydroxymethyl)–2-methyl-with 2,2-bis(hydroxymethyl)–1,3-propanediol and oxirane (CAS No. 326794–48–3) (provided for in subheading 3907.99.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1117. BOLTORN-2 (BOLT-2).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.07 | Polymer of propanoic acid, 3-hydroxy-2-(hydroxymethyl)–2-methyl-polymer with 2,2-bis(hydroxymethyl)–1,3-propanediol and oxirane, decanoate octanoate (CAS No. 326794–49–4) (provided for in subheading 3907.99.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1118. CYCLIC TMP FORMAL (CTF).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.08 | 1,3-Dioxane-5-methanol, 5-ethyl- (CAS No. 5187–23–5) (provided for in subheading 2932.99.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1119. DITMP.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.09 | Ditrimethylolpropane (CAS No. 23235–61–2) (provided for in subheading 2909.49.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1120. POLYOL DPP (DPP).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.10 | Poly(oxy-1,2ethanediyl), α-hydro-ω-hydroxy-ether with 2,2'-(oxybis(methylene)) bis(2-hydroxymethyl)–1,3-propanediol) (6:1). (CAS No. 50977–32–7) (provided for in subheading 3907.20.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1121. HYDROXYPIVALIC ACID (HPA).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.11 | Hydroxypivalic acid (CAS No. 4835–90–9) (provided for in subheading 2918.19.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1122. TMPDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.12 | Trimethylolpropane diallyl ether (CAS No. 682–09–7) (provided for in subheading 2909.49.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1123. TMPME.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.13 | Trimethylolpropane monoallyl ether (CAS No. 682–11–1) (provided for in subheading 2909.49.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1124. TMP OXETANE (TMPO).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.14 | 3-Ethyl-3-oxetanemethanol (trimethylolpropane oxetane) (CAS No. 3047–32–3) (provided for in subheading 2932.99.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1125. TMPO ETHOXYLATE (TMPOE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.15 | Poly(oxy-1,2-ethanediyl), α-((3-ethyl-3-oxetanyl) methyl)-ω-hydroxy- (CAS No. 76996–65–1) (provided for in subheading 3907.20.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1126. CERTAIN NON-KNIT GLOVES DESIGNED FOR USE BY AUTO MECHANICS.**

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.14.01 | Mechanics' work gloves, valued not over $3.50 per pair (provided for in subheading 6216.00.58) | 2.8% | No change | No change | On or before 12/31/2009 | |
| | 9902.14.02 | Mechanics' work gloves, valued over $3.50 but not over $3.70 per pair (provided for in subheading 6216.00.58) | 2.8% | No change | No change | On or before 12/31/2009 | ". |
| | 9902.14.03 | Mechanics' work gloves, valued over $3.70 but not over $4.99 per pair (provided for in subheading 6216.00.58) | 2.8% | No change | No change | On or before 12/31/2009 | ". |
| | 9902.14.04 | Mechanics' work gloves, valued over $4.99 but not over $7.72 per pair (provided for in subheading 6216.00.58) | 2.8% | No change | No change | On or before 12/31/2009 | ". |
| | 9902.14.05 | Mechanics' work gloves, valued over $7.72 per pair (provided for in subheading 6216.00.58) | 2.8% | No change | No change | On or before 12/31/2009 | ". |

(b) AMENDMENT TO U.S. NOTES.—Subchapter II of chapter 99 is amended by adding at the end of the U.S. Notes to such subchapter the following new U.S. Note:

"18. For purposes of headings 9902.14.01, 9902.14.02, 9902.14.03, 9902.14.04, and 9902.14.05, the term 'mechanics' work gloves' means gloves, of man-made fibers, having synthetic leather palms and fingers; fourchettes of synthetic leather or of fabric of nylon or elastomeric yarn; backs comprising either one layer of knitted fabric of elastomeric yarn or three layers, with the outer layer of knitted fabric of elastomeric yarn, the center layer of foam and the inner layer of tricot fabric; the foregoing, whether or not including an thermoplastic rubber logo or pad on the back; and elastic wrist straps with molded thermoplastic rubber hook-and-loop enclosures.".

**SEC. 1127. CERTAIN MICROPHONES FOR USE IN AUTOMOTIVE INTERIORS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.17 | Unidirectional (cardioid) electret condenser microphone modules for use in motor vehicles provided for in headings 8701 through 8705 (other than such modules designed for handheld, microphone stand, or lapel use), the foregoing each including wire leads for external connection, whether or not including a multi-pin board level type connector but not including a battery compartment; having a typical frequency response of 250 Hertz through 7,000 Hertz with no more than a 20 decibel deviation in that frequency range and an electrostatic discharge immunity of 4,000 V (contact) and 8,000 V (air); and capable of operation and storage in the temperature range of -40°C through 85°C and a humidity of not over 95 percent (provided for in subheading 8518.10.80) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1128. CERTAIN FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.18 | Footwear with outer soles and uppers of rubber or plastics, incorporating a protective metal toecap, having uppers of which over 90 percent of the external surface area (including any accessories or reinforcements such as those mentioned in note 4(a) to chapter 64) is rubber or plastics (provided for in subheading 6402.30.30) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1129. AMYL-ANTHRAQUINONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.19 | 9, 10-Anthracenedione, 2 pentyl- (CAS No. 13936–21–5) (provided for in subheading 2914.69.90) or in organic solution (provided for in subheading 3824.90.28) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1130. ACRYLIC OR MODACRYLIC SYNTHETIC STAPLE FIBERS, NOT CARDED, COMBED, OR OTHERWISE PROCESSED FOR SPINNING.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.20 | Synthetic staple fibers, not carded, combed, or otherwise processed for spinning: acrylic or modacrylic (provided for in subheading 5503.30.00) | 3.7% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1131. ACRYLIC OR MODACRYLIC SYNTHETIC FILAMENT TOW.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.21 | Synthetic filament tow: acrylic or modacrylic (provided for in subheading 5501.30.00) | 6.8% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1132. ACRYLIC OR MODACRYLIC SYNTHETIC STAPLE FIBERS, CARDED, COMBED, OR OTHERWISE PROCESSED FOR SPINNING.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.22 | Synthetic staple fibers, carded, combed, or otherwise processed for spinning: acrylic or modacrylic (provided for in subheading 5506.30.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1133. NITROCELLULOSE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.23 | Cellulose nitrates (nitrocellulose, including collodions) (CAS 9004-70-0) (provided for in subheading 3912.20.00) | 4.4% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1134. POTASSIUM SORBATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.24 | Potassium sorbate (CAS No. 24634–61–5) (provided for in subheading 2916.19.10) | 1.4% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1135. SORBIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.25 | Sorbic acid (CAS No. 110–44–1) (provided for in subheading 2916.19.20) | 1.9% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1136. CERTAIN CAPERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.26 | Capers, prepared or preserved by vinegar other than such goods in immediate containers each holding 3.4 kg or less (provided for in subheading 2001.90.20) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1137. CERTAIN PEPPERONCINI PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.27 | Pepperoncini, prepared or preserved otherwise than by vinegar, not frozen (provided for in subheading 2005.90.55) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1138. CERTAIN CAPERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.28 | Capers, prepared or preserved by vinegar in immediate containers each holding more than 3.4 kg (provided for in subheading 2001.90.10) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1139. CERTAIN PEPPERONCINI PREPARED OR PRESERVED BY VINEGAR OR ACETIC ACID IN CONCENTRATIONS AT 0.5 PERCENT OR GREATER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.29 | Pepperoncini, prepared or preserved by vinegar (provided for in subheading 2001.90.38) | 2.2% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1140. CERTAIN PEPPERONCINI PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID IN CONCENTRATIONS LESS THAN 0.5 PERCENT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.30 | Giardiniera, prepared or preserved otherwise than by vinegar, not frozen (provided for in subheading 2005.90.55) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1141. CHLORAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.31 | Trichloroacetaldehyde (CAS No. 75–87–6) (provided for in subheading 2913.00.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1142. IMIDACLOPRID TECHNICAL (IMIDACLOPRID).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.32 | 1-[(6-Chloro-3-pyrdinyl)methyl]-N-nitro-2-imidazolidinimine (Imidacloprid) (CAS No. 138261–41–3) (provided for in subheading 2933.39.27) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1143. TRIADIMEFON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.33 | 1-(4-Chlorophenoxy)–3,3-dimethyl-1-(1H-1,2,4-triazol-1-y1)–2-butanone (CAS No. 43121–43–3) (Triadimefon) (provided for in subheading 2933.99.22) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1144. POLYETHYLENE HE1878.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.34 | Polyethylene HE1878 (CAS No. 25087–34–7), with 1-butene as comonomer (provided for in subheading 3901.20.50) | 3.6% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1145. THIACLOPRID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.35 | (Z)-[3-[(6-chloro-3-pyridinyl)methyl]-2-thiazolidinylidene]cyanamide (thiacloprid) (CAS No. 111988–49–9) (provided for in subheading 2934.10.10) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1146. PYRIMETHANIL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.36 | 4,6-Dimethyl-N-phenyl-2-pyrimidinamine (pyrimethanil) (CAS No. 53112–28–0) (provided for in subheading 2933.59.15) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1147. FORAMSULFURON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.37 | Foramsulfuron (Benzamide, 2-(((((4,6-dimethoxy-2-pyrimidinyl)amino) carbonyl)amino)sulfonyl)–4-(formylamino)- N,N-dimethyl-,) (CAS No. 173159–57–4), in bulk or put up in forms or packaging for retail sale (provided for in subheading 2935.00.75 or 3808.30.15) | 2.6% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1148. FENAMIDONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.38 | (5S)–3,5-Dihydro-5- methyl-2-(methylthio)- 5-phenyl-3-(phenylamino)- 4H-imidazol-4-one (Fenamidone) (CAS No. 161326–34–7) (provided for in subheading 2933.29.35) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1149. CYCLANILIDE TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.39 | 1-(2,4-Dichlorophenylaminocarbonyl) clopropanecarboxylic acid (Cyclanilide) (CAS No. 113136–77–9) (provided for in subheading 2924.29.47) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1150. PARA-BENZOQUINONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.40 | 1,4-Benzoquinone (CAS No. 106–51–4) (provided for in subheading 2914.69.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1151. O-ANISIDINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.41 | o-Anisidine (CAS No. 90–04–4) (provided for in subheading 2922.22.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1152. TETRAKIS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.42 | Tetrakis(2,4-di-tert-butylphenyl) 4,4’-biphenyldiphosphinate (CAS No. 38613–77–3) (provided for in subheading 2931.00.30) | 3.6% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1153. 2,4-XYLIDINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.43 | 2,4-Xylidine (CAS No. 95–68–1) (provided for in subheading 2921.49.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1154. CROTONALDEHYDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.44 | Crotonaldehyde (2-butenaldehyde) (CAS No. 4170–30–3) (provided for in subheading 2912.19.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1155. T-BUTYL ACRYLATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.45 | 2-Propenoic, 1,1-dimethyl ethyl ester (CAS No. 1663–39–4) (provided for in subheading 2916.12.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1156. PROPYL GALLATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.46 | Benzoic acid 3,4,5-trihydroxy-, propyl ester (CAS No. 121–79–9) (provided for in subheading 2918.29.75) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1157. BUTANEDIOIC ACID, DIMETHYL ESTER, POLYMER WITH 4-HYDROXY-2,2,6,6,-TETRAMETHYL-1-PIPERIDINEETHANOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.47 | Butanedioic acid, dimethyl ester, polymer with 4-hydroxy-2,2,6,6,-tetramethyl-1-piperidineethanol (CAS No. 65447–77–0) (provided for in subheading 3907.99.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1158. MIXTURES OF CAS NOS. 106990-43-6 AND 65447-77-0.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.48 | 1,3,5-Triazine-2,4,6-triamine, N,N‴-[1,2-ethanediylbis[[[4,6-bis[butyl (1,2,2,6,6-pentamethyl-4-piperidinyl)amino]-1,3,5-triazine-2-yl]imino]-3,1-propanediyl]]bis[N′,N″-dibutyl-N′,N″-bis(1,2,2,6,6-pentamethyl-4-piperidinyl)- (CAS No. 106990–43–6) and Butanedioic acid, dimethylester polymer with 4-hyroxy-2,2,6,6-tetramethyl-1-piperdine ethanol (CAS No. 65447–77–0) (Provided for in subheading 3812.30.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1159. 3-CYCLOHEXENE-1-CARBOXYLIC ACID, 6-[(DI-2-PROPENYLAMINO)CARBONYL]-, REL-(1R,6R)-, REACTION PRODUCTS WITH PENTAFLUOROIODOETHANE-TETRAFLUOROETHYLENE TELOMER, AMMONIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.49 | 3-Cyclohexene-1-carboxylic acid, 6-[(di-2-propenylamino)carbonyl]-, rel-(1R,6R)-, reaction products with pentafluoroiodoethane-tetrafluoroethylene telomer, ammonium salt (CAS No. 392286–82–7) (provided for in subheading 3809.92.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1160. GLYCINE, N,N-BIS[2-HYDROXY-3-(2-PROPENYLOXY)PROPYL]-, MONOSODIUM SALT, REACTION PRODUCTS WITH AMMONIUM HYDROXIDE AND PENTAFLUOROIODOETHANE-TETRAFLUOROETHYLENE TELOMER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.50 | Glycine, N,N-Bis[2-hydroxy-3-(2-propenyloxy)propyl]-, monosodium salt, reaction products with ammonium hydroxide and pentafluoroiodoethane-tetrafluoroethylene telomer (CAS number 220459–70–1) (provided for in subheading 3809.92.50) | 1.1% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1161. MIXTURES OF PHOSPHATE AMMONIUM SALT DERIVATIVES OF A FLUOROCHEMICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.51 | 5,5-Bis[(γ,ω-perfluoro(C4–20)alkylthio)methyl]-2-hydroxy-2-oxo-1,3,2-dioxaphosphorinane, ammonium salt (CAS No. 148240–85–1) and 2,2-bis[(γ,ω-perfluoro(C4–20)alkylthio)methyl]-3-hydroxypropyl phosphate, diammonium salt (CAS No. 148240–87–3) and di-[2,2-bis[(γ,ω-perfluoro(C4–20)alkylthio)methyl]]-3-hydroxypropyl phosphate, ammonium salt (CAS No. 148240–89–5) and 2,2-bis[(γ,ω-perfluoro(C4–20)alkylthio)methyl]-1,3-di-(dihydrogenphosphate)propane, tetraammonium salt (provided for in subheading 3809.92.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1162. 1-(3H)-ISOBENZOFURANONE, 3,3-BIS(2-METHYL-1-OCTYL-1H-INDOL-3-YL)-.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.52 | 1-(3H)-Isobenzofuranone, 3,3-bis(2-methyl-1-octyl-1H-indol-3-yl)- (CAS No. 50292–95–0) (provided for in subheading 3204.19.40) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1163. MIXTURE OF POLY[[6-[(1,1,3,3-TETRAMETHYLBUTYL)AMINO]-1,3,5-TRIAZINE-2,4-DIYL] [2,2,6,6-TETRAMETHYL-4-PIPERIDINYL)IMINO]-1,6-HEXANEDIYL[(2,2,6,6-TETRAMETHYL-4-PIPERIDINYL)IMINO]] AND BIS(2,2,6,6-TETRAMETHYL-4-PIPERIDYL) SEBACATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.53 | Mixture of poly[[6-[(1,1,3,3-tetramethylbutyl)amino]-1,3,5-triazine-2,4-diyl] [2,2,6,6-tetramethyl-4-piperidinyl)imino]-1,6-hexanediyl[(2,2,6,6-tetramethyl-4-piperidinyl)imino]]) and bis(2,2,6,6-tetramethyl-4-piperidyl) sebacate (CAS Nos. 71878–19–8 and 52829–07–9) (provided for in subheading 3812.30.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1164. MCPA.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.54 | 2-Ethylhexyl (4-chloro-2-methylphenoxy)acetate (CAS No. 29450–45–1) (provided for in subheading 2918.90.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1165. BRONATE ADVANCED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.55 | Formulations of 2,6-dibromo-4-cyanophenyl octanoate (CAS No. 1689–99–2), 2, 6-dibromo-4-cyanophenyl heptanoate (CAS No. 56634–95–8), and 2-ethylhexyl (4-chloro-2-methylphenoxy)acetate (CAS No. 29450–45–1) (provided for in subheading 3808.30.15) | 2.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1166. BROMOXYNIL OCTANOATE TECH.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.56 | 2,6-dibromo-4-cyanophenyl octanoate (CAS No. 1689–99–2) (provided for in subheading 2926.90.25) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1167. BROMOXYNIL MEO.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.57 | 2,6-Dibromo-4-cyanophenyl octanoate/heptanoate (CAS Nos.1689–99–2 and 56634–95–8) (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1168. CERTAIN BITUMEN-COATED POLYETHYLENE SLEEVES SPECIFICALLY DESIGNED TO PROTECT IN-GROUND WOOD POSTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.58 | Bitumen-coated shrink-wrap polyethylene boots for the protection of in-ground wood posts (provided for in subheading 3926.90.98) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1169. NYLON WOOLPACKS USED TO PACKAGE WOOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.59 | Sacks and bags, of undyed woven fabric of nylon multifilament yarns not to exceed 10 decitex, used for packing wool for transport, storage, or sale (provided for in subheading 6305.39.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1170. MAGNESIUM ZINC ALUMINUM HYDROXIDE CARBONATE HYDRATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.60 | Magnesium zinc aluminum hydroxide carbonate hydrate (CAS No. 169314–88–9) coated with an organic fatty acid (provided for in subheading 3812.30.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1171. C12–18 ALKENES.**

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.61 | C12–18 alkenes, polymers (TPX) with 4-methyl-1-pentene (CAS Nos. 25155–83–3, 81229–87–0, and 103908–22–1) (provided for in subheading 3902.90.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

(b) CONFORMING AMENDMENT.—Subchapter II of chapter 99 is amended by striking heading 9902.03.86.

**SEC. 1172. HYDRAULIC CONTROL UNITS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.62 | Hydraulic control units designed for use in braking systems of hybrid motor vehicles of heading 8703 (provided for in subheading 9032.89.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1173. SHIELD ASY-STEERING GEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.63 | Steering gear assemblies for single-pinion constant-ratio electronic power assisted steering systems rated at 80 amperes at 12V, the foregoing designed for use in hybrid motor vehicles of heading 8703 (provided for in subheading 8708.99.73) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1174. 2,4-DICHLOROANILINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.64 | 2,4-Dichloroaniline (CAS No. 554–00–7) (provided for in subheading 2921.42.18) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1175. 2-ACETYLBUTYROLACTONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.65 | 2-Acetylbutyrolactone (CAS No. 517–23–7) (provided for in subheading 2932.29.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1176. ALKYLKETONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.66 | 1-(4-Chlorophenyl)–4, 4-dimethyl-3-pentanone (CAS No. 66346–01–8) (provided for in subheading 2914.70.40) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1177. CYFLUTHRIN (BAYTHROID).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.67 | Cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)–2,2-dimethylcyclopropanecarboxylate (Cyfluthrin, excluding β-Cyfluthrin) (CAS No. 68359–37–5) (provided for in subheading 2926.90.30) | 3.5% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1178. BETA-CYFLUTHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.68 | Reaction mixture comprising the enantiomeric pair (R)-α-cyano-4-fluoro-3-phenoxybenzyl (1S,3S)–3-(2,2-dichlorovinyl)–2,2-dimethylcyclopropanecarboxylate and (S)-α-cyano-4-fluoro-3-phenoxybenzyl (1R,3R)–3-(2,2-dichlorovinyl)–2,2-dimethylcyclopropanecarboxylate in ratio 1:2 with the enantiomeric pair (R)-α-cyano-4-fluoro-3-phenoxybenzyl (1S,3R)–3-(2,2-dichlorovinyl)–2,2-dimethylcyclopropanecarboxylate and (S)-α-cyano-4-fluoro-3-phenoxybenzyl (1R,3S)–3-(2,2-dichlorovinyl)–2,2-dimethylcyclopropanecarboxylate (β-Cyfluthrin) (CAS No. 68359–37–5) (provided for in subheading 2926.90.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1179. CYCLOPROPANE-1,1-DICARBOXYLIC ACID, DIMETHYL ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.69 | Cyclopropane-1,1-dicarboxylic acid, dimethyl ester (CAS No. 6914–71–2) (provided for in subheading 2917.20.00) | 1.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1180. SPIROXAMINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.70 | 8-(1,1-Dimethylethyl)-N-ethyl-N-propyl-1,4-dioxaspiro[4,5]decane-2-methanamine (CAS 118134–30–8) (provided for in subheading 2932.99.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1181. SPIROMESIFEN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.71 | 3,3-Dimethylbutanoic acid, 2-oxo-3-(2,4,6-trimethylphenyl)–1-oxaspiro[4.4]non-3-en-yl ester (CAS 283594–90–1) (provided for in subheading 2932.29.10) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1182. 4-CHLOROBENZALDEHYDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.72 | 4-Chlorobenzaldehyde (CAS No. 104–88–1) (provided for in subheading 2913.00.40) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1183. OXADIAZON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.73 | 5-*tert*-butyl-3-(2,4-dichloro-5-isopropoxyphenyl)–1,3,4-oxadiazol-2(3H)-one (Oxadiazon) (CAS No. 19666–30–9) (provided for in subheading 2934.99.11) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1184. NAHP.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.74 | 2-(1,1-Dimethylethyl)–5-hydroxypyrimidine, sodium salt (CAS No. 146237–62–9) (provided for in subheading 2933.59.70) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1185. PHOSPHORUS THIOCHLORIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.75 | Phosphorus Thiochloride (CAS No. 3982–91–0) (provided for in subheading 2851.00.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1186. TRIFLOXYSTROBIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.76. | Methyl (E)-methoxyimino-{(E)-α-[1-(α,α,α-trifluoro-m-tolyl)ethylideneaminooxy]-o-tolyl}acetate (Trifloxystrobin) (CAS No. 141517–21–7) (provided for in subheading 2929.90.20) | 2.4% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1187. PHOSPHORIC ACID, LANTHANUM SALT, CERIUM TERBIUM-DOPED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.77 | Phosphoric acid, lanthanum salt, cerium terbium-doped (CAS No. 95823–34–0) (provided for in subheading 2846.90.80) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1188. LUTETIUM OXIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.78 | Lutetium oxide (CAS No. 12032–20–1) (provided for in subheading 2846.90.80) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1189. ACM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.79 | (3-Acetoxy-3-cyanopropyl) methylphosphinic acid, butyl ester (CAS No. 167004–78–6) (provided for in subheading 2931.00.90) | 0.7% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1190. PERMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.80 | (3-Phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)–2,2-dimethylcyclopropanecarboxylate (Permethrin) (CAS No. 52645–53–1) (provided for in subheading 2916.20.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1191. THIDIAZURON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.81 | N-Phenyl-N -(1,2,3-thiadiazol-5-yl)urea (Thidiazuron) CAS No. 51707–55–2), whether or not mixed with application adjuvants (provided for in subheading 2934.99.15 or 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1192. FLUTOLANIL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.10.82 | N-[3-(1-Methylethoxy)phenyl]-2-(trifluoromethyl)benzamide (Flutolanil) (CAS No. 66332–96–5) (provided for in subheading 2924.29.47) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1193. RESMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.83 | [5-(Phenylmethyl)–3-furanyl]methyl 2,2-dimethyl-3-(2-methyl-1-propenyl) cyclopropanecarboxylate (Resmethrin) (CAS No. 10453–86–8) (provided for in subheading 2932.19.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1194. CLOTHIANIDIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.84 | (E)–1-(2-Chloro-1,3-thiazol-5-ylmethyl)–3-methyl-2-nitroguanidine (Clothianidin) (CAS No. 210880–92–5) (provided for in subheading 2934.10.90) | 5.4% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1195. ACRYPET UT100.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.85 | 2-Propenoic acid, 2-methyl-, methyl ester, polymer with 1-cyclohexyl-1*H*-pyrrole-2,5-dione,ethenylbenzene and (1-methylethenyl)benzene (CAS No. 107194–09–2) (provided for in subheading 3906.90.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1196. DIETHYL KETONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.86 | Diethyl ketone (CAS No. 96–22–0) (provided for in subheading 2914.19.00) | 1.3% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1197. 5-AMINO-1-[2,6-DICHLORO-4-(TRIFLUOROMETHYL)PHENYL]-4-[(1R,S)–(TRIFLUOROMETHYL)-SULFINYL]-1H-PYRAZOLE-3-CARBONITRILE (FIPRONIL).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.87 | 5-Amino-1-[2,6-dichloro-4-(trifluoromethyl)phenyl]-4-[(1R,S)–(trifluoromethyl)-sulfinyl]-1H-pyrazole-3-carbonitrile (Fipronil) (CAS No. 120068–37–3) (provided for in subheading 2933.19.23) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1198. 2,3-PYRIDINEDICARBOXYLIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.88 | 2,3-Pyridinedicarboxylic acid (CAS No. 89–00–9) (provided for in subheading 2933.39.61) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1199. 80% 2,3-DIMETHYLBUTYLNITRILE AND 20% TOLUENE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.89 | Mixtures of 2-Amino-2,3-dimethylbutanenitrile (CAS No. 13893–53–3) and toluene (provided for in subheading 3824.90.28) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1200. 2,3-QUINOLINEDICARBOXYLIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.90 | 2,3-Quinolinedicarboxylic acid (CAS No. 643–38–9) (provided for in subheading 2933.49.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1201. 3,5-DIFLUOROANILINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.91 | 3,5-Difluoroaniline (CAS No. 372–39–4) (provided for in subheading 2921.42.65) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1202. CERTAIN MASTER CYLINDER ASSEMBLES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.92 | Master cylinder assemblies for braking systems, not incorporating a vacuum booster, the foregoing designed for use in hybrid motor vehicles of heading 8703 (provided for in subheading 8708.39.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1203. CERTAIN TRANSAXLES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.93 | Transaxles, each incorporating an integral electronic controller, the foregoing designed for use in hybrid motor vehicles of heading 8703 (provided for in subheading 8708.40.20) | 1.5% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1204. CONVERTER ASY.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.94 | Static converters capable of converting 300 V direct current to 12 V direct current, designed for use in hybrid motor vehicles of heading 8703 (provided for in subheading 8504.40.95) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1205. MODULE AND BRACKET ASY-POWER STEERING.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.95 | Controllers for electronic power assisted steering systems, rated at 80 amperes at 12 V, designed for use in hybrid motor vehicles of heading 8703 (provided for in subheading 8537.10.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1206. UNIT ASY-BATTERY HI VOLT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.96 | Nickel metal-hydride storage batteries, exceeding 300 V, the foregoing designed for use in hybrid motor vehicles of heading 8703 (provided for in subheading 8507.80.80) | 2.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1207. CLOMAZONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.97 | 2-(2-Chlorophenyl)methyl-4,4-dimethyl-3-isoxazolidinone (Clomazone) (CAS No. 81777–89–1) (provided for in subheading 2934.99.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1208. CHLOROPIVALOYL CHLORIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.98 | 3-Chloropivaloyl chloride (CAS No. 4300–97–4) (provided for in subheading 2915.90.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1209. CERTAIN ARTICLES OF NATURAL CORK.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.10.99 | Articles of natural cork, not elsewhere specified or included (provided for in subheading 4503.90.60) | 6% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1210. GLYOXYLIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.01 | Glyoxylic acid (CAS No. 298–12–4) (provided for in subheading 2918.30.90) | 1.6% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1211. CYCLOPENTANONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.02 | Cyclopentanone (CAS No. 120–92–3) (provided for in subheading 2914.29.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1212. MESOTRIONE TECHNICAL.**

(a) CALENDAR YEAR 2006.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.03 | 2-[4-(Methylsulfonyl)–2-nitrobenzoyl]-1,3-cyclohexanedione (Mesotrione) (CAS No. 104206–82–8) (provided for in subheading 2930.90.10) | 6.04% | No change | No change | On or before 12/31/2006 | ”. |

(b) CALENDAR YEAR 2007.—

(1) IN GENERAL.—Heading 9902.11.03, as added by subsection (a), is amended—

(A) by striking ‘‘6.04%’’ and inserting ‘‘6.08%’’; and

(B) by striking ‘‘12/31/2006’’ and inserting ‘‘12/31/2007’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2007.

(c) CALENDAR YEARS 2008 AND 2009.—

(1) IN GENERAL.—Heading 9902.11.03, as added by subsection (a) and amended by subsection (b), is further amended—

(A) by striking ‘‘6.08%’’ and inserting ‘‘6.11%’’; and

(B) by striking ‘‘12/31/2007’’ and inserting ‘‘12/31/2009’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2008.

**SEC. 1213. MALONIC ACID-DINITRILE 50% NMP.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.04 | 50% solution of malononitrile in methyl-2-pyrrolidone solvent (CAS Nos. 109–77–3 and 872–50–4) (provided for in subheading 3824.90.9190) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1215. FORMULATIONS OF NOA 446510.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.05 | Formulations of NOA 446510 which include NOA 446510 Technical, 2-(4-chloro-phenyl)-N-[2-(3-methoxy-4-prop-2-ynyloxy-phenyl)ethyl]-2-prop-2-ynyloxyacetamide (CAS No. 374726–62–2) (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1216. DEMBB DISTILLED-ISO TANK.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.06 | 2-Bromo-1,3-diethyl-5-methylbenzene (CAS No. 314084–61–2) (DEMBB) (provided for in subheading 2903.69.80) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1217. N,N′-HEXANE-1,6-DIYLBIS(3-(3,5-DI-TERT-BUTYL-4-HYDROXYPHENYLPROPIONAMIDE)).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.07 | N,N′-hexane-1,6-diylbis(3-(3,5-di-tert-butyl-4-hydroxyphenylpropionamide)) (CAS No. 23128–74–7) (provided for in subheading 2924.29.31) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1218. 2-NAPHTHALENESULFONIC ACID, 7,7″ - [(2-METHYL-1,5-PENTANEDIYL) BIS[IMINO(6-FLUORO-1,3,5-TRIAZINE-4,2-DIYL) IMINO]] BIS[ 4-HYDROXY-3-[(4-METHOXY SULFOPHENYL) AZO]-, POTASSIUM SODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.08 | 2-Naphthalenesulfonic acid, 7,7″ - [(2-methyl-1,5-pentanediyl) bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl) imino]] bis[ 4-hydroxy-3-[(4-methoxy sulfophenyl) azo]-, potassium sodium salt (CAS No. 152397–21–2) (Color Index Reactive Red 268) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

(b) CONFORMING AMENDMENT.—Subchapter II of chapter 99 is amended by striking heading 9902.32.86.

**SEC. 1219. 2,7-NAPHTHALENEDISULFONIC ACID, 5-[[4-CHLORO-6-[[3-[[8-[4-FLUORO-6-(METHYLPHENYLAMINO)–1,3,5-TRIAZIN-2-YL]AMINO-1-HYDROXY-3,6-DISULFO-2-NAPHTHALENYL]AZO]-4-SULFOPHENYL],AMINO]-1,3,5-TRIAZIN-2-YL]AMINO]-4-HYDROXY-3-[(1-SULFO-2-NAPHTHALENYL)AZO], SODIUM SALT.**

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.09 | 2,7-Naphthalenedisulfonic acid, 5-[[4-chloro-6-[[3-[[8-[4-fluoro-6-(methylphenylamino)–1,3,5-triazin-2-yl]amino-1-hydroxy-3,6-disulfo-2-naphthalenyl]azo]-4-sulfophenyl],amino]-1,3,5-triazin-2-yl]amino]-4-hydroxy-3-[(1-sulfo-2-naphthalenyl)azo], sodium salt (CAS No. 155522–05–7) (Color Index Reactive red 270) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1220. METHYLIONONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.10 | 3-Methyl-4-(2,6,6-trimethylcyclohex-2-enyl)but-3-en-2-one (Methylionone) (CAS No. 1335–46–2) (provided for in subheading 2914.23.00 | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1221. CERTAIN ACRYLIC FIBER TOW.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.11 | Acrylic fiber tow (polyacrylonitrile tow) containing by weight a minimum of 92 percent acrylonitrile, not more than 0.1 percent zinc and from 4 to 8 percent water, imported in the form of from 1 to 12 sub-bundles crimped together, each containing 24,000 filaments (plus or minus 0.06 percent) and with average filament denier of 1.5 decitex (plus or minus 0.08 percent) (provided for in subheading 5501.30.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1222. CERTAIN ACRYLIC FIBER TOW.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.12 | Acrylic fiber tow (polyacrylonitrile tow) containing by weight a minimum of 92 percent acrylonitrile, not more than 0.1 percent zinc and from 2 to 8 percent water, imported in the form of 6 sub-bundles crimped together, each containing 45,000 filaments (plus or minus 0.06 percent) and with average filament denier of either 1.48 decitex (plus or minus 0.08 percent) or 1.32 decitex (plus or minus 0.09 percent) (provided for in subheading 5501.30.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1223. MKH 6561 ISOCYANATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.13 | 2-(Carbomethoxy) benzenesulfonyl isocyanate (CAS No. 74222–95–0) (provided for in subheading 2930.90.29) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1224. ENDOSULFAN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.14 | 6,7,8,9,10,10- Hexachlorohexahydromethano-2,4,3-benzodioxathiepin-3-oxide (Endosulfan) (CAS No. 115–29–7) (provided for in subheading 2920.90.50 or 3808.10.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1225. TETRACONAZOLE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.15 | 1-[2-(2,4-dichlorophenyl)–3-(1,1,2,2-tetrafluoroethoxy)propyl]-1H-1,2,4-triazole (Tetraconazole) (CAS No. 112281–77–3) (provided for in subheading 2933.99.22) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1226. M-ALCOHOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.16 | 2-(2,4-Dichlorophenyl)–3-(1H-1,2,4-triazol-1-yl)propanol (CAS No. 112281–82–0) (provided for in subheading 2933.99.82) | 1% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1227. CERTAIN MACHINES FOR USE IN THE ASSEMBLY OF MOTORCYCLE WHEELS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.17 | Wheel spoke tightening machines (provided for in subheading 8479.89.98), for use with wheels of vehicles of heading 8711 | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1228. CERTAIN GLASS THERMO BULBS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.18 | Liquid-filled glass bulbs designed for sprinkler systems and other release devices (provided for in subheading 7020.00.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1229. PYRIPROXYFEN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.19 | 2-[1-Methyl-2-(4-phenoxyphenoxy) ethoxy]pyridine (Pyriproxyfen) (CAS No. 95737–68–1) (provided for in subheading 2933.39.27) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1230. UNICONAZOLE-P.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.20 | (E)–(+)–(S)–1-(4-Chlorophenyl)–4,4-dimethyl-2-(1H-1,2,4-triazol-1-yl)pent-1-en-3-ol (Uniconazole-P) (CAS No. 83657–17–4) (provided for in subheading 2933.69.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1231. ACEPHATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.21 | *O,S*-Dimethyl acetylphosphoramidothioate (Acephate) (CAS No. 30560–19–1) (provided for in subheading 2930.90.44) | 1.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1232. BISPYRIBAC-SODIUM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.22 | Sodium 2,6-bis[(4,6-dimethoxypyrimidin-2-yl)oxy]benzoate (Bispyribac-sodium) (CAS No. 125401–92–5) (provided for in subheading 2933.59.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1233. DINOTEFURAN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.23 | N-Methyl-N -nitro-N -[(tetrahydro-3-furanyl)methyl]guanidine (Dinotefuran) (CAS No. 165252–70–0) (provided for in subheading 2932.19.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1234. ETOXAZOLE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.24 | 2-(2,6-Difluorophenyl)–4-[4-(1,1-dimethylethyl)–2-ethoxyphenyl]-4,5-dihydrooxazole (Etoxazole) (CAS No. 153233–91–1) (provided for in subheading 2934.99.18) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1235. BIOALLETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.25 | [1RS-[1α(S*),3β]]-2-Methyl-4-oxo-3-(2-propenyl)–2-cyclopenten-1-yl 2,2-dimethyl-3- 2-methyl-1-propenyl (CAS No. 584–79–2) (Bioallethrin) (provided for in subheading 2916.20.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1236. DELTAMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.26 | (S)-α-Cyano-3-phenoxybenzyl (1R,3R)–3-(2,2-dibromovinyl)–2,2-dimethylcyclopropanecarboxylate (Deltamethrin) (CAS No. 52918–63–5) (provided for in subheading 2926.90.30) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1237. S-BIOALLETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.27 | [1R-[1a(S*),3b]]-2-Methyl-4-oxo-3-(2-propenyl)–2-cyclopenten-1-yl 2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (S-Bioallethrin) (CAS No. 28434–00–6) (provided for in subheading 2916.20.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1238. TETRAMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.28 | (1,3,4,5,6,7-Hexahydro-1,3-dioxo-2H-isoindol-2-yl)methyl 2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (CAS No. 7696–12–0) (Tetramethrin) (provided for in subheading 2925.19.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1239. TRALOMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.29 | Cyano(3-phenoxyphenyl)methyl 2,2-dimethyl-3-(1,2,2,2-tetrabromoethyl)-cyclopropanecarboxylate (Tralomethrin) (CAS No. 66841–25–6) put up in forms or packings for retail sale, or mixed with inert ingredients (provided for in subheading 3808.10.25) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1240. FLUMICLORAC-PENTYL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.30 | Pentyl [2-chloro-5-(cyclohex-1-ene-1,2-dicarboximido)–4-fluorophenoxy]acetate (Flumiclorac-pentyl) (CAS No. 87547–04–4) (provided for in subheading 2926.90.25) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1241. FLUMIOXAZIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.31 | 2-[7-fluoro-3,4-dihydro-3-oxo-4-(2-propynyl)–2H-1,4-benzoxazin-6-yl]-4,5,6,7-tetrahydro-1H-isoindole-1,3(2H)-dione (Flumioxazin)(CAS No. 103361–09–7) (provided for in subheading 2934.99.15) | 5.3% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1242. PALM FATTY ACID DISTILLATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.32 | Monocarboxylic fatty acids derived from palm oil (provided for in subheading 3823.19.20) | 1% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1243. GARENOXACIN MESYLATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.33 | 1-Cyclopropyl-8-(difluoromethoxy)–7-[(1R)–1-methyl-2,3-dihydro-1H-5-isoindolyl]-4-oxo-1,4-dihydroquinoline-3-carboxylic acid monoethanesulfonate monohydrate (Garenoxacin mesylate) (CAS No. 223652–90–2) (provided for in subheading 2933.49.26) | 3.1% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1244. BUTYLATED HYDROXYETHYLBENZENE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.34 | 2,6-Di-*tert*-butyl-4-ethylphenol (CAS No. 4130–42–1) (provided for in subheading 2907.19.20) | 2.7% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1245. 4-METHOXY-2-METHYLDIPHENYLAMINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.35 | 4-Methoxy-2-methyldiphenylamine (CAS No. 41317–15–1) (provided for in subheading 2922.29.60) | 1.1% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1246. 2-METHYLHYDROQUINONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.36 | 2-Methylhydroquinone (CAS No. 95–71–6) (provided for in subheading 2907.29.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1247. 1-FLUORO-2-NITROBENZENE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.37 | 1-Fluoro-2-nitrobenzene (CAS No. 1493–27–2) (provided for in subheading 2904.90.30) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1248. 1-PROPENE-2-METHYL HOMOPOLYMER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.38 | 1-Propene-2-methyl homopolymer (CAS No. 9003–27–4) (provided for in subheading 3902.30.00) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1249. ACRONAL-S-600.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.39 | 2-Propenoic acid, polymer with ethenylbenzene and 2-ethylhexyl 2-propenoate (CAS No. 25085–19–2) (provided for in subheading 3903.90.50) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1250. LUCIRIN TPO.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.40 | Diphenyl (2,4,6-trimethylbenzoyl) phosphine oxide (CAS No. 75980–60–8) (provided for in subheading 2931.00.30) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1251. SOKALAN PG IME.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.41 | 1H-Imidazole, polymer with (chloromethyl) oxirane (CAS No. 68797–57–9) (provided for in subheading 3911.90.90) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1252. LYCOPENE 10%.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.42 | Lycopene 10% (CAS No. 502–65–8) (provided for in subheading 2106.90.95) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1253. COSMETIC BAGS WITH A FLEXIBLE OUTER SURFACE OF REINFORCED OR LAMINATED POLYVINYL CHLORIDE (PVC).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.43 | Vanity cases that are of a soft sided construction, of reinforced or laminated polyvinyl chloride plastics, and are of a kind normally carried in the pocket or in the handbag and used to contain and apply cosmetic preparations (provided for in subheading 4202.12.20) ..... | 13.3% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1254. MIXTURES OF METHYL 4-IODO-2-[3-(4-METHOXY-6-METHYL-1,3,5-TRIAZIN-2-YL)UREIDOSULFONYL]BENZOATE, SODIUM SALT (IODOSULFURON METHYL, SODIUM SALT).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.44 | Mixtures of methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)ureidosulfonyl]benzoate, sodium salt (Iodosulfuron methyl, sodium salt) (CAS No. 144550–36–7) and application adjuvants (provided for in subheading 3808.30.15) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1255. ETHYL 4,5-DIHYDRO-5,5-DIPHENYL-1,2-OXAZOLE-3-CARBOXYLATE (ISOXADIFEN-ETHYL).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.45 | Ethyl 4,5-dihydro-5,5-diphenyl-1,2-oxazole-3-carboxylate (Isoxadifen-ethyl) (CAS No. 163520–33–0) (provided for in subheading 2934.99.39) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1256. (5-CYCLOPROPYL-4-ISOXAZOLYL)[2-(METHYLSULFONYL)–4-(TRIFLUOROMETHYL) PHENYL] METHANONE (ISOXAFLUTOLE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.46 | (5-cyclopropyl-4-isoxazolyl)[2-(methylsulfonyl)–4-(trifluoromethyl) phenyl]methanone (Isoxaflutole) (CAS No. 141112–29–0) (provided for in subheading 2934.99.15) ..... | 4.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1257. MIXTURES OF CAS NOS. 181274–15–7 AND 208465–21–8.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.47 | Mixtures of methyl 2-(4,5-dihydro-4-methyl-5-oxo-3-propoxy-1H-1,2,4-triazol-1-yl) carboxamidosulfonylbenzoate, sodium salt (Propoxycarbazone-sodium) (CAS No. 181274–15–7), 2-[(4,6-dimethoxypyrimidin-2-ylcarbamoyl)sulfamoyl]-α-(methanesulfonamido)-p-toluic acid, methyl ester (Mesosulfuron-methyl) (CAS No. 208465–21–8), and application adjuvants (provided for in subheading 3808.30.15) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1258. METHYL 2-[(4,6-DIMETHOXYPYRIMIDIN-2-YLCARBAMOYL)SULFAMOYL]-α-(METHANESULFONAMIDO)-P-TOLUATE (MESOSULFURON-METHYL) WHETHER OR NOT MIXED WITH APPLICATION ADJUVANTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.48 | Methyl 2-[(4,6-dimethoxypyrimidin-2-ylcarbamoyl)sulfamoyl]-α-(methanesulfonamido)-p-toluate (Mesosulfuron-methyl) (CAS No. 208465–21–8) whether or not mixed with application adjuvants (provided for in subheading 2935.00.75 or 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1259. MIXTURES OF FORAMSULFURON AND IODOSULFURON-METHYL-SODIUM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.49 | Mixtures of N,N-dimethyl-2[3-(4,6-dimethoxypyrimidin-2-yl)ureidosulfonyl]-4-formylaminobenzamide (Foramsulfuron) (CAS No. 173159–57–4), methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)ureidosulfonyl]benzoate, sodium salt (Iodosulfuron-methyl-sodium) (CAS No. 144550–36–7) and application adjuvants (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1260. 2-METHYL-1-[4-(METHYLTHIO)PHENYL]-2-(4-MORPHOLINYL)–1-PROPANONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.50 | 2-Methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)–1-propanone (CAS No. 71868–10–5) (provided for in subheading 2934.99.39) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1261. 1,6-HEXANEDIAMINE, N,N- BIS(2,2,6,6-TETRAMETHYL-4- PIPERIDINYL)-, POLYMER WITH 2,4,6-TRICHLORO-1,3,5-TRIAZINE, REACTION PRODUCTS WITH N-BUTYL-1-BUTANAMINE AND N-BUTYL- 2,2,6,6-TETRAMETHYL-4- PIPERIDINAMINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.51 | 1,6-Hexanediamine, N,N- bis(2,2,6,6-tetramethyl-4- piperidinyl)-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with N-butyl-1-butanamine and N-butyl-2,2,6,6-tetramethyl-4- piperidinamine (CAS No. 192268–64–7) (provided for in subheading 3911.90.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1262. VAT BLACK 25.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.52 | Anthra[2,1,9-mna]naphth[2,3-h]acridine-5,10,15(16H)-trione,3-[(9,10-dihydro-9,10-dioxo-1-anthracenyl)amino]- (Vat Black 25) (CAS No. 4395–53–3) (provided for in subheading 3204.15.80) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1263. ACID ORANGE 162.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.53 | Cobaltatemedato(z-), bis[3-[[1-(3- chlorophenyl)–4,5-dihydro-3- methyl-5-(oxo-.kappa.O)–1H- pyrazol-4-yl]azo-.kappa.N1]-4- (hydroxy-.kappa.O)- benzenesulfonamidato(2-)]-, sodium (CAS No. 73612–40–5) (Acid Orange 162) (provided for in subheading 3204.12.45) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1264. VULCUREN UPKA 1988.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.54 | 1,6-Bis(N,N’-dibenzylthiocarbamoyldithio)hexane (CAS No. 151900–44–6) (provided for in subheading 2930.20.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1265. VULLCANOX 41010 NA/LG.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.55 | N-Isopropyl-N’-phenyl-p-phenylenediamine (CAS No. 101–72–4) (provided for in subheading 2921.51.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1266. VULKAZON AFS/LG.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.56 | Pentaerythritolbis(tetrahydrobenzaldehyde acetal) (CAS No. 6600–31–3) (provided for in subheading 2932.99.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1267. P-ANISALDEHYDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.57 | P-Anisaldehyde (CAS No. 123–11–5) (Benzoldehyde, 4-methoxy-) (provided for in subheading 2912.49.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1268. METHYL SALICYLATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.58 | Methyl salicylate (CAS No. 119–36–8) (provided for in subheading 2918.23.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1269. 1,2-OCTANEDIOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.59 | 1,2-Octanediol (CAS No. 1117–86–8) (provided for in subheading 2905.39.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1270. 1,2-PENTANEDIOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.60 | 1,2-Pentanediol (CAS No. 5343–92–0) (provided for in subheading 2905.39.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1271. MENTHONE GLYCERIN ACETAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.61 | Menthone glycerin acetal (CAS No. 63187–91–7) (provided for in subheading 2932.99.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1272. AGRUMEX.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.62 | o-tert-Butylcyclohexyl acetate, cis form (CAS No. 20298–69–9) (Agrumex) (Cyclohexanol, 2-(1,1-dimethyl-) (provided for in subheading 2915.39.45) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1273. COHEDUR RL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.63 | Mixtures of resorcinol (CAS No. 108–46–3), hexamethylolmelamine ether (CAS No. 3089–11–0) and dibutyl phthalate (CAS No. 84–74–2) (provided for in subheading 3824.90.28) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1274. FORMULATIONS OF PROSULFURON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.64 | Mixtures of Prosulfuron (1-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)–3-[2-(3,3,3-trifluoropropyl)-phenylsulfonyl]urea ) (CAS No. 94125–34–5) and application adjuvants (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1275. PONTAMINE GREEN 2B.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.65 | Dyestuff containing as active ingredient 2,7-Naphthalenedisulfonic acid, 3,3'-[carbonylbis(imino-4,1-phenyleneazo)]bis[4-amino-5-hydroxy-6-(phenylazo)-, tetrasodium salt (CAS No. 59262–64–5) (provided for in subheading 3204.14.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1276. BAYDERM BOTTOM 10 UD.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.66 | Aqueous polyurethane dispersions containing 29% to 31% solids content of hexanedioic acid, polymer with N-(2-aminoethyl)–1,2-ethanediamine, 2-butene-1,4-diol, 1,6-diisocyanatohexane, 1,2-ethanediol, 1,3-isobenzofurandione, methyloxirane, oxirane and sodium hydrogen sulfite, 2-(2-butoxyethoxy)ethanol-blocked (CAS No. 100486–94–0) (provided for in subheading 3909.50.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1277. BAYDERM FINISH DLH.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.67 | Hexanedioic acid, polymer with 1,4-butanediol, 1,6-diisocyanatohexane and 1,6-hexanediol, 2-((2-aminoethyl)amino) ethanesulfonic acid, of 38 to 42 percent solids content in aqueous dispersion (CAS No. 68037–41–2) (provided for in subheading 3909.50.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1278. LEVAGARD DMPP.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.11.68 | Dimethyl propylphosphonate (CAS No. 18755–43–6) (provided for in subheading 2931.00.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1279. BAYDERM BOTTOM DLV.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.69 | Aqueous polyurethane dispersions containing 38% to 42% solids content of propanoic acid, 3-hydroxy-2-(hydroxymethyl)–2-methyl-, polymer with 2-[(2-aminoethyl) amino]ethanesulfonic acid, monosodium salt, 1,6-diisocyanatohexane, diphenyl carbonate, 1,2-ethanediamine, 1,6-hexanediol, hydrazine, methyloxirane, oxirane and 1,2-propanediol, 2-(2-butoxyethoxy)ethanol-blocked (CAS No. 137898–95–4) (provided for in subheading 3909.50.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1280. CERTAIN ETHYLENE-VINYL ACETATE COPOLYMERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.70 | Ethylene-vinyl acetate copolymers, other than those in aqueous dispersions, containing 50% or more by weight vinyl acetate monomer (CAS No. 24937–78–8) (provided for in subheading 3905.29.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1281. LEWATIT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.71 | Ion-exchange resins (cationic H form), consisting of copolymers of acrylic acid and diethylene glycol divinyl ether (CAS No. 359785–58–3) (provided for in subheading 3914.00.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1282. PARA-CHLOROPHENOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.72 | para-Chlorophenol (CAS No. 106–48–9) (provided for in subheading 2908.10.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1283. CYAZOFAMID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.73 | Mixtures of 4-chloro-2-cyano-N,N-dimethyl-5-(4-methylphenyl)–1H-imidazole-1-sulfonamide (Cyazofamid) (CAS No. 120116–88–3) with application adjuvants (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1284. CYPERMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.74 | Cyano(3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)–2,2-dimethylcyclopropanecarboxylate (Cypermethrin) (CAS No. 52315–07–8) (provided for in subheading 2926.90.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1285. FLONICAMID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.75 | N-(Cyanomethyl)–4-(trifluoromethyl)–3-pyridinecarboxamide (Flonicamid) (CAS No. 158062–67–0) (provided for in subheading 2933.39.27) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1286. ZETA-CYPERMETHRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.76 | (S)-Cyano-(3-phenoxyphenyl)methyl (+)cis-3-(2,2-dichloroethenyl)–2,2-dimethylcyclopropanecarboxylate and (S)-cyano-(3-phenoxyphenyl)methyl (+)trans-3-(2,2-dichloroethenyl)–2,2-dimethylcyclopropanecarboxylate (zeta-Cypermethrin) (CAS No. 52315–07–8) (provided for in subheading 2926.90.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1287. CERTAIN ADSORBENT RESINS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.77 | Ion-exchange resins comprised of a macroporous polymer of divinylbenzene (CAS No. 9003–69–4) (provided for in subheading 3914.00.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1288. ION-EXCHANGE RESIN POWDER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.78 | Ion-exchange resin powder comprised of a copolymer of methacrylic acid cross-linked with divinylbenzene, in the hydrogen ionic form, of a nominal partical size between 0.025mm and 0.150 mm, dried to less than 5% moisture (CAS No. 50602–21–6)(provided for in subheading 3914.00.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1289. ION-EXCHANGE RESIN POWDER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.79 | Ion-exchange resin powder comprised of a copolymer of methacrylic acid cross-linked with divinylbenzene, in the potassium ionic form, of a nominal particle size between 0.025mm and 0.150 mm, dried to less than 10% moisture (CAS No. 65405–55–2) (provided for in subheading 3914.00.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1290. DESMODUR E 14.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.80 | 1,2,3-Propanetriol, polymer with 2,4-diisocyanato-1-methylbenzene, 2-ethyl-2-(hydroxymethyl)–1,3-propanediol, methyloxirane and oxirane (CAS No. 127821–00–5) (provided for in subheading 3909.50.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1291. DESMODUR HL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.81 | Benzene, 1,3-diisocyanatomethyl-, polymer with 1,6-diisocyanatohexane (CAS No. 63368–95–6) (provided for in subheading 3911.90.45) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1292. DESMODUR VP LS 2253.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.82 | Hexane, 1,6-diisocyanato-, homopolymer, 3,5-dimethyl-1H-pyrazole-blocked (CAS No. 163206–31–3) (provided for in subheading 3911.90.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1293. DESMODUR R-E.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.83 | 4,4′, 4″-TT Desmodur R-E in solvent (CAS No. 2422–91–5) in solvent (provided for in subheading 3824.90.28) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1294. WALOCEL MW 3000 PFV.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.84 | Methyl hydroxyethyl cellulose products containing 30% or greater content of 2-hydroxyethyl methyl ether cellulose (“MHEC” ) reaction products with glyoxal (CAS No. 68441–63–4) (provided for in subheading 3912.39.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1295. TSME.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.85 | ortho/para-Toluenesulfonic acid, methyl ester (TSME) (CAS Nos. 23373–38–8 and 80–48–8) (provided for in subheading 2904.10.32) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1296. WALOCEL VP-M 20660.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.86 | Methyl Hydroxyethyl Cellulose with a 77% or greater content of 2-hydroxyethyl methyl ether cellulose (CAS No. 9032–42–2) (provided for in subheading 3912.39.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1297. XAMA 2.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.87 | Trimethylopropane tris(3-aziridinylpropanoate) (CAS No. 52234–82–9) (provided for in subheading 2933.99.97) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1298. XAMA 7.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.88 | Polyfunctional aziridine (CAS No. 57116–45–7) (provided for in subheading 2933.99.97) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1299. 2-ETHYLHEXYL 4-METHOXYCINNAMATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.89 | 2-Ethylhexyl 4-methoxycinnamate (CAS No. 5466–77–3) (provided for in subheading 2918.90.43) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1300. CERTAIN CASES FOR TOYS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.90 | Cases or containers (provided for in subheading 4202.92.90 and not including goods described in heading 9902.01.81), specially shaped or fitted for, and with labeling, logo or other descriptive information on the exterior of the case or container indicating its intention to be used for, electronic drawing toys or electronic games of heading 9503 or 9504 | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1301. CERTAIN CASES FOR TOYS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.91 | Cases or containers (provided for in subheadings 4402.12.80 or 4202.92.90), having one or more molded plastic holders, clips or fasteners, for holding a doll or dolls, whether or not the case or container is also capable of holding other goods | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1302. ANILINE 2.5-DISULFONIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.92 | Aniline 2,5- disulfonic acid (CAS No. 98–44–2) (1,4-Benzenedisnlfonic acid, 2-amino-) (provided for in subheading 2921.42.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1303. 1,4-BENZENEDICARBOXYLIC ACID, POLYMER WITH N,N′-BIS(2-AMINOETHYL)–1,2-ETHANEDIAMINE, CYCLIZED, METHOSULFATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.93 | 1,4-Benzenedicarboxylic acid, polymer With N,N′-Bis(2-aminoethyl)–1,2-ethanediamine, cyclized, methosulfate (CAS No. 68187–22–4) (provided for in subheading 3908.90.70) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1304. SULFUR BLUE 7.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.94 | 4-[(4-Amino-3-methylphenyl)amino]phenol, reaction products with sodium sulfide (Sulfur Blue 7) (CAS No. 1327–57–7) (provided for in subheading 3204.19.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1305. FORMALDEHYDE, REACTION PRODUCTS WITH 1,4-BENZENEDIOL AND M-PHENYLENEDIAMINE, SULFURIZED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.95 | Formaldehyde, reaction products with 1,4-benzenediol and m-phenylenediamine, sulfurized (CAS No. 110392–46–6) (provided for in subheading 3204.19.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1306. ISOCYANATOSULFONYL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.96 | 2-(Isocyanatosulfonyl)benzoic acid, ethyl ester (CAS No. 77375–79–2) (provided for in subheading 2930.90.29) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1307. ISOCYANATOSULFONYL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.97 | 2-(Isocyanatosulfonyl)benzoic acid, methyl ester (CAS No. 74222–95–0) (provided for in subheading 2930.90.29) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1308. CERTAIN AUTOMOTIVE CATALYTIC CONVERTER MATS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.98 | Catalytic converter mats of ceramic fibers containing over 65 percent by weight of aluminum oxide, the foregoing 4.7625 mm or more in thickness, in bulk, sheets or rolls and designed for motor vehicles of heading 8703 (provided for in subheading 6806.10.00) | 1.5% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1309. GEMIFLOXACIN, GEMIFLOXACIN MESYLATE, AND GEMIFLOXACIN MESYLATE SESQUIHYDRATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.11.99 | Gemifloxacin (CAS No. 175463–14–6); gemifloxacin mesylate (CAS No. 210353–53–0 or 204519–65–3); and gemifloxacin mesylate sesquihydrate (CAS No. 210353–56–3 ) (the foregoing provided for in subheading 2933.99.46) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1310. BUTRALIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.01 | Butralin (CAS No. 33629-47-9) (Benzenamine, 4-(1,1-dimethylethyl)-N- (1-methylpropyl)-2,6-dintro-) (provided for in subheading 2921.43.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1311. SPIRODICLOFEN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.02 | 2,2-Dimethylbutanoic acid, 3-(2,4-dichlorophenyl)–2-oxo-1-oxaspiro(4.5)dec-3-en-4-yl ester (Spirodiclofen) (CAS No. 148477–71–8) (provided for in subheading 2932.29.10) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1312. PROPAMOCARB HCL (PREVICUR).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.03 | Mixtures of propyl 3-(dimethylamino) propylcarbamate monohydrochloride (Propamocarb hydrochloride) (CAS No. 25606–41–1) and application adjuvants (provided for in subheading 3808.20.50) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1313. DESMODUR IL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.04 | Poly(toluene diisocyanate) (CAS No. 26006–20–2) dissolved in organic solvents (provided for in subheading 3911.90.45) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1314. CHLOROACETONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.05 | 1-Chloro-2-propanone (CAS No. 78–95–5) (provided for in subheading 2914.70.90) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1315. IPN (ISOPHTHALONITRILE).**

(a) CALENDAR YEAR 2006.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.06 | 1,3-Benzenedicarbonitrile (CAS No. 626–17–5) (provided for in subheading 2926.90.48) ..... | 3.04% | No change | No change | On or before 12/31/2006 | ’’. |

(b) CALENDAR YEAR 2007.—

(1) IN GENERAL.—Heading 9902.12.06, as added by subsection (a), is amended—

(A) by striking ‘‘3.04%’’ and inserting ‘‘3.23%’’; and

(B) by striking ‘‘On or before 12/31/2006’’ and inserting ‘‘On or before 12/31/2007’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2007.

(c) CALENDAR YEARS 2008 AND 2009.—

(1) IN GENERAL.—Heading 9902.12.06, as added by subsection (a) and amended by subsection (b), is further amended—

(A) by striking ‘‘3.23%’’ and inserting ‘‘3.4%’’; and

(B) by striking ‘‘On or before 12/31/2007’’ and inserting ‘‘On or before 12/31/2009’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2008.

**SEC. 1316. NOA 446510 TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.07 | 4-Chloro-N-[2-[3-methoxy-4-(2-propynyloxy)phenyl]ethyl]-α-(2-propynyloxy)benzeneacetamide (Mandipropamid) (CAS No. 374726–62–2) (provided for in subheading 2924.29.47) ..... | 1.2% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1317. HEXYTHIAZOX TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.08 | trans-5-(4-Chlorophenyl)-N-cyclohexyl-4-methyl-2-oxothiazolidine-3-carboxamide (Hexythiazox Technical) (CAS No. 78587–05–0) (provided for in subheading 2934.10.10) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1318. 1,10-DIAMINODECANE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.09 | 1,10-Diaminodecane (CAS No. 646–25–3) (provided for in subheading 2921.29.00) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1319. CRELAN (SELF-BLOCKED CYCLOALIPHATIC POLYURETDIONE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.10 | 2-Oxepanone polymer with 1,4-butanediol and 5-isocyanato-1-(isocyanatomethyl)–1,3,3-trimethylcyclohexane, 2-ethyl-1-hexanol-blocked (CAS No. 189020–69–7) (provided for in subheading 3909.50.50) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1320. ASPIRIN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.11 | o-Acetylsalicylic acid (aspirin) (CAS No. 50–78–2) (provided for in subheading 2918.22.10) | 3.0% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1321. DESMODUR BL XP 2468.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.12 | Copolymer of methyl ethyl ketoxime and toluenediisocyanate (CAS No. 352462–03–4) (provided for in subheading 3911.90.45) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1322. CERTAIN FLAME RETARDANT PLASTICIZERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.13 | Plasticizers containing diphenyl cresyl phosphate (CAS No. 26444–49–5), triphenyl phosphate (CAS No. 115–86–6), tricresyl phosphate (CAS No. 1330–78–5), and phenyl dicresyl phosphate (CAS No. 26446–73–1) (provided for in subheading 3812.20.10) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.14 | Phosphoric acid, tris (2-ethylhexyl) ester (CAS No. 78–42–2) (provided for in subheading 2919.00.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1323. BAYPURE DS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.15 | Polyaspartic acid, sodium salt, in aqueous solution (CAS No. 181828–06–8) (provided for in subheading 3911.90.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1324. BAYOWET C4.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.16 | 1,1,2,2,3,3,4,4,4-Nonafluorobutanesulfonic acid, potassium salt (CAS No. 29420–49–3) (provided for in subheading 2904.90.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1325. DESMODUR RF-E.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.17 | Mixtures of tris(4-isocyanatophenyl)thiophosphate (CAS No. 4151–51–3) and ethyl acetate and monochlorobenzene as solvents (provided for in subheading 3824.90.28) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1326. DESMODUR HL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.18 | Benzene, 1,3-diisocyanatomethyl-, polymer with 1,6-diisocyanatohexane (CAS No. 63368–95–6) dissolved in n-butyl acetate (provided for in subheading 3911.90.45) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1327. D-MANNOSE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.19 | D-Mannose (CAS No. 3458–28–4) (provided for in subheading 2940.00.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1328. CERTAIN CAMEL HAIR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.20 | Camel hair, processed beyond the degreased or carbonized condition (provided for in subheading 5102.19.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1329. WASTE OF CAMEL HAIR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.21 | Waste of camel hair (provided for in subheading 5103.20.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1330. CERTAIN CAMEL HAIR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.22 | Camel hair carded or combed (provided for in subheading 5105.39.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1331. WOVEN FABRIC OF VICUNA HAIR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.23 | Woven fabrics containing 85 percent or more by weight of vicuna hair (provided for in subheadings 5111.11.70, 5111.19.60, 5112.11.60, or 5112.19.95) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1332. CERTAIN CAMEL HAIR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.24 | Camel hair, not processed in any manner beyond the degreased or carbonized condition (provided for in subheading 5102.19.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1333. NOILS OF CAMEL HAIR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.25 | Noils of camel hair (provided for in subheading 5103.10.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1334. CERTAIN BICYCLE PARTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.26 | Bicycle speedometers (provided for in subheading 9029.20.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1335. CERTAIN BICYCLE PARTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.27 | Baby carriers, chain tension adjustors, chain covers, mechanical grips with 2.223 cm internal diameter, air horns, wide-angle reflectors, saddle covers of plastics, chain tensioners, toe clips, head sets or seat posts, all the foregoing designed for use on bicycles (provided for in subheading 8714.99.80) | 9.2% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1336. OTHER CYCLES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.28 | Unicycles (provided for in subheading 8712.00.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1337. CERTAIN BICYCLE PARTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.29 | Sets of steel tubing cut to exact length and each set having the number of tubes needed for the assembly (with other parts) into the frame and fork of one bicycle (provided for in subheading 8714.91.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1338. CERTAIN BICYCLE PARTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.30 | Bicycle wheel rims (provided for in subheading 8714.92.10) | 1.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1339. CERTAIN BICYCLE PARTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.31 | Crank-gear and parts thereof (other than cotterless-type crank sets and parts thereof) (provided for in subheading 8714.96.90) | 6.1% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1340. CERTAIN BICYCLE PARTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.32 | Brakes designed for bicycles (other than drum brakes, caliper and cantilever brakes, and coaster brakes) and parts thereof (provided in subheading 8714.94.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1341. CHLOROACETIC ACID, ETHYL ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.33 | Chloroacetic acid, ethyl ester (CAS No. 105–39–5) (provided for in subheading 2915.40.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1342. CHLOROACETIC ACID, SODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.34 | Chloroacetic acid, sodium salt (CAS No. 3926–62–3) (provided for in subheading 2915.40.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1343. CYCLOPROPANECARBOXYLIC ACID, 3-(2-CHLORO-3,3,3-TRIFLUORO-1-PROPENYL)–2,2-IMETHYL-, (2-METHYL(1,1′-BIPHENYL)–3-YL)METHYL ESTER, (Z)-.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.35 | (2-Methyl[1,1’-biphenyl]-3-yl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)–2,2-dimethylcyclopropanecarboxylate (Bifenthrin) (CAS No. 82657–04–3) (provided for in subheading 2916.20.50) | 0.7% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1344. (2-CHLOROETHYL)PHOSPHONIC ACID (ETHEPHON).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.36 | (2-Chloroethyl)phosphonic acid (Ethephon) (CAS No. 16672–87–0) (provided for in subheading 2931.00.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1345. PREPARATIONS CONTAINING, 2-(1-(((3-CHLORO-2-PROPENYL)OXY)IMINO)PROPYL)–5-(2-(ETHYLTHIO)PROPYL)–3-HYDROXY-2-CYCLOHEXENE-1-ONE (CLETHODIM).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.37 | Preparations containing, 2-(1-(((3-Chloro-2-propenyl)oxy)imino)propyl)–5-(2-(ethylthio)propyl)–3-hydroxy-2-cyclohexene-1-one (Clethodim) (CAS No. 99129–21–2) and application adjuvants (provided for in subheading 3808.30.20) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1346. UREA, POLYMER WITH FORMALDEHYDE (PERGOPAK).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.38 | Urea, polymer with formaldehyde (Pergopak) (CAS No. 9011–05–6) (provided for in subheading 3909.10.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1347. LOW EXPANSION LABORATORY GLASS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.39 | Laboratory, hygienic, or pharmaceutical glassware, whether or not graduated or calibrated, of low expansion borosilicate glass or alumino-borosilicate glass, having a linear coefficient of expansion not exceeding 3.3 x $10^7$ per Kelvin within a temperature range of 0 to 300° C (provided for in subheading 7017.20.00) | 3.6% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1348. STOPPERS, LIDS, AND OTHER CLOSURES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.40 | Stoppers, lids, and other closures of low expansion borosilicate glass or alumino-borosilicate glass, having a linear coefficient of expansion not exceeding 3.3 x $10^7$ per Kelvin within a temperature range of 0 to 300° C, produced by automatic machine (provided for in subheading 7010.20.20) or produced by hand (provided for in subheading 7010.20.30) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1349. PIGMENT YELLOW 213.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.41 | 1,4-Benzenedicarboxylic acid, 2-[[2-oxo-1-[[1,2,3,4-tetrahydro-7-methoxy-2,3-dioxo-6-quinoxalinyl) amino]carbonyl]propyl]azo]-, dimethyl ester (Pigment Yellow 213) (CAS No. 220198–21–0) (provided for in subheading 3204.17.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1350. INDOXACARB.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.42 | (4aS) -7-Chloro-2, 5-dihydro-2- [[(methoxycarbonyl)[4-(trifluoromethoxy) phenyl] amino] carbonyl]-indeno [1,2-e][1,3,4] oxadiazine-4a (3H)-carboxylic acid methyl ester (CAS No. 173584–44–6) (provided for in subheading 2934.99.16) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1351. DIMETHYL CARBONATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.43 | Dimethyl carbonate (CAS No. 616–38–6) (provided for in subheading 2920.90.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1352. 5-CHLORO-1-INDANONE (EK179).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.44 | 5-Chloro-1-indanone (CAS No. 42348–86–7) (provided for in subheading 2914.39.90) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1353. MIXTURES OF FAMOXADONE AND CYMOXANIL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.45 | Mixtures of 5-methyl-5-(4-phenoxyphenyl)–3-(phenylamino)–2,4-oxazolidinedione] (famoxadone) (CAS No. 131807–57–3), 2-cyano-N-[(ethylamino)carbonyl]-2-(methoxyimino)acetamide (Cymoxanil) (CAS No. 57966–95–7) and application adjuvants (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1354. ORTHO NITRO ANILINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.46 | 2-Nitroaniline (CAS No. 88–74–4) (Benzenamine, 2-nitro-) (provided for in subheading 2921.42.90) | Free | No change | No change | On or Before 12/31/2009 | ’’. |

**SEC. 1355. DECANEDIOIC ACID, BIS(2,2,6,6-TETRAMETHYL-4-PIPERIDINYL) ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.47 | Decanedioic acid, bis(2,2,6,6-tetramethyl-4-piperidinyl) ester (CAS No. 52829–07–9) (provided for in subheading 2933.39.91) | Free | No change | No change | On or Before 12/31/2009 | ’’. |

**SEC. 1356. 2,2 -(2,5-THIOPHENEDIYL)BIS(5-(1,1-DIMETHYLETHYL)BENZOXAZOLE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.48 | 2,2 -(2,5-Thiophenediyl)bis(5-(1,1-dimethylethyl)benzoxazole) (CAS No. 7128–64–5) (provided for in subheading 3204.20.80) | Free | No change | No change | On or Before 12/31/2009 | ’’. |

**SEC. 1357. ACID BLUE 80.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.49 | Acid Blue 80 (CAS No. 4474–24–2) (provided for in subheading 3204.12.50) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1358. PIGMENT BROWN 25.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.50 | Pigment Brown 25 (CAS No. 6992–11–6) (provided for in subheading 3204.17.04) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1359. FORMULATIONS OF AZOXYSTROBIN.**

(a) CALENDAR YEAR 2006.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.51 | Mixtures of benzeneacetic acid, (α E)- 2-[[6-(2-cyanophenoxy)–4-pyrimidinyl]oxy]-α-(methoxymethylene)-, methyl ester (Azoxystrobin) (CAS No. 131860–33–8) and application adjuvants (provided for in subheading 3808.20.15) | 6.14% | No change | No change | On or before 12/31/2006 | ’’. |

(b) CALENDAR YEAR 2007.—

(1) IN GENERAL.—Heading 9902.12.51, as added by subsection (a), is amended—

(A) by striking ‘‘6.14%’’ and inserting ‘‘6.15%’’; and

(B) by striking ‘‘On or before 12/31/2006’’ and inserting ‘‘On or before 12/31/2007’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2007.

(c) CALENDAR YEARS 2008 AND 2009.—

(1) IN GENERAL.—Heading 9902.12.51, as added by subsection (a) and amended by subsection (b), is further amended—

(A) by striking ‘‘6.15%’’ and inserting ‘‘6.17%’’; and

(B) by striking ‘‘On or before 12/31/2007’’ and inserting ‘‘On or before 12/31/2009’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2008.

**SEC. 1360. FORMULATIONS OF PINOXADEN/CLOQUINTOCET.**

(a) CALENDAR YEARS 2006 AND 2007.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.52 | Mixtures of 8(2,6-diethyl-p-tolyl)–1,2,4,5-tetrahydro-7-oxo-7H-pyrazolo[[1,2-d][1,4,5] oxadiazepin-9-yl 2,2-dimethylpropionate (Pinoxaden) (CAS No. 243973–20–8), acetic acid, [5-chloro-8-quinolinyl]oxy]-, 1-methylhexyl ester (Cloquintocet) (CAS No. 99607–70–2) and application adjuvants (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2007 | ’’. |

(b) CALENDAR YEARS 2008 AND 2009.—

(1) IN GENERAL.—Heading 9902.12.52, as added by subsection (a), is further amended—

(A) by striking ‘‘Free’’ and inserting ‘‘1.74%’’; and

(B) by striking ‘‘On or before 12/31/2007’’ and inserting ‘‘On or before 12/31/2009’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2008.

**SEC. 1361. MIXTURES OF DIFENOCONAZOLE/MEFENOXAM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.53 | Mixtures of 1H-1,2,4-triazole, 1-((2-chlorophenoxy)phenyl)–4-methyl-1,3-dioxolan-2-yl)methyl)- (Difenoconazole) (CAS No. 119446–68–3), (R,S)–2-((2,6-dimethylphenyl) methoxyacetylamino) propionic acid, methyl ester (Mefenoxam) (CAS Nos. 70630–17–0, and 69516–34–3) and application adjuvants (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1362. FLUDIOXINIL TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.54 | 1H-Pyrrole-3-carbonitrile, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)- (fludioxinil) (CAS No. 131341–86–1) (provided for in subheading 2934.99.12) | 1.6% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1363. MIXTURES OF CLODINAFOP-PROPARGYL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.55 | Mixtures of propionic acid, 2-(4-((5-chloro-3-fluoro-2-pyridynyl)oxy)phenoxy-2-propynyl ester, (clodinafop-propargyl) (CAS No. 105512–06–9) (provided for in subheading 3808.30.15) | 1.7% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1364. AVERMECTIN B, 1,4″-DEOXY-4″-METHYLAMINO-, (4″R)-, BENZOATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.56 | Avermectin B, 1,4″-deoxy-4″-methylamino-, (4″R)-, benzoate (CAS No. 155569–91–8) (provided for in subheading 3824.90.91 or 2932.29.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1365. CLOQUINTOCET-MEXYL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.57 | Acetic acid, 5-chloro-8-quinolinoxy-, 1-methylhexyl ester (Cloquintocet-mexyl) (CAS No. 99607–70–2) (provided for in subheading 2933.49.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1366. METALAXYL-M TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.58 | (R,S)–2-((2,6-Dimethylphenyl) methoxyacetylamino) propionic acid, methyl ester (Metalaxyl-M and L-Metalaxylfenoxam) (CAS Nos. 70630–17–0 and 69516–34–3) (provided for in subheading 2924.29.47) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1367. CYPROCONAZOLE TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.59 | [α-(4-Chlorophenyl)-α-(1-cyclopropylethyl)–1H-1–1,2,4-triazole-1-ethanol (Cyproconazole) (CAS No. 94361–06–5) (provided for in subheading 2934.99.12) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1368. PINOXADEN TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.60 | 8-(2,6-Diethyl-4-methylphenyl)–1,2,4,5-tetrahydro-7-oxo-7H-pyrazolo[1,2-d][1,4,5]oxadiazepin-9-yl 2,2-dimethylpropanoate (Pinoxaden) (CAS No. 243973–20–8) (provided for in subheading 2934.99.15) | 1.8% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1369. MIXTURES OF TRALKOXYDIM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.61 | Mixtures of 2-[1-(ethoxyimino)propyl]-3-hydroxy-5-(2,4,6-trimethylphenyl)–2-cyclohexen-1-one (Tralkoxydim) (CAS No. 87820–88–0) as the active ingredient and application adjuvants (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1370. 3,3′-DICHLOROBENZIDINE DIHYDROCHLORIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.62 | 3,3′-Dichlorobenzidine Dihydrochloride ([1,1′-Biphenyl]-4,4′-diamine, 3,3′-dichloro-) (CAS No. 612–83–9) (provided for in subheading 2921.59.80) | 5.9% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1371. TMC114.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.63 | 3-[4-Aminobenzensulfonyl)isobutylamino]-1-benzyl-2-hydroxypropyl]carbamic acid, hexahydrofuro[2,3-b]furan-3-yl ester ethanolate (CAS No. 206361–99–1) (provided for in subheading 2932.99.61) | 6.4% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1372. CERTAIN CHEMICALS AND CHEMICAL MIXTURES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.64 | 3-[(2-Chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-4H-1,3,5-oxadiazin-4-imine (Thiamethoxam) (CAS No. 153719–23–4) (provided for in subheading 2934.10.90) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.65 | Mixtures of (±)-(cis and trans)-1-(2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxalan-2-yl)methyl)-1H-1,2,4-triazole (Propiconazole) (CAS No. 60207–90–1) and 3-iodo-2-propynyl butylcarbamate (CAS No. 55406–53–6), and application adjuvants (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.66 | Mixtures of 4,6-dimethyl-*N*-phenyl-2-pyrimidinamine (Pyrimethanil) (CAS No. 53112–28–0), (±)–1-[2-(2,4-dichlorophenyl)–2-(2-propenyloxy)ethyl]-1-*H*-imidazole sulfate (Imazilil Sulfate)(CAS No. 73790–28–0) and application adjuvants (Philabuster 400SC) (the foregoing provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.67 | (±)–3-[2-[4-(6-Fluoro-1,2-benzisoxazol-3-yl)–1-piperidinyl]ethyl]-6,7,8,9-tetrahydro-9-hydroxy-2-methyl-4*H*-pyrido[1,2-a]pyrimidin-4-one (CAS No. 144598–75–4) (provided for in subheading 2934.99.39) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.68 | 3-Benzo[b]thien-2-yl-5, 6-dihydro-1,4,2-oxathiazine 4-oxide (Bethoxazin) (CAS No. 163269–30–5) (provided for in subheading 2934.99.12) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.69 | 4-Bromo-2-(4-chlorophenyl)–1-(ethoxymethyl)–5-(trifluoromethyl)–1H-pyrrole-3-carbonitrile (Chlorfenapyr) (CAS No. 122453–73–0) (provided for in subheading 2933.99.17) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.70 | 2-(*p*-Chlorophenyl)–3-cyano-4-bromo-5-trifluoromethylpyrrole (Econea 028) (CAS No. 122454–29–9) (provided for in subheading 2933.99.97) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.71 | Mixtures of 4,6-dimethyl-*N*-phenyl-2-pyrimidinamine (Pyrimethanil) (CAS No. 53112–28–0) and application adjuvants (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1373. CERTAIN CHEMICALS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.72 | Mixtures of zinc dialkyldithiophosphate (CAS No. 6990–43–8) with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, dispersing agents and silica (provided for in subheading 3812.10.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.73 | Mixtures of dithiocarbamate, thiazole, thiuram and thiourea with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents (provided for in subheading 3812.10.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.74 | Mixtures of caprolactam disulfide (CAS No. 23847–08–7) with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents (provided for in subheading 3812.10.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.75 | Mixtures of N′-(3,4-dichloro-phenyl)-N,N-dimethylurea (CAS No. 330–54–1) with acrylate rubber (provided for in subheading 3812.10.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.76 | Mixtures of zinc dicyanato diamine (CAS No. 122012–52–6) with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents (provided for in subheading 3812.10.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.77 | 4,8-Dicyclohexyl -6–2,10-dimethyl -12*H*-dibenzo [*d*,*g*][1,3,2]dioxaphosphocin (CAS No. 73912–21–7) (provided for in subheading 2920.90.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.78 | Mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol (CAS No. 26836–07–7) and Poly (oxy-1,2-ethanediyl), α-[1-oxo-9- octadecenyl]-*w*-hydroxy-, (9Z) (CAS No. 9004–96–0) (provided for in subheading 3402.90.50) | Free | No change | No change | On or before 12/31/2009 | |
| | 9902.12.79 | 1,3-Dihydro-3,3-bis (4-hydroxy-m-tolyl)-2H-indol-2-one (CAS No. 47465–97–4) (provided for in subheading 2933.79.08) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1374. MIXTURES OF ( ± )–(CIS AND TRANS)–1-[[2-(2,4-DICHLOROPHENYL)–4-PROPYL-1,3-DIOXOLAN-2-YL]-METHYL]-1H-1,2,4-TRIAZOLE.**

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.12.80 | Mixtures of (±)–(cis and trans)–1-[[2-(2,4-Dichlorophenyl)–4-propyl-1,3-dioxolan-2-yl]-methyl]-1H-1,2,4-triazole (CAS No. 60207–90–1) and application adjuvants (provided for in subheading 3808.20.15) | 1.1% | No change | No change | On or before 12/31/2009 | ”. |

(b) CONFORMING AMENDMENT.—Subchapter II of chapter 99 is amended by striking heading 9902.32.04.

**SEC. 1375. CHROMATE(2-), [2,4-DIHYDRO-4-[[2-(HYDROXY-KO)–4-NITROPHENYL]AZO-KN1]-5-METHYL-3H-PYRAZOL-3-ONATO(2-)-KO3][3-[[4,5-DIHYDRO-3-METHYL-1-(4-METHYLPHENYL)–5-(OXO-KO)–1H-PYRAZOL-4-YL]AZO-KN1]-4-(HYDROXY-KO)–5-NITROBENZENESULFONATO(3-)]-, DISODIUM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.81 | Chromate (2-), [2,4-dihydro-4-[[2-(hydroxy-κO)–4-nitrophenyl]azo-κN1]-5-methyl-3 H-pyrazol-3-onato(2-)-κO3][3-[[4,5-dihydro-3-methyl1-(4-methylphenyl)–5-(oxo-κO)–1H-pyrazol–4-yl]azo-κN]-4-(hydroxy)–5-nitrobenzeneslfonato(3-)]-, disodium salt (Acid Red 414) (CAS No. 152287–09–7) (provided for in subheading 3204.12.45) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1376. SOLVENT YELLOW 163.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.82 | 1,8-Bis(phenylthio)–9,10-anthracenedione (Solvent Yellow 163) (CAS No. 13676–91–0) (provided for in subheading 3204.19.20) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1377. 4-AMINO-3,6-BIS[[5-[[4-CHLORO-6-[METHYL[2-(METHYLAMINO)–2-OXOETHYL]AMINO]-1,3,5-TRIAZIN-2-YL]AMINO]-2-SULFOPHENYL]AZO]-5-HYDROXY-2,7-NAPHTHALENEDISULFONIC ACID, LITHIUM POTASSIUM SODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.83 | 4-Amino-3,6-bis[[5-[[4-chloro-6-[methyl[2-(methylamino)–2-oxoethyl]amino]-1,3,5-triazin-2-yl]amino]-2-sulfophenyl]azo]-5-hydroxy-2,7-naphthalenedisulfonic acid, lithium potassium sodium salt (CAS No. 205764–96–1) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1378. REACTIVE RED 123.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.84 | 7-[(5-Chloro-2,6-difluoro-4-pyrimidinyl)amino]-4-hydroxy-3[(methoxy-2-sulfophenyl)azo]-2-naphthalenesulfonic acid, sodium salt (Reactive Red 123) (CAS No. 85391–83–9) (provided for in subheading 3204.16.20) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1379. REACTIVE BLUE 250.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.85 | 4-Amino-5-hydroxy-6-[[2-methoxy-5-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo]-3-[[4-[[2-(sulfooxy) ethyl]sulphonyl] phenyl]azo-2,7-naphthal enedisulfonic acid, tetrasodium salt (Reactive Blue 250) (CAS No. 93951–21–4) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1380. REACTIVE BLACK 5.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.86 | 4-Amino-5-hydroxy-3,6-bis[[4-[[2-(sulfooxy)ethyl] sulfonyl]phenyl]azo]-2,7-naphthalenedisulfonic acid, tetrasodium salt (Reactive Black 5) (CAS No. 17095–24–8) (provided for in subheading 3204.16.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1381. [2,2'-BI-1H-INDOLE]-3,3'-DIOL, POTASSIUM SALT (REDUCED VAT 1).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.87 | [2,2'-Bi-1H-indole]-3,3'-diol, potassium salt (Reduced Vat 1) (CAS No. 207692–02–2) (provided for in subheading 3204.15.40) | 1.9% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1382. 5-[(2-CYANO-4-NITROPHENYL)AZO]-2-[[2-(2-HYDROXYETHOXY)ETHYL]AMINO]-4-METHYL-6-(PHENYLAMINO)–3-PYRIDINECARBONITRILE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.88 | 5-[(2-Cyano-4-nitrophenyl) azo]-2-[[2-(2-hydroxyethoxy) ethyl]amino]-4-methyl-6-(phenylamino)–3-pyridinecarbonitrile (CAS No. 149988–44–3) (provided for in subheading 3204.11.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1383. CYANO[3-[(6-METHOXY-2-BENZOTHIAZOLYL)AMINO]-1H-ISOINDOL-1-YLIDENE]-ACETIC ACID, PENTYL ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.89 | Cyano[3-[(6-methoxy-2-benzothiazolyl)amino]-1H-isoindol-1-ylidene]-acetic acid, pentyl ester. (CAS No. 173285–74–0) (provided for in subheading 3204.11.50) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1384. [(9,10-DIHYDRO-9,10-DIOXO-1,4-ANTHRACENEDIYL)BIS[IMINO [3-(2-METHYLPROPYL)–3,1-PROPANEDIYL]&thnsp;]&thnsp;] BISBENZENESULFONIC ACID, DISODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.90 | [(9,10-dihydro-9,10-dioxo-1,4-anthracenediyl)bis[imino[3-(2-methylpropyl)–3,1-propanediyl]]] bisbenzenesulfonic acid, disodium salt. (CAS No. 72749–90–7) (provided for in subheading 3204.12.20) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1385. [4-(2,6-DIHYDRO-2,6-DIOXO-7-PHENYLBENZO[1,2-B:4,5-B']DIFURAN-3-YL)PHENOXY]-ACETIC ACID, 2-ETHOXYETHYL ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.12.91 | [4-(2,6-Dihydro-2,6-dioxo-7-phenylbenzo[1,2-b:4,5-b']difuran-3-yl)phenoxy]-acetic acid, 2-ethoxyethyl ester (CAS No. 126877–05–2) (provided for in subheading 3204.11.35) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1386. 3-PHENYL-7-(4-PROPOXYPHENYL)-BENZO[1,2-B:4,5-B′]DIFURAN-2,6-DIONE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.92 | 3-Phenyl-7-(4-propoxyphenyl)-benzo[1,2-b:4,5-b′]difuran-2,6-dione (CAS No. 79694–17–0) (provided for in subheading 3204.11.35) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1387. 2-[[[2, 5-DICHLORO-4-[(2-METHYL-1H-INDOL-3-YL)AZO]PHENYL]SULFONYL]AMINO]-ETHANESULFONIC ACID, MONOSODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.93 | 2-[[[2, 5-Dichloro-4-[(2-methyl-1H-indol-3-yl)azo]phenyl] sulfonyl]amino]-ethanesulfonic acid, monosodium salt (CAS No. 68959–19–3) (provided for in subheading 3204.12.45) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1388. 2,7-NAPHTHALENEDISULFONIC ACID, 5-[[4-CHLORO-6-[(3-SULFOPHENYL)AMINO]-1,3,5-TRIAZIN-2-YL]AMINO]-4-HYDROXY-3-[[4-[[2-(SULFOOXY)ETHYL] SULFONYL]PHENYL]AZO]-, SODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.94 | 2,7-Naphthalenedisulfonic acid, 5-[[4-chloro-6-[(3-sulfophenyl)amino]-1,3,5-triazin-2-yl]amino]-4-hydroxy-3-[[4-[[2-(sulfooxy)ethyl] sulfonyl]phenyl]azo]-, sodium salt. (CAS No. 78952–61–1) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1389. 7-[[2-[(AMINOCARBONYL)AMINO]-4-[[4-[4-[2-[[4-[[3-[(AMINOCARBONYL) AMINO]-4-[(3,6,8-TRISULFO-2-NAPHTHALENYL)AZO] PHENYL]AMINO]-6-CHLORO-1,3,5-TRIAZIN-2-YL]AMINO]ETHYL]- 1-PIPERAZINYL]-6-CHLORO-1,3,5-TRIAZIN-2-YL] AMINO] PHENYL]AZO]-1,3,6-NAPHTHALENETRISULFONIC ACID, LITHIUM POTASSIUM SODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.95 | 7-[[2-[(Aminocarbonyl)amino]-4-[[4-[4-[2-[[4-[[3-[(aminocarbonyl) amino]-4-[(3,6,8-trisulfo-2-naphthalenyl) azo]phenyl]amino]-6-chloro-1,3,5-triazin-2-yl]amino]ethyl]- 1-piperazinyl]-6-chloro-1,3,5-triazin-2-yl]amino] phenyl]azo]-1,3,6-naphthalenetrisulfonic acid, lithium potassium sodium salt (CAS No. 202667–43–4) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1390. 24-[[3-(ACETYLAMINO) PHENYL]AMINO]-1-AMINO-9,10-DIHYDRO-9,10-DIOXO-2-ANTHRACENESULFONIC ACID, MONOSODIUM SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.96 | 4-[[3-(Acetylamino)phenyl]amino]-1-amino-9,10-dihydro-9,10-dioxo-2-anthracenesulfonic acid, monosodium salt (CAS No. 70571–81–2) (provided for in subheading 3204.12.45) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1391. [4-[2,6-DIHYDRO-2,6-DIOXO-7-(4-PROPOXYPHENYL)BENZO[1,2-B:4,5-B ]DIFURAN-3-YL]PHENOXY]-ACETIC ACID, 2-ETHOXYETHYL ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.97 | [4-[2,6-Dihydro-2,6-dioxo-7-(4-propoxyphenyl)benzo[1,2-b:4,5-b ]difuran-3-yl]phenoxy]-acetic acid, 2-ethoxyethyl ester (CAS No. 126877–06–3) (provided for in subheading 3204.11.35) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1392. BASIC YELLOW 40 CHLORIDE BASED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.98 | Basic yellow 40 chloride based (CAS No. 29556–33–0) (provided for in subheading 3204.13.10) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1393. DIRECT YELLOW 119.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.12.99 | Direct yellow 119 (CAS No. 4121–67–9) provided for in subheading 3204.14.50) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1394. NAUGARD 412S.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.01 | Pentaerythritol tetrakis[3-(dodecylthio)propionate] (CAS No. 29598–76–3) (provided for in subheading 2930.90.90) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1395. TRIACETONAMINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.02 | 2,2,6,6-Tetramethyl-4-piperidinone (CAS No. 826–36–8) (provided for in subheading 2933.39.61) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1396. IPCONAZOLE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.03 | 2-[(4-Chlorophenyl)methyl]-5-(1-methylethyl)–1-(1H-1,2,4-triazol-1-ylmethyl) cyclopentanol (Ipconazole) (CAS No. 125225–28–7) (provided for in subheading 2933.99.22) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1397. OMITE TECH.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.04 | 2-(4-tert-Butylphenoxy)cyclohexylprop-2-ynyl sulfite (Propargite) (CAS No. 2312–35–8) (provided for in subheading 2920.90.10) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1398. PANTERA TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.05 | (+)-Tetrahydrofurfuryl)-(R)-2-[4-(6-chloroquinoxalin-2-yloxy)phenoxy]propionoate (Quizalofop p-tefuryl) (CAS No. 119738–06–6) (provided for in subheading 2934.99.15) and any formulations containing such compound (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1399. PARAQUAT DICHLORIDE.**

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.06 | Paraquat dichloride (1,1’dimethyl-4,4’-bipyridinium dichloride) (CAS No. 1910–42–5) (provided for in subheading 2933.39.23) | 3.59% | No change | No change | On or before 12/31/2006 | ’’. |

(b) CALENDAR YEAR 2007.—

(1) IN GENERAL.—Heading 9902.13.06, as added by subsection (a), is amended—

(A) by striking ‘‘3.59%’’ and inserting ‘‘4.02%’’; and

(B) by striking ‘‘On or before 12/31/2006’’ and inserting ‘‘On or before 12/31/2007’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2007.

(c) CALENDAR YEARS 2008 AND 2009.—

(1) IN GENERAL.—Heading 9902.13.06, as added by subsection (a) and amended by subsection (b), is further amended—

(A) by striking ‘‘4.02%’’ and inserting ‘‘4.41%’’; and

(B) by striking ‘‘On or before 12/31/2007’’ and inserting ‘‘On or before 12/31/2009’’.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2008.

**SEC. 1400. CERTAIN BASKETBALLS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.07 | Basketballs, having an external surface other than leather, rubber, or synthetic (provided for in subheading 9506.62.80) | 0.9% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1401. CERTAIN LEATHER BASKETBALLS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.08 | Leather basketballs (provided for in subheading 9506.62.80) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1402. CERTAIN RUBBER BASKETBALLS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.09 | Rubber basketballs (provided for in subheading 9506.62.80) | 1.5% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1403. CERTAIN VOLLEYBALLS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.10 | Volleyballs (provided for in subheading 9506.62.80) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1404. 4-CHLORO-3-[[3-(4-METHOXYPHENYL)–1,3-DIOXOPROPYL]-AMINO]-DODECYL ESTER.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.11 | 4-Chloro-3-[[3-(4-methoxyphenyl)–1,3-dioxopropyl]-amino]-dodecyl ester (CAS No. 33942–96–0) (provided for in subheading 2924.29.71) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1406. CERTAIN INFLATABLE BALLS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.12 | Inflatable balls other than basketballs and volleyballs (provided for in subheading 9506.62.80) | 1.2% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1407. P-TOLUENESULFONYL CHLORIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.13 | p-Toluenesulfonyl chloride (CAS No. 98–59–9) (provided for in subheading 2904.10.10) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1408. 3,3 DICHLOROBENZIDINE DIHYDROCHLORIDE .**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.14 | [1,1′ Biphenyl] – 4,4′ Diamino, 3,3′ Dichloro, Dihydrochloride (3,3 Dichlorobenzidine dihydrochloride) (CAS No. 612–83–9) (provided for in subheading 2921.59.80) | 4.7% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1409. P-AMINOBENZAMIDE (4-AMINOBENZAMIDE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.15 | p-Aminobenzamide (4-Aminobenzamide ) (CAS No. 2835–68–9) (provided for in subheading 2924.29.76) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1410. P-CLORO ANILINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.16 | Benzamine, 4 Chloro (CAS No. 106–47–8) (provided for in subheading 2921.42.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1411. 4-CHLORO-2-NITROANILINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.17 | Benzenamine, 4-Chloro-2-nitroaniline (CAS No. 89–63–4) (provided for in subheading 2921.42.55) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1412. O-CHLORO-P-TOLUIDINE (3-CHLORO-4-METHYLANILINE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.18 | Benzenamine, o-Chloro-p-toluidine (3-Chloro-4-methylaniline) (CAS No. 95–74–9) (provided for in subheading 2921.43.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1413. 2-CHLOROACETOACETANILIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.19 | 2-Chloroacetoacetanilide (CAS No. 93–70–9) (provided for in subheading 2924.29.76) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1414. P-ACETOACETANISIDIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.20 | p-Acetoacetanisidide (CAS No. 5437–98–9) (provided for in subheading 2924.29.71) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1415. 1-HYDROXY-2-NAPHTHOIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.21 | 1-Hydroxy-2-Naphthoic acid (CAS No. 86–48–6) (provided for in subheading 2918.29.04) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1416. PIGMENT GREEN 7 CRUDE, NOT READY FOR USE AS A PIGMENT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.22 | Copper Phthalocyanine Green 7 Crude (CAS No. 1328–53–6) (provided for in subheading 3204.17.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1417. 1,8-NAPHTHALIMIDE (1H-BENZ[DE]ISOQUINOLINE-1,3(2H)-DIONE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.23 | 1,8-Naphthalimide (1H-Benz[de]isoquinoline-1,3(2H)-dione) (CAS No. 81–83–4) (provided for in subheading 2925.19.42) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1418. LINURON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.24 | 3-(3,4-Dichlorophenyl)–1-methoxy-1-methylurea (CAS No. 330–55–2) (Linuron) (provided for in subheading 2924.21.16) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1419. N,N-DIMETHYLPIPERIDINIUM CHLORIDE (MEPIQUAT CHLORIDE).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.25 | N,N-Dimethylpiperidinium chloride (Mepiquat chloride) (CAS No. 24307–26–4) (provided for in subheading 2933.39.25) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1420. DIURON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.26 | Formulations of 3-(3,4-dichlorophenyl)–1,1-dimethylurea (CAS No. 330–54–1) (Diuron) and application adjuvants (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1421. FORMULATED PRODUCT KROVAR I DF.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.27 | Formulations containing 5-bromo-3-sec-butyl-6-methyluracil (Bromacil) (CAS No. 314–40–9), 3-(3,4-Dichlorophenyl)–1,1-dimethylurea (Diuron) (CAS No. 330–54–1), and application adjuvants (provided for in subheading 3808.30.15) | 2.5% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1422. TRIASULFURON TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.28 | 3-(6-Methoxy-4-methyl-1,3,5-triazin-2-yl)–1-[2-(2-chloroethoxy) phenylsulfonyl]urea (Triasulfuron) (CAS No. 82097–50–5) (provided for in subheading 2935.00.75) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1423. BRODIFACOUM TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.29 | 3-[3-(4’-Bromo[1,1’-biphenyl]-4-yl)–1,2,3,4-tetrahydro-1-naphthalenyl]-4-hydroxy-2H-1-benzopyran- 2-one (Brodifacoum) (CAS No. 56073–10–0) (provided for in subheading 2932.29.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1424. PYMETROZINE TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.30 | 1,2,4-Triazin-3(2H)-one, 4,5-dihydro-6-methyl-4-[(3-pyridinylmethylene)amino]-(Pymetrozine) (CAS No. 123312–89–0) (provided for in subheading 2933.69.60) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1425. FORMULATIONS OF THIAMETHOXAM, DIFENOCONAZOLE, FLUDIOXINIL, AND MEFENOXAM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.31 | Formulations of 3-[(2-chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-1,3,5-oxadiazin-4-imine) (Thiamethoxam) (CAS No. 153719–23–4 ); 1H-1,2,4-triazole, 1-[[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl- 1,3-dioxolan-2-yl]methyl]-(Difenoconazole) (CAS No. 119446–68–3); 1H-Pyrrole-3-carbonitrile, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)- (Fludioxinil) (CAS No. 131341–86–1); and (R,S)–2-[(2,6-dimethylphenylmethoxy)acetylamino]-propionic acid methyl ester (Mefenoxam) (CAS Nos. 70630–17–0 and 69516–34–3) (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1426. TRIFLOXYSULFURON-SODIUM TECHNICAL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.32 | N-[[(4,6-Dimethoxy-2-pyrimidinyl)amino]carbonyl]-3-(2,2,2-trifluoroethoxy)–2-pyridinesulfonamide monosodium salt (CAS No. 199119–58–9) (trifloxysulfuron-sodium) (provided for in subheading 2935.00.75) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1427. DIISOPROPYL SUCCINATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.33 | Diisopropyl succinate (CAS No. 924–88–9) (provided for in subheading 2917.19.70) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1428. 2,4-DI-TERT-BUTYL-6-(5-CHLOROBENZOTRIAZOL-2-YL)PHENOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.34 | 2,4-Di-tert-butyl-6-(5-chlorobenzotriazol-2-yl)phenol (CAS No. 3864–99–1) (provided for in subheading 2933.99.12) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1429. 4-CHLOROBENZONITRILE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.35 | p-Chlorobenzonitrile (CAS No. 623–03–0) (provided for in subheading 2926.90.14) | 1.5% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1430. 2-NAPHTHALENESULFONIC ACID, 6-[(2,4-DIAMINOPHENYL)AZO]-3-[[4-[[4-[[7-[(2,4-DIAMINOPHENYL)AZO]-1-HYDROXY-3-SULFO-2-NAPHTHALENYL] AZO]PHENYL]AMINO]-3- SULFOPHENYL]AZO]-4-HYDROXY-, TRISODIUM SALT (DIRECT BLACK 22).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.36 | 2-Naphthalenesulfonic acid, 6-[(2,4-diaminophenyl)azo]-3-[[4-[[4-[[7- [(2,4-diaminophenyl)azo] -1-hydroxy-3-sulfo-2-naphthalenyl] azo]phenyl]amino]-3-sulfophenyl]azo]-4-hydroxy-, trisodium salt (Direct Black 22) (CAS No. 6473–13–8) (provided for in subheading 3204.14.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1431. METHYLENE BIS-BENZOTRIAZOLYL TETRAMETHYLBUTYLPHENOL.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.37 | 2,2-Methylenebis(6-(2H-benzotriazol-2-yl)–4–1,1,3,3-tetramethylbutyl)phenol) (CAS No. 103597–45–1) (provided for in subheading 3824.90.28) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1432. BIS-ETHYLHEXYLOXYPHENOL METHOXYPHENOL TRIAZINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.38 | Bis-ethylhexyloxyphenol methoxyphenol triazine (CAS No. 187393–00–6) (provided for in subheading 2933.69.60) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1433. BENZENESULFONIC ACID, 2,2-[(1-METHYL-1,2-ETHANEDIYL)BIS[IMINO(6-FLUORO-1,3,5-TRIAZINE-4,2-DIYL) IMINO[2-[(AMINOCARBONYL)AMINO]-4,1-PHENYLENE]AZO]]BIS[5-[(4-SULFOPHENYL)AZO]-, SODIUM SALT (REACTIVE ORANGE 132).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.39 | Benzenesulfonic acid, 2,2-[(1-methyl-1,2-ethanediyl)bis[imino (6-fluoro-1,3,5-triazine-4,2-diyl)imino[2-[(aminocarbonyl) amino]-4,1-phenylene]azo]] bis[5-[(4-sulfophenyl)azo]-, sodium salt (Reactive orange 132) (CAS No. 149850–31–7) (provided for in subheading 3204.16.30) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1434. CHROMATE(2-), [3-(HYDROXY-κO)–4-[[2-(HYDROXY-κO) -1-NAPHTHALENYL] AZO-κN2] -1-NAPHTHALENESULFONATO(3-)][1-[[2-(HYDROXY-κO)–5-[4-METHOXYPHENYL)AZO]PHENYL]AZO-κN2]-2-NAPHTHALENOLATO(2-)-κO]-, DISODIUM (ACID BLACK 244).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.40 | Chromate(2-), [3-(hydroxy-κO)–4-[[2-(hydroxy-κO) -1-naphthalenyl] azo-κN2] -1-naphthalenesulfonato(3-)][1-[[2-(hydroxy-κO)–5-[4-methoxyphenyl) azo]phenyl]azo-κN2]-2-naphthalenolato(2-)-κO]-, disodium (Acid black 244) (CAS No. 30785–74–1) (provided for in subheading 3204.12.45) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1435. 2 BENZYLTHIO-3-ETHYL SULFONYL PYRIDINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.41 | 2-Benzylthio-3-ethyl sulfonyl pyridine (CAS No. 175729–82–5) (provided for in subheading 2933.39.61) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1436. 2-AMINO-4-METHOXY-6-METHYL-1,3,5-TRIAZINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.42 | 2-Amino-4-methoxy-6-methyl-1,3,5-triazine (CAS No. 1668–54–8) (provided for in subheading 2933.69.60) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1437. FORMULATED PRODUCTS CONTAINING MIXTURES OF THE ACTIVE INGREDIENT 2-CHLORO-N-[[(4-METHOXY-6-METHYL-1,3,5-TRIAZIN-2YL) AMINO]CARBONYL] BENZENESULFONAMIDE AND APPLICATION ADJUVANTS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.43 | Formulated products containing mixtures of the active ingredient 2-chloro-N-[[(4-methoxy-6-methyl-1,3,5-triazin-2yl) amino]carbonyl] benzenesulfonamide and application adjuvants (Chlorosulfuon) (CAS No. 64902–72–3) (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1438. 2-METHYL-4-METHOXY-6-METHYLAMINO-1,3,5-TRIAZINE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.44 | 2-Methyl-4-methoxy-6-methylamino-1,3,5-triazine (CAS No. 5248–39–5) (provided for in subheading 2933.69.60) | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1439. MIXTURES OF SODIUM-2-CHLORO-6-[(4,6 DIMETHOXYPYRIMIDIN-2-YL)THIO]BENZOATE AND APPLICATION ADJUVANTS (PYRITHIOBAC-SODIUM).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.45 | Mixtures of sodium-2-chloro-6-[(4,6 dimethoxypyrimidin-2-yl)thio]benzoate (CAS No. 123343–16–8) and application adjuvants (Pyrithiobac-sodium) (provided for in subheading 3808.30.15) | 3.5% | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1440. CERTAIN DECORATIVE PLATES, DECORATIVE SCULPTURES, DECORATIVE PLAQUES, AND ARCHITECTURAL MINIATURES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.13.46 | Decorative plates, whether or not with decorative rim or attached sculpture; decorative sculptures, each with plate or plaque attached, and decorative plaques each not over 7.65 cm in thickness; architectural miniatures, whether or not put up in sets; all the foregoing of resin materials and containing agglomerated stone, put up for mail order retail sale, whether for wall or tabletop display and each weighing not over 1.36 kg together with their retail packaging (provided for in subheading 3926.40.00). | Free | No change | No change | 12/31/2009 | ’’. |

**SEC. 1441. CERTAIN MUSIC BOXES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.47 | Music boxes with mechanical musical movements, presented in the immediate packaging for shipment to the ultimate purchaser, and each weighing not over 6 kg together with retail packaging (provided for in subheading 9208.10.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1442. CERTAIN CORES USED IN REMANUFACTURE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.48 | Used fuel, lubricating or cooling medium pumps for internal combustion piston engines (provided for in subheading 8413.30.10 or 8413.30.90 | Free | No change | No change | On or before 12/31/2009 | … |
| | 9902.13.49 | Used compression-ignition internal combustion piston engines to be installed in vehicles of subheading 8701.20 or heading 8704 (provided for in subheading 8408.20.20) | Free | No change | No change | On or before 12/31/2009 | … |
| | 9902.13.50 | Used gear boxes for the vehicles of subheading 8701.20 or heading 8704 (provided for in subheading 8708.40.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1443. ADTP.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.51 | 2-Amino-5,8-dimethoxy-[1,2,4]triazolo[1,5-c]pyrimidine (CAS No. 219715–62–5) (provided for in subheading 2933.59.95) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1444. DCBTF.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.52 | 3,4-Dichlorobenztrifluoride (CAS No. 328–84–7) (provided for in subheading 2903.69.08) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1445. NOVIFLUMURON.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.53 | Noviflumuron, N-[[[3,5-dichloro-2-fluoro-4-(1,1,2,3,3,3-hexafluoropropoxy) phenyl]amino]carbonyl]-2,6-difluoro- (9CI) (CAS No. 121451–02–3) (provided for in subheading 2924.29.52) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1446. PARACHLOROBENZOTRIFLUORIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.54 | 1-Chloro-4-(trifluoromethyl) benzene (CAS No. 98–56–6) (provided for in subheading 2903.69.08) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1447. MIXTURES OF INSECTICIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.55 | Mixtures of insecticide containing Gamma-Cyhalothrin ((S)-α-cyano-3-phenoxybenzyl (Z)–(1R, 3R)–3-(2-chloro-3,3,3-trifluoropropenyl)–2,2-dimethyl cyclopropanecarboxylate) as the active ingredient and application adjuvants (CAS No. 76703–62–3) (provided for in subheading 3808.10.25) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1448. MIXTURE OF FUNGICIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.56 | Mixture of fungicide containing Quinoxyfen (5,7-dichloro-4-(4-fluorophenoxy)) as the active ingredient and application adjuvants (CAS No. 124495–18–7) (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1449. 1,2-BENZISOTHIAZOL-3(2H)-ONE (9CI).**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.57 | 1,2-Benzisothiazol-3(2H)-one (9CI) (CAS No. 2634–33–5) (provided for in subheading 3808.40.08) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1450. STYRENE, AR-ETHYL-, POLYMER WITH DIVINYLBENZENE AND STYRENE (6CI) BEADS WITH LOW ASH.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.58 | Styrene, ar-ethyl-, polymer with divinylbenzene and styrene beads having low ash content and specifically manufactured for use as a specialty filler in lost wax mold casting applications and in a variety of other specialty filler applications (CAS No. 9052–95–3) (provided for in subheading 3903.90.50) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1451. MIXTURES OF FUNGICIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.59 | Mixtures of fungicide containing Myclobutanil (1H-1,2,4-Triazole-1-propanenitrile, -butyl-(4-chlorophenyl)) as the active ingredient and application adjuvants (CAS No. 88671–89–0) (provided for in subheading 3808.20.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1452. 2-METHYL-4-CHLOROPHENOXYACETIC ACID.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.60 | 2-Methyl-4-chlorophenoxyacetic acid (CAS No. 94–74–6) (provided for in subheading 2918.90.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1453. 2-METHYL-4-CHLOROPHENOXY-ACETIC ACID, DI-METHYLAMINE SALT.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.61 | 2-Methyl-4-chlorophenoxy-acetic acid, dimethylamine salt (CAS No. 2039–46–5) (provided for in subheading 2921.11.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1454. BIAXIALLY ORIENTED POLYPROPYLENE DIELECTRIC FILM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.62 | Biaxially oriented polypropylene film, suitable for use in capacitors, produced from solvent-washed low ash content (<50 ppm) polymer resin (CAS No. 9003–07–0) (provided for in subheading 3920.20.20) | 3.7% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1455. BIAXIALLY ORIENTED POLYETHYLENE TEREPHTHALATE DIELECTRIC FILM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.63 | Biaxially oriented polyethylene terephthalate film, suitable for use in capacitors, produced from solvent-washed low ash content (<300 ppm) polymer resin (CAS No. 25038–59–9) (provided for in subheading 3920.20.20) | 3.4% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1456. CHARGE CONTROL AGENT 7.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.64 | Charge control agent 7 Chromate(1-),bis{1-{(5-chloro-2-hydroxyphenyl)azo}-2-napthalenolato(2-)}-hydrogen (provided for in subheading 2942.00.10) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1457. PRO-JET BLACK 820 LIQUID FEED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.65 | Substituted naphthalene [[substituted pyridinyl azo] alkoxyphenyl azo]azo, potassium / sodium salt (PMN No. P04–390) (provided for in subheading 3204.14.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1458. PRO-JET MAGENTA M700.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.66 | Nickel [substituted naphthenyl azo] substituted triazole, sodium salt (PMN No. P–03–307) (provided for in subheading 3204.14.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1459. PRO-JET FAST BLACK 287 NA LIQUID FEED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.67 | Pro-jet fast black 287 NA liquid feed ([(substituted naphthalenylazo) substituted naphthalenyl azo] carboxyphenylene, sodium salt) (PMN No. P–90–391) (provided for in subheading 3204.14.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1460. PRO-JET FAST BLACK 286 STAGE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.68 | Pro-jet fast black 286 stage [(substituted naphthalenylazo) substituted naphthalenyl azo] carboxyphenylene, sodium salt (PMN No. P–90–394) (provided for in subheading 3204.14.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1461. PRO-JET CYAN 485 STAGE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.69 | Copper phthalocyanine substituted with sulphonic acids and alkyl sulphonoamides, sodium salt (PMN No. P–99–105) (provided for in subheading 3204.14.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1462. PRO-JET BLACK 661 LIQUID FEED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.70 | Aryl substituted pyrazonyl [[[substituted phenyl azo]substituted naphthenyl] Azo phenyl]azo, sodium salt (PMN No. P03–78) (provided for in subheading 3204.14.30) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1463. PRO-JET BLACK CYAN 854 LIQUID FEED.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.71 | Copper phthalocyanine substituted with sulphonic acids and alkyl sulphonoamides, sodium/ammonium salts (PMN No. P02–893) (provided for in subheading 3204.14.30) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1464. ERASERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.72 | Erasers of vulcanized rubber other than hard rubber or cellular rubber (provided for in subheading 4016.92.00) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1465. NAIL CLIPPERS AND NAIL FILES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.73 | Nail nippers and clippers and nail files (provided for in subheading 8214.20.30) ..... | 3.2% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1466. ARTIFICIAL FLOWERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.74 | Artificial flowers of man-made fibers (provided for in subheading 6702.90.35) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1467. ELECTRICALLY OPERATED PENCIL SHARPENERS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.75 | Electrically operated pencil sharpeners (provided for in subheading 8472.90.40 ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1468. PHENMEDIPHAM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.76 | 3-Methylcarbonylaminophenyl-3-methyl-carbanilate (Phenmedipham) (CAS No. 13684–63–4) in bulk or mixed with application adjuvants (provided for in subheadings 2924.29.47 and 3808.30.15) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1469. DESMEDIPHAM.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.77 | 3-Ethoxycarbonylaminophenyl-N-phenylcarbamate (Desmedipham) (CAS No. 13684–56–5) in bulk or mixed with application adjuvants (provided for in subheadings 2924.29.43 and 3808.30.15) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1470. CERTAIN FOOTWEAR WITH OPEN TOES OR HEELS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.78 | Footwear with outer soles of rubber or plastics and uppers of vegetable fibers, with open toes or open heels, other than house slippers (provided for in subheading 6404.19.25) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1471. CERTAIN WORK FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.79 | Work footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather, not covering the ankle (provided for in subheading 6403.99.60 or 6403.99.90) ..... | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1472. CERTAIN WOMEN’S FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.80 | Footwear for women with outer soles of rubber or plastics and uppers of textile materials other than of vegetable fibers, with open toes or open heels or of the slip-on type (provided for in subheading 6404.19.30) ..... | 4.2% | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1473. CERTAIN ATHLETIC FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.81 | Footwear with outer soles of leather or composition leather and uppers of textile materials, valued over $2.50 per pair, the foregoing other than for men or women (provided for in subheading 6404.20.40) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1474. CERTAIN FOOTWEAR WITH OPEN TOES OR HEELS.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.82 | Footwear with outer soles of rubber or plastics and uppers of textile materials other than of vegetable fibers, with open toes or open heels, the foregoing other than house slippers and other than footwear for women (provided for in subheading 6404.19.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1475. CERTAIN WORK FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.83 | Footwear with outer soles of leather and uppers of leather, covering the ankle, other than for women (provided for in subheading 6403.51.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1476. CERTAIN WORK FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.84 | Turn or turned footwear with outer soles of leather and uppers of leather, other than for men or women (provided for in subheading 6403.59.15) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1477. CERTAIN WORK FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.85 | House slippers with outer soles of rubber, plastics, leather or composition leather and uppers of leather, valued not over $2.50/pair (provided for in subheading 6403.99.75); Sports footwear; tennis shoes, basketball shoes, gym shoes, training shoes and the like, all the foregoing with outer soles of rubber or plastics and uppers of textile materials for women (provided for in subheading 6404.11.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1478. CERTAIN REFRACTING AND REFLECTING TELESCOPES.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.86 | Refracting telescopes with 50 mm or smaller objective lenses and reflecting telescopes with 76 mm or smaller mirrors, and parts and accessories thereof (provided for in subheading 9005.80.40 or 9005.90.80) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1479. MIXTURE OF MAGNESIUM PEROXIDE AND MAGNESIUM OXIDE CONTAINING 35 PERCENT MAGNESIUM PEROXIDE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.87 | Magnesium peroxide, minimum 25 percent purity (CAS No. 1335–26–8) (provided for in subheading 2816.10.00) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1480. CERTAIN FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.88 | Footwear, other than for men, with outer soles of leather or composition leather and uppers of textile materials, valued not over $2.50 per pair (provided for in subheading 6404.20.20) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1481. CERTAIN ATHLETIC FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.89 | Tennis shoes, basketball shoes, gym shoes, training shoes, and the like for men, youths, and boys, the foregoing with pigskin uppers and outer soles of rubber, plastics, leather, or composition leather (provided for in subheading 6403.99.60) and Tennis shoes, basketball shoes, gym shoes, training shoes, and the like for women, the foregoing with pigskin uppers and outer soles of rubber, plastics, leather, or composition leather, valued over $2.50 per pair (provided for in subheading 6403.99.90) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1482. CERTAIN WORK FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| “ | 9902.13.90 | Welt footwear with outer soles of rubber, plastics, leather or composition leather and uppers of pigskin, incorporating a protective metal toe-cap (provided for in subheading 6403.40.30) | Free | No change | No change | On or before 12/31/2009 | ”. |

**SEC. 1483. CERTAIN FOOTWEAR FOR MEN.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.91 | Other footwear with uppers of vegetable fibers, for men (provided for in subheading 6405.20.30) | 4.5% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1484. CERTAIN RUBBER OR PLASTIC FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.92 | Other footwear with uppers of vegetable fibers, other than such footwear for men or women (provided for in subheading 6405.20.30) | 6.5% | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1485. CERTAIN WORK FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.93 | Other work footwear for women, with outer soles and uppers of rubber or plastics, other than house slippers and other than tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.99.18) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1486. CERTAIN ATHLETIC FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.94 | Footwear with outer soles of leather or composition leather and uppers of textile materials, valued not over $2.50 per pair, the foregoing other than for men (provided for in subheading 6404.20.20) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1487. CERTAIN RUBBER OR PLASTIC FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.95 | Footwear for persons other than women, with outer soles of leather or composition leather and with uppers of textile materials (provided for in subheading 6404.20.60) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1488. CERTAIN LEATHER FOOTWEAR.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.96 | Other footwear with uppers of leather or composition leather, for persons other than for men or women (provided for in subheading 6405.10.00) | Free | No change | No change | On or before 12/31/2009 | ". |

**SEC. 1489. ZINC DIMETHYLDITHIOCARBAMATE.**

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| " | 9902.13.97 | Zinc dimethyldithiocarbamate (Ziram) (CAS No. 137–30–4) (provided for in subheading 3808.20.28) | Free | No change | No change | On or before 12/31/2009 | ". |

## CHAPTER 2—EXISTING DUTY SUSPENSIONS AND REDUCTIONS

**SEC. 1501. EXTENSION OF CERTAIN EXISTING DUTY SUSPENSIONS AND REDUCTIONS.**

(a) EXISTING DUTY SUSPENSIONS AND REDUCTION.—Each of the following headings is amended by striking the date in the effective period column and inserting "12/31/2009":

(1) Heading 9902.39.08 (relating to ORGASOL polyamide powders).

(2) Heading 9902.01.55 (relating to (Z)–(1RS,3RS)–3-(2-Chloro-3,3,3-trifluoro-1-propenyl)–2,2-dimethylcyclopropanecarboxylic acid).

(3) Heading 9902.01.57 (relating to (S)-Alpha-Hydroxy-3-phenoxybenzeneacetonitrile).

(4) Heading 9902.30.90 (relating to 3-amino-2′-(sulfato-ethyl sulfonyl) ethyl benzamide).

(5) Heading 9902.32.91 (relating to MUB 738 INT).

(6) Heading 9902.30.31 (relating to 5-amino-N-(2-hydroxyethyl)–2,3-xylenesulfonamide).

(7) Heading 9902.02.98 (relating to Polytetramethylene ether glycol).

(8) Heading 9902.02.99 (relating to Cis-3-hexen-1-ol).

(9) Heading 9902.01.83 (relating to Ethoprop).

(10) Heading 9902.01.73 (relating to Fosetyl-Al).

(11) Heading 9902.03.38 (relating to Flufenacet (FOE hydroxy)).

(12) Heading 9902.01.75 (relating to Acid black 172).

(13) Heading 9902.01.76 (relating to 9,10-Anthracenedione, 1,5-dihydroxy-4-nitro-8-(phenylamino)-and 9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(phenylamino)-).

(14) Heading 9902.05.22 (relating to Fenpropathrin).

(15) Heading 9902.01.64 (relating to 2-Azetidinone, 1-(4-fluorophenyl)–3-[(3S)–3-(4-fluorophenyl)–3-hydroxypropyl]-4-(4-hydroxyphenyl)-, (3R,4S)–(Ezetimibe)).

(16) Heading 9902.02.02 (relating to Methidathion Technical).

(17) Heading 9902.02.12 (relating to difenoconazole).

(18) Heading 9902.02.09 (relating to Lambda-Cyhalothrin).

(19) Heading 9902.02.08 (relating to cyprodinil).

(20) Heading 9902.02.04 (relating to Wakil XL).

(21) Heading 9902.02.06 (relating to Azoxystrobin Technical).

(22) Heading 9902.02.05 (relating to mucochloric acid).

(23) Heading 9902.03.06 (relating to high tenacity multiple (folded) or cabled yarn of viscose rayon).

(24) Heading 9902.05.07 (relating to high tenacity single yarn of viscose rayon with a decitex equal to or greater than 1,000).

(25) Heading 9902.01.38 (relating to p-Methylacetophenone).

(26) Heading 9902.01.35 (relating to 2-Phenylbenzimidazole-5-sulfonic acid).

(27) Heading 9902.05.04 (relating to Methyl cinnamate).

(28) Heading 9902.01.43 (relating to Thymol).

(29) Heading 9902.01.40 (relating to Menthyl anthranilate).

(30) Heading 9902.01.42 (relating to 5-Methyl-2-(methylethyl)cyclohexyl-2-hydroxypropanoate).

(31) Heading 9902.01.41 (relating to isothiocyanate).

(32) Heading 9902.38.31 (relating to Vulkalent E/C).

(33) Heading 9902.01.71 (relating to hexanedioic acid, polymer with 1,3-benzenedimethanamine).

(34) Heading 9902.29.93 (relating to Trinexapac-ethyl).

(35) Heading 9902.38.52 (relating to formulations of triasulfuron).

(36) Heading 9902.29.25 (relating to 2-Phenylphenol).

(37) Heading 9902.38.10 (relating to mixtures of sodium salts).

(38) Heading 9902.39.30 (relating to certain ion-exchange resins).

(39) Heading 9902.32.82 (relating to 2,6 Dichlorotoluene).

(40) Heading 9902.02.33 (relating to Ion exchange resin comprising a compolymer of styrene crosslinked with ethenylbenzene, aminophosphonic acid sodium form).

(41) Heading 9902.02.32 (relating toIon exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, iminodiacetic acid, sodium form)).

(42) Heading 9902.02.29 (relating to10′10′ Oxybisphenoxarsine).

(43) Heading 9902.01.47 (relating to Helium).

(44) Heading 9902.01.78 (relating to certain bags for toys).

(45) Heading 9902.01.81 (relating to cases for certain children's products).

(46) Heading 9902.01.80 (relating to certain children's products).

(47) Heading 9902.03.87 (relating to certain 12V lead-acid storage batteries).

(48) Heading 9902.29.34 (relating to certain light absorbing photo dyes).

(49) Heading 9902.85.04 (relating to certain R-core transformers).

(50) Heading 9902.03.04 (relating to reduced vat blue 43).

(51) Heading 9902.03.03 (relating to sulfur black 1).

(52) Heading 9902.01.22 (relating to DMSIP).

(53) Heading 9902.01.01 (relating to bitolylene diisocyanate (TODI)).

(54) Heading 9902.29.35 (relating to 2-(Methoxycarbonyl)benzylsulfonamide).

(55) Heading 9902.02.52 (relating to Imidacloprid pesticides).

(56) Heading 9902.38.15 (relating to Baytron C-R).

(57) Heading 9902.29.87 (relating to 3,4-Ethylenedioxythiophene).

(58) Heading 9902.04.14 (relating to 1,1'-(Methylimino) dipropan-2-ol).

(59) Heading 9902.28.01 (relating to Thionyl Chloride).

(60) Heading 9902.02.14 (relating to Mondur P).

(61) Heading 9902.02.16 (relating to P-Phenylphenol).

(62) Heading 9902.32.12 (relating to DEMT).

(63) Heading 9902.02.15 (relating to Bayowet FT–248).

(64) Heading 9902.29.23 (relating to PNTOSA).

(65) Heading 9902.04.03 (relating to Baysilone Fluid).

(66) Heading 9902.32.62 (relating to iron chloro-5,6-diamino-1,3-naphthalenedisulfonate complexes).

(67) Heading 9902.32.85 (relating to Bis(4-fluorophenyl) methanone).

(68) Heading 9902.29.37 (relating to polymethine photo-sensitizing dyes).

(69) Heading 9902.29.07 (relating to 4-Hexylresorcinol).

(70) Heading 9902.01.90 (relating to certain filament yarns).

(71) Heading 9902.01.91 (relating to certain filament yarns).

(72) Heading 9902.03.01 (relating to yarn of combed Kashmir (cashmere) or yarn of camel hair).

(73) Heading 9902.71.08 (relating to certain semi-manufactured forms of gold).

(74) Heading 9902.04.10 (relating to Crotonic Acid).

(75) Heading 9902.04.09 (relating to 3,6,9-Trioxaundecanedioic acid).

(76) Heading 9902.85.42 (relating to certain cathode ray tubes).

(77) Heading 9902.85.41 (relating to certain cathode ray tubes).

(78) Heading 9902.02.51 (relating to benzoic acid, 2-amino-4-[[(2,5-dichlorophenyl)amino]carbonyl]-, methyl ester).

(79) Heading 9902.32.73 (relating to Solvent blue 124).

(80) Heading 9902.32.55 (relating to Methyl thioglycolate (MTG)).

(81) Heading 9902.01.48 (relating to Ethyl pyruvate).

(82) Heading 9902.29.91 (relating to Methyl-4-trifluor omethoxyphenyl-*N*-(chlorocarbonyl) carbamate).

(83) Heading 9902.32.14 (relating to 2methyl-4,6-bis[(octylthio)methyl]phenol).

(84) Heading 9902.32.30 (relating to 4-[[4,6-bis(octylthio)–1,3,5-traizine-2-yl]amino]-2,6-bis(1,1-dimethylethyl)phenol).

(85) Heading 9902.03.51 (relating to Disperse Blue 77).

(86) Heading 9902.01.65 (relating to p-cresidine sulfonic acid).

(87) Heading 9902.01.66 (relating to 2,4 disulfo benzaldehyde).

(88) Heading 9902.01.68 (relating to Benzenesulfonic acid, 3-[(ethylphenylamino) methyl]-).

(89) Heading 9902.01.67 (relating to m-Hydroxybenzaldehyde).

(90) Heading 9902.02.38 (relating to 2 amino 5 sulfobenzoic acid).

(91) Heading 9902.02.37 (relating to 2-Amino-6-nitrophenol-4-sulfonic acid).

(92) Heading 9902.02.39 (relating to 2,5 bis benzene sulfonic acid).

(93) Heading 9902.02.40 (relating to 4 [(4 amino phenyl) azo] benzene sulfonic acid, monosodium salt).

(94) Heading 9902.02.41 (relating to 4-[(4-Aminophenyl) azo] benzenesulfonic acid).

(95) Heading 9902.33.63 (relating to 3-(Ethylsulfonly)–2-pyridinesulfonamide).

(97) Heading 9902.05.03 (relating to Trimethyl cyclo hexanol).

(98) Heading 9902.01.39 (relating to 2,2-Dimethyl-3-(3-methylphenyl)proponal).

(99) Heading 9902.04.11 (relating to 1,3-Benzenedicarboxamide, N, N′-Bis (2,2,6,6-tetramethyl-4-piperidinyl)-).

(100) Heading 9902.04.07 (relating to reaction products of phosphorus trichloride with 1,1′-biphenyl and 2,4-bis(1,1-dimethylethyl)phenol).

(101) Heading 9902.04.05 (relating to preparations based on ethanediamide, N-(2-ethoxyphenyl)-N′-(4-isodecylphenyl)-).

(102) Heading 9902.04.06 (relating to 1-Acetyl-4-(3-dodecyl-2,5-dioxo-1-pyrrolidinyl)–2,2,6,6-tetramethylpiperidine).

(103) Heading 9902.04.12 (relating to 3-Dodecyl-1-(2,2,6,6-tetramethyl-4-piperidinyl)–2,5-pyrrolidinedione).

(104) Heading 9902.29.70 (relating to Tetraacetylethylenediamine).

(105) Heading 9902.34.01 (relating to sodium petroleum sulfonate).

(106) Heading 9902.02.75 (relating to esters and sodium esters of parahydroxybenzoic acid).

(107) Heading 9902.30.16 (relating to Diclofop methyl).

(108) Heading 9902.33.61 (relating to ((3-((Dimethylamino)carbonyl)–2-pyridinyl)sulfonyl) carbamic acid, phenyl ester).

(109) Heading 9902.01.45 (relating to Esfenvalerate).

(110) Heading 9902.05.01 (relating to Methyl 2-[[[[[4-(dimethylamino)–6- (2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]-amino]carbonyl]amino]sulfonyl]-3-methylbenzoate and application adjuvants).

(111) Heading 9902.01.44 (relating to Benzyl carbazate).

(112) Heading 9902.05.14 (relating to Pyromellitic Dianhydride).

(113) Heading 9902.05.13 (relating to 4,4'-Oxydiphthalic Anhydride).

(114) Heading 9902.05.12 (relating to 4,4'-Oxydianiline).

(115) Heading 9902.05.11 (relating to 3,3',4,4'-Biphenyltetracarboxylic Dianhydride).

(116) Heading 9902.29.08 (relating to 3-Amino-5-mercapto-1,2,4-triazole).

(117) Heading 9902.32.92 (relating to ß-bromo-ß-nitrostyrene).

(118) Heading 9902.02.87 (relating to asulam sodium salt).

(119) Heading 9902.32.90 (relating to Diiodomethyl-*p*-tolylsulfone).

(120) Heading 9902.02.95 (relating to 2-Propenoic acid, polymer with diethenylbenzene).

(121) Heading 9902.29.59 (relating to *N*-Butyl-*N*-ethyl-α,α,α-trifluoro-2,6-dinitro-*p*-toluidine).

(122) Heading 9902.29.17 (relating to 2,6-Dichloro aniline).

(123) Heading 9902.02.85 (relating to 3, 4-Dichlorobenzonitrile).

(124) Heading 9902.29.58 (relating to *O*,*O*-Diethyl phosphorochlorodothioate).

(125) Heading 9902.02.92 (relating to 1,2-Benzenedicarboxaldehyde).

(126) Heading 9902.33.92 (relating to 2,2-Dithiobis(8-fluoro-5-methoxy)–1,2,4-triazolo[1,5-*c*] pyrimidine).

(127) Heading 9902.29.26 (relating to 1,3-Dimethyl-2-imidazolidinone).

(128) Heading 9902.02.96 (relating to N-[3-(1-ethyl-1-methylpropyl)–5-isoxazolyl]-2,6-dimethoxybenzamide (isoxaben)).

(129) Heading 9902.02.90 (relating to halofenozide).

(130) Heading 9902.02.89 (relating to propanamide, N-(3, 4-dichlorophenyl)-.

(131) Heading 9902.29.80 (relating to 1-[[2-(2,4- dichlorophenyl)–4-propyl-1,3-dioxolan-2-yl]-methyl]-1*H*-1,2,4-triazole).

(132) Heading 9902.29.61 (relating to Quinoline).

(133) Heading 9902.05.17 (relating to tebufenozide).

(134) Heading 9902.02.93 (relating to mixed isomers of 1,3-dichloropropene).

(135) Heading 9902.05.19 (relating to ethofumesate).

(136) Heading 9902.02.60 (relating to Nemacur VL).

(137) Heading 9902.29.06 (relating to Diphenyl sulfide).

(138) Heading 9902.29.16 (relating to 4,4-Dimethoxy-2-butanone).

(139) Heading 9902.02.94 (relating to Methacrylamide).

(140) Heading 9902.32.87 (relating to Fenbuconazole).

(141) Heading 9902.03.79 (relating to thiophanate methyl and application adjuvants).

(142) Heading 9902.03.77 (relating to thiophanate methyl).

(b) OTHER MODIFICATIONS.—

(1) 2-CHLOROBENZYL CHLORIDE.—Heading 9902.01.56 is amended—

(A) by striking ''2903.69.70'' and inserting ''2903.69.80''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(2) MAGNESIUM ALUMINUM HYDROXIDE CARBONATE HYDRATE.—Heading 9902.05.32 is amended—

(A) by inserting ''(CAS No. 12539-23-0)'' after ''organic fatty acid''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(3) TRIETHYLENE GLYCOL BIS[3-(3-TERT-BUTYL-4-HYDROXY-5-METHYLPHENYL)PROPIONATE] .—Heading 9902.01.88 is amended—

(A) by striking ''Free'' and inserting ''4.1%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(4) FORMULATIONS OF TRIASULFURON AND DICAMBA.—Heading 9902.38.21 is amended—

(A) in the article description column—

(i) by inserting ''(Triasulfuron)'' before ''(CAS No. 82097-50-5)''; and

(ii) by inserting ''(Dicamba)'' before ''(CAS No. 1918-00-9)''; and

(B) by striking ''12/31/2003'' and inserting ''12/31/2009''.

(5) MIXTURES OF SODIUM SALTS.—Heading 9902.29.83 is amended—

(A) by inserting '', whether or not in water'' after ''iminodisuccinic acid''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(6) COPPER 8-HYDROXYQUINOLINE (OXINE COPPER).—Heading 9902.02.31 is amended—

(A) in the article description column, by striking ''Copper 8-quinolinolate (oxine copper)'' and inserting ''Copper 8-hydroxyquinoline (oxine copper)''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(7) 11-AMINOUNDECANOIC ACID.—Heading 9902.32.49 is amended—

(A) by striking ''Free'' and inserting ''2.3%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(8) PHBA.—Heading 9902.29.03 is amended—

(A) by striking ''Free'' and inserting ''3.1%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(9) ACETAMIPRID TECHNICAL.—Heading 9902.03.92 is amended—

(A) by striking ''Free'' and inserting ''2.5%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(10) BAYTRON AND BAYTRON P.—Heading 9902.39.15 is amended—

(A) by inserting '', whether or not containing binder resin and organic solvent'' before ''(CAS No.''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(11) CERTAIN YARN OF CARDED KASHMIR (CASHMERE).—Heading 9902.03.02 is amended—

(A) by striking ''of 6 run or finer (equivalent to 19.35 metric yarn system)'' and inserting ''of 19.35 metric yarn count or finer''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(12) IPRODIONE.—Heading 9902.01.51 is amended—

(A) by striking ''4.1%'' and inserting ''2.0%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(13) A CERTAIN ULTRAVIOLET DYE.—Heading 9902.28.19 is amended—

(A) by inserting ''(CAS No. 313482-99-4)'' after ''-methyl ester''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(14) CARFENTRAZONE.—Heading 9902.01.54 is amended—

(A) by striking ''4.9%''and inserting ''Free''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(15) ETHANEDIAMIDE, N-(2-ETHOXYPHENYL)-N′-(2-ETHYLPHENYL)-).—Heading 9902.04.13 is amended—

(A) by striking ''2924.29.76'' and inserting ''2924.29.71''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(16) THIAMETHOXAM TECHNICAL.—Heading 9902.03.11 is amended—

(A) by striking ''3.2%'' and inserting ''3.0%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(17) 1,3-BIS(4-AMINOPHENOXY)BENZENE (RODA).—Heading 9902.05.15 is amended—

(A) by inserting ''(RODA)'' after ''benzene''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(18) MIXTURES OF N-[[(4,6-DIMETHOXYPYRIMIDIN-2-YL)AMINO]CARBONYL]-3-(ETHYLSULFONYL)–2-PYRIDINESULFONAMIDE AND APPLICATION ADJUVANTS.—Heading 9902.33.60 is amended—

(A) by striking the article description and inserting the following: ''Mixtures of N-[[(4,6-dimethoxypyrimidin-2-yl)amino]carbonyl]-3-(ethylsulfonyl)–2-pyridinesulfonamide and application adjuvants (CAS No. 122931–48–0) (provided for in subheading 3808.30.15)''; and

(B) by striking ''12/31/2003'' and inserting ''12/31/2009''.

(19) CERTAIN EDUCATIONAL DEVICES.—Heading 9902.85.43 is amended—

(A) by striking ''1.67%'' and inserting ''0.55%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(20) CYHALOFOP.—Heading 9902.02.86 is amended—

(A) by striking ''Free'' and inserting ''1.5%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(21) α,α,α-Trifluoro-2,6-dinitro-*p*-toluidine).—Heading 9902.05.33 is amended—

(A) by striking ''Free'' and inserting ''2.6%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(22) CERTAIN MIXTURES OF FLORASULAM.—Heading 9902.02.88 is amended—

(A) by striking ''Free'' and inserting ''1.5%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(23) METHOXYFENOZIDE.—Heading 9902.32.93 is amended—

(A) by striking ''Free'' and inserting ''1.0%''; and

(B) striking ''12/31/2006'' and inserting ''12/31/2009''.

(24) MYCLOBUTANIL.—Heading 9902.02.91 is amended—

(A) by striking ''1.9%'' and inserting ''3.0%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(25) FLUOROXYPYR.—Heading 9902.29.77 is amended—

(A) by striking ''1.5%'' and inserting ''2.5%''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(26) PRO-JET BLACK 263 STAGE.—Heading 9902.03.09 is amended—

(A) by striking the article description and inserting ''[[Substituted naphthalenylazol] alkoxyl phenyl azo] carboxyphenylene, lithium salt (PMN No. P–00–351) (provided for in subheading 3204.14.30)''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(27) ETHALFLURALIN.—Heading 9902.30.49 is amended—

(A) by inserting ''(Ethalfluralin)'' after ''benzenamine''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

(28) DIRECT BLACK 175.—Heading 9902.03.56 is amended by striking ''subheading 3204.12.50'' and inserting ''subheading 3204.14.50''.

(29) RACEMIC DI-MENTHOL.—Subchapter II of chapter 99 is amended by striking the second heading 9902.29.06 (relating to Racemic dimenthol).

(30) CERTAIN ORGANIC PIGMENTS AND DYES.—Heading 9902.32.07 is amended—

(A) by inserting '', and excluding the dyestuff bearing the CAS No. 6359-10-0'' after ''fluorescent pigments and dyes''; and

(B) by striking ''12/31/2006'' and inserting ''12/31/2009''.

## Subtitle B—Other Tariff Provisions

## CHAPTER 1—LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES

### SEC. 1601. CERTAIN TRAMWAY CARS AND ASSOCIATED SPARE PARTS.

(a) IN GENERAL.—The Commissioner of the Bureau of Customs and Border Protection of the Department of Homeland Security shall admit free of duty 3 tramway cars (provided for in subheading 8603.10.00 of the Harmonized Tariff Schedule of the United States) manufactured in Ostrava, Czech Republic, for the use by the city of Portland, Oregon, and imported pursuant to a contract with the city of Portland, Oregon, and associated spare parts for such tramway cars (provided for in applicable subheadings of heading 8607 or other headings of the Harmonized Tariff Schedule of the United States) imported pursuant to such contract, the foregoing to be entered into the customs territory of the United States by not later than December 31, 2006.

(b) RELIQUIDATION; REFUND OF AMOUNTS OWED.— If the liquidation of the entry of any of the tramway cars or associated spare parts described in subsection (a) becomes final before the date of the enactment of this Act, the Commissioner of the Bureau of Customs and Border Protection, notwithstanding any other provision of law, shall—

(1) within 15 days after such date, reliquidate the entry in accordance with the provisions of this Act; and

(2) at the time of such reliquidation, make the appropriate refund of any duty paid with respect to the entry.

### SEC. 1602. RELIQUIDATION OF CERTAIN ENTRIES OF CANDLES.

(a) RELIQUIDATION OF ENTRIES.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520) or any other provision of law, the Bureau of Customs and Border Protection shall, not later than 90 days after the date of the enactment of this Act—

(1) reliquidate the entries listed in subsection (b) without assessment of antidumping duties or interest; and

(2) refund any antidumping duties and interest which were previously paid on such entries.

(b) AFFECTED ENTRIES.—The entries referred to in subsection (a) are the following:

| Entry number | Date of entry | Port |
|---|---|---|
| 110–3447557–3 | 03/18/00 | Los Angeles |
| 110–3447591–2 | 03/19/00 | Los Angeles |
| 110–3447595–3 | 03/19/00 | Los Angeles |
| 110–1201638–1 | 03/21/00 | Detroit |
| 110–1201639–9 | 03/21/00 | Detroit |
| 110–1201640–7 | 03/21/00 | Detroit |
| 110–3447613–4 | 03/21/00 | Los Angeles |
| 110–1201697–7 | 03/23/00 | Detroit |
| 110–1201695–1 | 03/23/00 | Detroit |
| 110–1201696–9 | 03/23/00 | Detroit |
| 110–1201756–1 | 03/27/00 | Detroit |
| 110–1201757–9 | 03/27/00 | Detroit |
| 110–1201758–7 | 03/27/00 | Detroit |
| 110–1740905–2 | 03/30/00 | Los Angeles |
| 110–1740943–3 | 03/30/00 | Los Angeles |
| 110–1201845–2 | 03/31/00 | Detroit |
| 110–1201813–0 | 04/03/00 | Detroit |
| 110–1201814–8 | 04/03/00 | Detroit |
| 110–1201815–5 | 04/03/00 | Detroit |
| 110–1201875–9 | 04/04/00 | Detroit |
| 110–1201868–4 | 04/04/00 | Detroit |
| 110–1201858–5 | 04/04/00 | Detroit |
| 110–3447959–1 | 04/11/00 | Los Angeles |
| 110–3447958–3 | 04/11/00 | Los Angeles |
| 110–3759536–9 | 04/12/00 | Detroit |
| 110–3759561–7 | 04/12/00 | Detroit |
| 110–3759542–7 | 04/12/00 | Detroit |
| 110–3759540–1 | 04/12/00 | Detroit |
| 110–3447977–3 | 04/12/00 | Los Angeles |
| 110–3759539–3 | 04/12/00 | Detroit |
| 110–3448045–8 | 04/14/00 | Los Angeles |
| 110–3448046–6 | 04/14/00 | Los Angeles |
| 110–3448110–0 | 04/20/00 | Los Angeles |
| 110–3759670–6 | 04/25/00 | Detroit |
| 110–3759673–0 | 04/25/00 | Detroit |
| 110–3759669–8 | 04/25/00 | Detroit |
| 110–3759667–2 | 04/25/00 | Detroit |
| 110–3759671–4 | 04/25/00 | Detroit |
| 110–3759668–0 | 04/25/00 | Detroit |
| 110–3448241–3 | 04/27/00 | Los Angeles |
| 110–3448247–0 | 04/27/00 | Los Angeles |
| 110–3448276–9 | 04/28/00 | Memphis |
| 110–3448274–4 | 04/28/00 | Memphis |
| 110–3448282–7 | 05/04/00 | Memphis |
| 101–4081779–1 | 05/07/00 | Memphis |
| 101–4088945–1 | 05/23/00 | Memphis |
| 101–4089954–3 | 05/23/00 | Memphis |
| 101–4088960–0 | 05/23/00 | Memphis |
| 101–4092192–4 | 05/25/00 | Memphis |
| 101–4089312–3 | 05/26/00 | Detroit |
| 101–4089942–7 | 05/26/00 | Detroit |

| Entry number | Date of entry | Port |
|---|---|---|
| 101–4089893–2 | 05/26/00 | Detroit |
| 101–4092221–1 | 05/26/00 | Memphis |
| 101–4089697–7 | 05/26/00 | Los Angeles |
| 101–4092215–3 | 05/26/00 | Memphis |
| 101–4086053–6 | 05/26/00 | Los Angeles |
| 101–4122700–8 | 07/27/00 | Los Angeles |
| 101–4122707–3 | 07/27/00 | Los Angeles |
| 101–4122712–3 | 07/27/00 | Los Angeles |
| 101–4127147–7 | 08/03/00 | Los Angeles |
| 101–4132485–4 | 08/09/00 | Norfolk |
| 101–4129989–0 | 08/11/00 | Detroit |
| 101–4130345–2 | 08/17/00 | Detroit |
| 101–4129976–7 | 08/23/00 | Detroit |
| 101–4149476–4 | 09/06/00 | Los Angeles |
| 101–4149483–0 | 09/06/00 | Los Angeles |
| 101–4149493–9 | 09/06/00 | Los Angeles |
| 101–4148595–2 | 09/08/00 | Detroit |
| 101–4153301–7 | 09/18/00 | Detroit |
| 101–4154523–5 | 09/14/00 | Los Angeles |
| 101–4153389–2 | 09/18/00 | Detroit |
| 101–4157161–1 | 09/20/00 | Norfolk |
| 101–4153333–0 | 09/21/00 | Detroit |
| 101–4155542–4 | 09/26/00 | Detroit |
| 101–4166291–5 | 10/07/00 | Los Angeles |
| 101–4167325–0 | 10/09/00 | Detroit |
| 101–4167363–1 | 10/12/00 | Detroit |
| 101–4164567–0 | 10/13/00 | Norfolk |
| 101–4168049–5 | 10/14/00 | Los Angeles |
| 101–4172904–5 | 10/21/00 | Los Angeles |
| 101–4175579–2 | 10/30/00 | Los Angeles |
| 101–4183996–8 | 11/07/00 | Detroit |
| 101–4183234–4 | 11/09/00 | Detroit |
| 101–4183251–8 | 11/09/00 | Detroit |
| 101–4183253–4 | 11/09/00 | Detroit |
| 101–4183257–5 | 11/09/00 | Detroit |
| 101–4183264–1 | 11/09/00 | Detroit |
| 101–4183264–1 | 11/09/00 | Detroit |
| 101–4184811–8 | 11/13/00 | Los Angeles |
| 101–4184819–1 | 11/13/00 | Los Angeles |
| 101–4189001–1 | 11/14/00 | Tampa |
| 101–4185526–1 | 11/16/00 | Detroit |
| 101–4185535–2 | 11/16/00 | Detroit |
| 101–4186580–7 | 11/20/00 | Detroit |
| 101–4189830–3 | 11/20/00 | Detroit |
| 101–4189774–3 | 11/21/00 | Detroit |
| 101–4191183–3 | 11/24/00 | Los Angeles |
| 101–4191188–2 | 11/24/00 | Los Angeles |
| 101–4191193–2 | 11/24/00 | Los Angeles |
| 101–4194796–9 | 11/29/00 | Detroit |
| 101–4194801–7 | 11/29/00 | Detroit |
| 101–4196383–4 | 12/01/00 | Los Angeles |
| 101–4196389–1 | 12/01/00 | Los Angeles |
| 101–4199308–8 | 12/13/00 | Detroit |

**SEC. 1603. CERTAIN ENTRIES OF ROLLER CHAIN.**

(a) LIQUIDATION OR RELIQUIDATION OF ENTRIES.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520) or any other provision of law, the Bureau of Customs and Border Protection shall, not later than 90 days after the date of enactment of this Act, liquidate or reliquidate the entries listed in subsection (b) without assessment of interest and shall refund any interest which was previously paid.

(b) AFFECTED ENTRIES.—The entries referred to in subsections (a) and (b) are the following:

| Entry number | Date of entry | Port |
|---|---|---|
| 858442975 | 08/21/85 | Chicago |
| 868558147 | 01/28/86 | Chicago |
| 868565499 | 03/14/86 | Chicago |
| 858440922 | 07/31/85 | Chicago |
| 868565499 | 03/14/86 | Chicago |
| 868558147 | 01/28/86 | Chicago |
| 858442975 | 08/21/85 | Chicago |
| 858440922 | 07/31/85 | Chicago |
| 847648353 | 06/18/84 | Chicago |
| 858268324 | 01/04/85 | Chicago |
| 858264302 | 11/08/84 | Chicago |
| 858265107 | 11/19/84 | Chicago |
| 847650150 | 07/18/84 | Chicago |
| 847412877 | 05/09/84 | Chicago |
| 837078386 | 03/21/83 | Chicago |
| 837077691 | 02/07/83 | Chicago |
| 837077701 | 02/07/83 | Chicago |
| 826735834 | 01/13/82 | Chicago |
| 826736309 | 01/18/82 | Chicago |
| 821020081 | 02/12/82 | Chicago |
| 821020052 | 02/17/82 | Chicago |
| 821026768 | 04/13/82 | Chicago |
| 827119569 | 06/18/82 | Chicago |
| 837075114 | 10/06/82 | Chicago |
| 826727088 | 10/14/81 | Chicago |
| 837124777 | 05/19/83 | Chicago |
| 847405240 | 11/28/83 | Chicago |
| 837127606 | 08/18/83 | Chicago |
| 837125132 | 06/08/83 | Chicago |
| 847406100 | 12/22/83 | Chicago |
| 847404034 | 11/02/83 | Chicago |
| 837128090 | 09/07/83 | Chicago |
| 837126762 | 08/05/83 | Chicago |
| 837125569 | 06/22/83 | Chicago |
| 837078991 | 04/12/83 | Chicago |
| 837129222 | 10/03/83 | Chicago |
| 847406414 | 12/29/83 | Chicago |
| 847408014 | 01/31/84 | Chicago |
| 868569204 | 07/03/86 | Chicago |
| 868730813 | 08/14/86 | Chicago |

**SEC. 1604. CERTAIN ENTRIES OF PASTA.**

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Bureau of Customs and Border Protection of the Department of Homeland Security shall, not later than 90 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) in accordance with Department of Commerce case A–475–818 for the period 7/1/2001 through 6/30/2002 under Customs Service message numbered 4068201.

(b) REQUESTS.—Liquidation or reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Bureau of Customs and Border Protection within 90 days after the date of the enactment of this Act.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 90 days after the date of such liquidation or reliquidation.

(d) ENTRIES.—The entries referred to in subsection (a) are the following:

| Entry number | Date of entry | Date of liquidation |
|---|---|---|
| FD630105373 | 07/06/2001 | 11/22/2002 |
| FD630105399 | 07/06/2001 | 11/22/2002 |
| FD630105415 | 07/06/2001 | 11/22/2002 |
| FD630110282 | 07/26/2001 | 11/22/2002 |
| FD630110274 | 07/26/2001 | 11/22/2002 |
| FD630110860 | 07/30/2001 | 11/22/2002 |
| FD630112338 | 08/09/2001 | 11/22/2002 |
| FD630115208 | 08/15/2001 | 11/22/2002 |
| FD630114128 | 08/15/2001 | 11/22/2002 |
| FD630114110 | 08/21/2001 | 11/22/2002 |
| FD630116537 | 08/22/2001 | 11/22/2002 |
| FD630122402 | 09/26/2001 | 11/22/2002 |
| FD630123533 | 10/03/2001 | 11/22/2002 |
| FD630126577 | 10/17/2001 | 11/22/2002 |
| FD630129712 | 10/31/2001 | 11/22/2002 |
| FD630132088 | 11/20/2001 | 11/22/2002 |
| FD630133987 | 11/29/2001 | 11/22/2002 |
| FD630134043 | 12/05/2001 | 11/22/2002 |
| FD630136972 | 12/14/2001 | 11/22/2002 |
| FD630136998 | 12/14/2001 | 11/22/2002 |
| FD630136980 | 12/14/2001 | 11/22/2002 |
| FD630137806 | 12/14/2001 | 11/22/2002 |
| FD630137822 | 12/27/2001 | 11/22/2002 |
| FD630137814 | 12/27/2001 | 11/22/2002 |

**SEC. 1605. PAYMENT OF INTEREST ON AMOUNTS OWED PURSUANT TO RELIQUIDATION OF CERTAIN ENTRIES.**

(a) AMENDMENTS.—Sections 1404(b), 1405(b), and subsection (c) of each of sections 1408 through 1411 of the Tariff Suspension and Trade Act of 2000 (Public Law 106-476; 19 U.S.C. 1654 note) and subsection (c) of each of sections 1517 through 1536 of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108-429; 19 U.S.C. 1654 note) are amended by inserting ‘‘, with interest provided for by law on the liquidation or reliquidation of the entries,’’ after ‘‘under subsection (a)’’.

(b) RELIQUIDATION AND PAYMENT OF INTEREST.—Not later than 90 days after the date of the enactment of this Act, the Commissioner of the Bureau of Customs and Border Protection of the Department of Homeland Security shall—

(1) reliquidate each of the entries specified in the provisions of law amended by subsection (a); and

(2) provide payment of interest owed by the United States by reason of the amendments made by subsection (a) for the period beginning on the date of deposit of estimated duties and ending on the date of reliquidation under paragraph (1).

**SEC. 1606. CLARIFICATION OF RELIQUIDATION PROVISION.**

(a) INCLUSION OF INTEREST.—The term ‘‘any amounts owed’’ in section 1511(b) of the Miscellaneous Trade and Technical Corrections Act of 2004 (118 Stat. 2542; Public Law 108-429), includes interest accrued from the date of deposit of duties made in connection with entries described in section 1511(c) of that Act, to the date of the reliquidation of the entries pursuant to section 1511 of that Act.

(b) RELIQUIDATIONS WITH INTEREST.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, to the extent that the entries listed in section 1511(d) of the Act referred to in subsection (a) were reliquidated by the Bureau of Customs and Border Protection, before the enactment of this Act, without the payment of interest required under subsection (a) of this section, the Bureau shall, within 90 days after the date of enactment of this Act, reliquidate the affected entries with the interest required under subsection (a), calculated at the interest rates provided for in section 505(c) of the Tariff Act of 1930 (19 U.S.C. 1505(c)).

**SEC. 1607. CERTAIN ENTRIES OF SOUNDSPA CLOCK RADIOS.**

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Bureau of Customs and Border Protection shall, not later than 90 days after the date of the enactment of this Act—

(1) reliquidate each entry described in subsection (c) containing any merchandise which, on the date of original liquidation, was classified under subheading 8527.19.50 of the Harmonized Tariff Schedule of the United States; and

(2) make such reliquidation at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated under subheading 8527.19.10 of such Schedule on the date of entry of the merchandise.

(b) REFUND OF AMOUNTS OWED.—Any amounts owed by the United States under subsection (a) shall be refunded with interest.

(c) AFFECTED ENTRIES.—The entries referred to in subsection (a) are as follows:

| Entry number | Entry number | Entry number |
|---|---|---|
| 110–1199345–7 | 101–4193123–7 | 101–6127048–2 |
| 110–1199542–9 | 101–4264820–2 | 101–6150035–9 |
| 110–1199558–5 | 101–4271724–7 | 101–6148556–9 |
| 110–1201694–4 | 101–4277850–4 | 101–6172630–1 |
| 110–3759754–8 | 101–4287672–0 | 101–6172406–6 |
| 110–3759785–2 | 101–4301588–0 | 101–6186497–9 |
| 101–4082299–9 | 101–4306238–7 | 101–4208407–7 |
| 101–4088073–2 | 101–4306235–3 | 101–6035939–3 |
| 101–4089053–3 | 101–6011727–0 | |
| 101–4120875–0 | 101–6012796–4 | |
| 101–4133671–8 | 101–6015492–7 | |
| 101–4138302–5 | 101–6021099–2 | |
| 101–4145092–3 | 101–6026903–0 | |
| 101–4148477–3 | 101–6024120–3 | |
| 101–4153108–6 | 101–6028079–7 | |
| 101–4159322–7 | 101–6027052–5 | |
| 101–4158601–5 | 101–6036728–9 | |
| 101–4163243–9 | 101–6048069–4 | |
| 101–4164448–3 | 101–6079830–1 | |
| 101–4168318–4 | 101–6082949–4 | |
| 101–4172197–6 | 101–6115954–5 | |
| 101–4172489–7 | 101–6119379–1 | |

## CHAPTER 2—MISCELLANEOUS PROVISIONS

**SEC. 1701. RATTAN WEBBING.**

(a) IN GENERAL.—Chapter 46 is amended by striking subheading 4601.91.20 and inserting the following new subheading and superior text thereto, with such superior text having the same degree of indentation as the article description for subheading 4601.91.40:

| | | | | | | |
|---|---|---|---|---|---|---|
| " | | Of one or more of the materials bamboo, rattan, willow, or wood: | | | | |
| | 4601.91.25 | Rattan webbing | Free | | 20% | |
| | 4601.91.30 | Other | 6.6% | Free (A, AU, CA, CL, E, IL, J, JO, MA, MX, P) 1.6% (SG) | 45% | ". |

(b) STAGED RATE REDUCTIONS.—Any staged reduction of a rate of duty proclaimed by the President before the date of the enactment of this Act, that—

(1) would take effect on or after such date of enactment, and

(2) would, but for the amendment made by subsection (a), apply to subheading 4601.91.20, applies to the corresponding rate of duty set forth in subheading 4601.91.30 (as added by subsection (a)).

**SEC. 1702. CERTAIN MONOCHROME GLASS ENVELOPES.**

(a) AMENDMENT TO SUBHEADING 7011.20.40.—The article description of subheading 7011.20.40 is amended to read as follows: "Monochrome glass envelopes, the foregoing certified by the importer as being for actual use in automatic data processing machine data or graphic display cathode ray tubes".

(b) CONFORMING AMENDMENTS.—(1) Subheading 7011.20.40, as amended by subsection (a), is redesignated as subheading 7011.20.45.

(2) Subheading 7011.20.80 is redesignated as subheading 7011.20.85.

(3) Subchapter II of chapter 99 is amended by striking heading 9902.70.01.

(4) Heading 9902.02.97 is amended in the article description column by striking "7011.20.80" and inserting "7011.20.85".

(c) STAGED RATE REDUCTIONS.—Any staged rate reduction of a rate of duty proclaimed by the President before the date of the enactment of this Act, that—

(1) would take effect on or after such date of enactment; and

(2) would, but for the amendment made by subsection (b)(2), apply to subheading 7011.20.80, applies to the corresponding rate of duty set forth in subheading 7011.20.85 (as added by subsection (b)(2)).

**SEC. 1703. CERTAIN TRACTOR BODY PARTS.**

Chapter 87 is amended by striking subheadings 8708.29.10 through 8708.29.50, and inserting the following new subheadings and superior text, with the article description for subheading 8708.29.05 and the superior text to subheading 8708.29.40 having the same degree of indentation as the article description for subheading 8708.31.10, and with the article descriptions for subheadings 8708.29.40 through 8708.29.49 having the same degree of indentation as the article description for subheading 8708.70.05:

| | | | | | | |
|---|---|---|---|---|---|---|
| " | 8708.29.05 | For tractors suitable for agricultural use | Free | | Free | |
| | | For other motor vehicles: | | | | |
| | 8708.29.40 | Inflators and modules for air bags | 2.5% | Free (A, AU, B, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 25% | |
| | 8708.29.43 | Door assemblies | 2.5% | Free (A, AU, B, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 25% | |
| | 8708.29.46 | Body stampings | 2.5% | Free (A, AU, B, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 25% | |
| | 8708.29.49 | Other | 2.5% | Free (A, AU, B, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 25% | ". |

**SEC. 1704. FLEXIBLE MAGNETS AND COMPOSITE GOODS CONTAINING FLEXIBLE MAGNETS.**

(a) IN GENERAL.—Chapter 85 is amended by striking subheadings 8505.19.10, 8505.19.20, and 8505.19.30 and inserting the following new subheadings, with the article description for subheading 8505.19 having the same degree of indentation as the article description for subheading 8505.11.00:

| | | | | | | |
|---|---|---|---|---|---|---|
| " | 8505.19 | Other: | | | | |
| | 8505.19.10 | Flexible magnets | 4.9% | Free (A, AU, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 45% | |
| | 8505.19.20 | Composite goods containing flexible magnets | 4.9% | Free (A, AU, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 45% | |
| | 8505.19.30 | Other | 4.9% | Free (A, AU, CA, CL, E, IL, J, JO, MA, MX, P, SG) | 45% | ". |

(b) STAGED RATE REDUCTIONS.—Any staged reduction of a rate of duty proclaimed by the President before the date of the enactment of the Miscellaneous Trade and Technical Corrections Act of 2004, that—

(1) takes effect on or after such date of enactment; and

(2) would, but for the amendment made by this section, apply to subheading 8505.19, applies to the corresponding rate of duty set forth in subheadings 8505.19.10, 8505.19.20, and 8505.19.30 of such Schedule (as added by subsection (a)).

(c) APPLICABILITY.—The amendments made by this section shall take effect as if included in the enactment of the Miscellaneous Trade and Technical Corrections Act of 2004.

**SEC. 1705. KASHMIR.**

Subchapter II of chapter 99 is amended by striking subheadings 9902.51.15 and 9902.51.16 (relating to fine animal hair of Kashmir (cashmere) goats) and inserting in numerical sequence the following:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.51.25 | Fine animal hair of Kashmir (cashmere) goats; not processed in any manner beyond the degreased or carbonized condition (provided for in subheading 5102.11.10) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |
| ‘‘ | 9902.51.26 | Fine animal hair of Kashmir (cashmere) goats (provided for in subheading 5102.11.90) .... | Free | No change | No change | On or before 12/31/2009 | ’’. |

**SEC. 1706. TECHNICAL CORRECTIONS.**

(a) AMENDMENTS TO THE HTS.—

(1) The article description for heading 9902.01.12 is amended—

(A) by striking ‘‘32846–21–2, acid red)’’ and inserting ‘‘66786–14–5, acid red’’; and

(B) by striking ‘‘67786–14–5) (provided for’’ and inserting ‘‘32846–21–2) (provided for’’.

(2) The article description for heading 9902.01.21 is amended by striking ‘‘Methy 1’’ and all that follows through ‘‘carbonose’’ and inserting ‘‘carbamate’’.

(3) Heading 9902.01.49 is amended to read as follows:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.01.49 | (S)-α,-Cyano-3-phenoxybenzyl (1R,3R)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarb- oxylate (Deltamethrin) (CAS No. 52918–63–5) in bulk or unmixed in forms or packings for retail sale (provided for in subheading 2926.90.30 or 3808.10.25). | Free | No change | No change | On or before 12/31/2009 | ’’. |

(4) The article description for heading 9902.01.56 is amended by striking ‘‘2903.69.70’’ and inserting ‘‘2903.69.80’’.

(5) The article description for heading 9902.01.61 is amended by striking ‘‘methoxy-1,1-’’ and inserting ‘‘methoxy-1,1′-’’.

(6) The article description for heading 9902.01.69 is amended—

(A) by striking ‘‘2-8 percent water’’ and inserting ‘‘2-8 percent by weight of water’’; and

(B) by striking ‘‘denier’’ and inserting ‘‘decitex’’.

(7) The article description for heading 9902.01.75 is amended—

(A) by striking ‘‘Acid black 194’’ and inserting ‘‘Acid black 172’’; and

(B) by striking ‘‘subheading 3204.12.20’’ and inserting ‘‘subheading 3204.12.45’’.

(8) The article description for heading 9902.01.90 is amended by striking ‘‘between 4 and 68’’ and inserting ‘‘from 4 through 68’’.

(9) The article description for heading 9902.01.91 is amended by striking ‘‘between 4 and 68’’ and inserting ‘‘from 4 through 68’’.

(10) Heading 9902.02.17 is amended to read as follows:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.02.17 | Boots with outer soles and uppers of rubber, extending above the ankle but below the knee, specifically designed for horseback riding, and having a spur rest on the heel counter (provided for in subheading 6401.92.90) ..... | Free | No change | No change | On or before 12/31/2009 | ’’. |

(11) The article description for heading 9902.02.28 is amended—

(A) by striking ‘‘polymide’’ and inserting ‘‘polyimide’’; and

(B) by striking ‘‘3911.90.35 or’’.

(12) The article description for heading 9902.02.59 is amended by striking ‘‘A mixture’’ and inserting ‘‘Mixture’’.

(13) The article description for heading 9902.02.65 is amended by striking ‘‘bis[3’’ and inserting ‘‘bis[3′′’’.

(14) The article description for headings 9902.84.81, 9902.84.83, 9902.84.85, 9902.84.88, and 9902.84.89 are each amended—

(A) by inserting ‘‘4011.62.00,’’ after ‘‘4011.61.00,’’; and

(B) by striking ‘‘or parts thereof’’ and inserting ‘‘and parts thereof’’.

(15) The article description for heading 9902.03.25 is amended by striking ‘‘P–99–1218,’’.

(16) The article description for heading 9902.03.40 is amended by striking ‘‘subheading 2835.29.50’’ and inserting ‘‘subheading 2931.00.30’’.

(17) Heading 9902.03.60, relating to acid black 172, is repealed.

(18) The article description for heading 9902.03.99 is amended by striking ‘‘subheading 2933.99.12’’ and inserting ‘‘subheading 2933.99.22’’.

(19) Heading 9902.04.02 is amended to read as follows:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.04.02 | Polysiloxane, dimethyl (CAS No. 63148–62–9) solution, greater than 85 percent, with less than 15 percent paraffin (mineral) oil (CAS No 8042–47–5), less than 5 percent magnesium stearate (CAS No. 557–04–0) and less than 5 percent finely dispersed metal ethoxylated phosphoric ester (provided for in subheading 3910.00.00) ..... | Free | No change | No change | On or before 12/31/2006 | ’’. |

(20) Heading 9902.05.21 is repealed.

(21) Heading 9902.05.29 is amended to read as follows:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ‘‘ | 9902.05.29 | 3-[2-Chloro-4-(trifluoromethyl)-phenoxy]benzoic acid, sodium salt (CAS No. 95251–52–8) (provided for in subheading 2918.90.43) ..... | Free | No change | No change | On or before 12/31/2006 | ’’. |

(22) The article description for heading 9902.05.25 is amended—

(A) by striking ‘‘fluoro-’’ and inserting ‘‘Fluoro-’’; and

(B) by striking ‘‘(2-propynl)’’ and inserting ‘‘(2-propynyl)’’.

(23) Heading 9902.29.26 is amended—

(A) by striking the date in the effective period column and inserting ‘‘12/31/06’’; and

(B) by striking the article description and inserting ‘‘1,3-Dimethyl-2-imidazolidinone’’.

(24) Heading 9902.38.00 (relating to butralin) is amended—

(A) by striking the date in the effective period column and inserting ‘‘12/31/06’’; and

(B) by striking ‘‘3808.31.15’’ and inserting ‘‘3808.30.15’’.

(25) The article description for heading 9902.84.14 (relating to ceiling fans) is amended by striking ‘‘8414.51.00’’ and inserting ‘‘8414.51.30’’.

(26) The article descriptions for headings 9902.84.81, 9902.84.83, 9902.84.85, 9902.84.88, and 9902.84.89 are each amended—

(A) by inserting ‘‘4011.62.00’’ after ‘‘4011.61.00’’; and

(B) by striking ‘‘or parts thereof’’ and inserting ‘‘and parts thereof’’.

(27) The article description for heading 9902.86.11 is amended by striking ‘‘specifications each, having’’ and inserting ‘‘specifications, each having’’.

(28) Each of the following headings is amended by striking ‘‘Free’’ in the column 1 special rate of duty column and inserting ‘‘No change’’:

(A) Heading 9902.01.59.

(B) Heading 9902.01.60.

(C) Heading 9902.01.61.

(D) Heading 9902.01.86.

(E) Heading 9902.01.87.
(F) Heading 9902.01.90.
(G) Heading 9902.01.91.
(H) Heading 9902.03.20.
(I) Heading 9902.03.40.
(J) Heading 9902.03.41.
(K) Heading 9902.03.43.
(L) Heading 9902.04.05.
(M) Heading 9902.04.06.
(N) Heading 9902.04.07.
(O) Heading 9902.05.18.
(P) Heading 9902.05.19.
(Q) Heading 9902.05.21.
(R) Heading 9902.05.35.

(29) Each of the following headings is amended by striking ''Free'' in the column 2 rate of duty column and inserting ''No change'':

(A) Heading 9902.03.78.
(B) Heading 9902.05.08.
(C) Heading 9902.05.09.
(D) Heading 9902.05.10.

(30) Subheadings 8510.20.10 and 8510.20.90 are each amended—

(A) by inserting ''CL,'' after ''CA,'' each place it appears; and

(B) by inserting '', SG'' after ''P'' each place it appears.

(31) Subheadings 8510.90.30 and 8510.90.40 are each amended—

(A) by inserting ''CL,'' after ''CA,'' each place it appears; and

(B) by inserting '', SG'' after ''P'' each place it appears.

(b) AMENDMENTS TO THE MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2004.—The Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429) is amended—

(1) in the table of contents—

(A) in the item relating to section 1183, by striking ''194'' and inserting ''172'';

(B) in the item relating to section 1349, by striking ''and acid black 172''; and

(C) by striking the items relating to sections 1440 and 1441;

(2) in the section heading for section 1349, by striking ''**and acid black 172**'';

(3) in section 1434—

(A) in subsection (b)(1), by striking ''9902.29.82'' and inserting ''9902.05.30''; and

(B) in subsection (c)(1), by striking ''9902.29.82'' and inserting ''9902.05.30'';

(4) in section 1560(b)—

(A) in paragraph (1), by striking ''Commissioner of the Customs Service'' and inserting ''Commissioner of Customs''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''with high traffic volumes, significant commercial activity, and that'' and inserting ''that have high traffic volumes and significant commercial activity, and have''; and

(ii) in subparagraph (C), by striking ''shall possess'' and inserting ''possess'';

(5) in section 2005(b)—

(A) in paragraph (1), by amending the heading to read as follows: ''HARMONIZED TARIFF SCHEDULE AMENDMENT.—''; and

(B) in paragraph (2)—

(i) by amending the paragraph heading to read as follows: ''EFFECTIVE DATE.—''; and

(ii) by striking ''most-favored-nation'' and inserting ''nondiscriminatory'';

(6) in section 2103(2)(B)(ii), by striking ''date of'' and inserting ''the date of''; and

(7) in section 4002(d), by striking ''subsection (a)(1)(B)'' and inserting ''paragraphs (1)(C), (2), and (5) of subsection (a)''.

(c) AMENDMENTS TO THE TARIFF ACT OF 1930 AND THE INTERNAL REVENUE CODE OF 1986.—

(1) DEFINITIONS.—Section 801 of the Tariff Act of 1930 (19 U.S.C. 1681) is amended by adding at the end the following:

''(3) DELIVERY SALE.—The term 'delivery sale' means any sale of cigarettes or a smokeless tobacco product to a consumer if—

''(A) the consumer submits the order for such sale by means of a telephone or other method of voice transmission, the mail, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or

''(B) the cigarettes or smokeless tobacco product is delivered by use of a common carrier, private delivery service, or the mail, or the seller is not in the physical presence of the buyer when the buyens personal possession of the delivered cigarettes or smokeless tobacco product.''.

(2) INAPPLICABILITY OF EXEMPTIONS FROM REQUIREMENTS FOR ENTRY OF CERTAIN CIGARETTES AND SMOKELESS TOBACCO PRODUCTS.—Section 802(b)(1) of the Tariff Act of 1930 (19 U.S.C. 1681a(b)(1)) is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to any cigarettes or smokeless tobacco products sold in connection with a delivery sale.''.

(3) STATE ACCESS TO CUSTOMS CERTIFICATIONS.—Section 802 of that Act is further amended by adding at the end the following new subsection:

''(d) STATE ACCESS TO CUSTOMS CERTIFICATIONS.—A State, through its Attorney General, shall be entitled to obtain copies of any certification required under subsection (c) directly—

''(1) upon request to the agency of the United States responsible for collecting such certification; or

''(2) upon request to the importer, manufacturer, or authorized official of such importer or manufacturer.''.

(4) ENFORCEMENT PROVISIONS.—Section 803(b) of that Act (19 U.S.C. 1681b(b)) is amended—

(A) in the first sentence, by inserting before the period the following: '', or to any State in which such tobacco product, cigarette papers, or tube is found''; and

(B) in the second sentence, by inserting '', or to any State,'' after ''the United States''.

(5) INCLUSION OF SMOKELESS TOBACCO.—

(A) Sections 802 and 803(a) of that Act (other than the last sentence of section 802(b)(1), as added by paragraph (1) of this subsection) are further amended by inserting ''or smokeless tobacco products'' after ''cigarettes'' each place it appears.

(B) Section 802 of such Act is further amended—

(i) in subsection (a)—

(I) in paragraph (1), by inserting ''or section 4 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4403), as the case may be'' after ''section 7 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1335a)'';

(II) in paragraph (2), by inserting ''or section 3 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4402), as the case may be,'' after ''section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333)''; and

(III) in paragraph (3), by inserting ''or section 3(d) of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4402(d)), as the case may be,'' after ''section 4(c) of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333(c))'';

(ii) in subsection (b)—

(I) in the paragraph caption of paragraph (1), by inserting ''OR SMOKELESS TOBACCO'' after ''CIGARETTES''; and

(II) in the paragraph caption of paragraphs (2) and (3), by inserting ''OR SMOKELESS TOBACCO'' after ''CIGARETTES''; and

(iii) in subsection (c)—

(I) in the subsection caption, by inserting ''OR SMOKELESS TOBACCO'' after ''CIGARETTE'';

(II) in paragraph (1), by inserting ''or section 4 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4403), as the case may be'' after ''section 7 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1335a)'';

(III) in paragraph (2)(A), by inserting ''or section 3 of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4402), as the case may be,'' after ''section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333)''; and

(IV) in paragraph (2)(B), by inserting ''or section 3(d) of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4402(d)), as the case may be'' after ''section 4(c) of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333(c))''.

(C) Section 803(b) of that Act, as amended by subsection (d)(1) of this section, is further amended by inserting '', or any smokeless tobacco product,'' after ''or tube'' the first place it appears.

(D)(i) The heading of title VIII of such Act is amended by inserting ''**AND SMOKELESS TOBACCO**'' after ''**CIGARETTES**''.

(ii) The heading of section 802 of such Act is amended by inserting ''**AND SMOKELESS TOBACCO**'' after ''**CIGARETTES**''.

(6) APPLICATION OF CIVIL PENALTIES TO RELANDINGS OF TOBACCO PRODUCTS SOLD IN A DELIVERY SALE.—

(A) IN GENERAL.—Section 5761 of the Internal Revenue Code of 1986 (relating to civil penalties) is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

''(d) PERSONAL USE QUANTITIES.—

''(1) IN GENERAL.—No quantity of tobacco products other than the quantity referred to in paragraph (2) may be relanded or received as a personal use quantity.

''(2) EXCEPTION FOR PERSONAL USE QUANTITY.—Subsection (c) and section 5754 shall not apply to any person who relands or receives tobacco products in the quantity allowed entry free of tax and duty under chapter 98 of the Harmonized Tariff Schedule of the United States, and such person may voluntarily relinquish to the Secretary at the time of entry any excess of such quantity without incurring the penalty under subsection (c).

''(3) SPECIAL RULE FOR DELIVERY SALES.—

''(A) IN GENERAL.—Paragraph (2) shall not apply to any tobacco product sold in connection with a delivery sale.

''(B) DELIVERY SALE.—For purposes of subparagraph (A), the term 'delivery sale' means any sale of a tobacco product to a consumer if—

''(i) the consumer submits the order for such sale by means of a telephone or other method of voice transmission, the mail, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made, or

''(ii) the tobacco product is delivered by use of a common carrier, private delivery service, or the mail, or the seller is not in the physical presence of the buyer when the buyer obtains personal possession of the tobacco product.''.

(B) CONFORMING AMENDMENTS.—

(i) Subsection (c) of section 5761 of such Code is amended by striking the last two sentences.

(ii) Paragraph (1) of section 5754(c) of such Code is amended by striking ''section 5761(c)'' and inserting ''section 5761(d)''.

## Subtitle C—Effective Date

**SEC. 1801. EFFECTIVE DATE.**

Except as otherwise provided in this title, the amendments made by this title shall apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

**TITLE II—OTHER TRADE PROVISIONS**

**SEC. 2001. CELLAR TREATMENT OF WINE.**

Section 5382(a)(1)(A) of the Internal Revenue Code of 1986 (relating to cellar treatment of natural wine) is amended by striking ''stabilize'' and inserting ''correct or stabilize''.

**SEC. 2002. EFFECTIVE DATE FOR AGOA.**

Section 112(f) of the African Growth and Opportunity Act (19 U.S.C. 3721(f) is amended by striking ''2008'' and inserting ''2015''.

**SEC. 2003. TECHNICAL AMENDMENTS.**

(a) TARIFF ACT OF 1930.—(1) Section 431A(b)(1) of the Tariff Act of 1930 (19 U.S.C. 1431a(b)(1)) is amended by striking ''1702(17)(B)'' and inserting ''1702(17)(B))''.

(2) Section 484(a) of the Tariff Act of 1930 (19 U.S.C. 1484(a)) is amended—

(A) in paragraph (1), by amending subparagraph (A) to read as follows:

''(A) make entry therefor by filing with the Bureau of Customs and Border Protection such documentation or, pursuant to an authorized electronic data interchange system, such information as is necessary to enable the Bureau of Customs and Border Protection to determine whether the merchandise may be released from custody of the Bureau of Customs and Border Protection;''; and

(B) in paragraph (2)(A), in the second sentence by inserting after ''covering'' the following: ''merchandise released under a special delivery permit pursuant to section 448(b) and''.

(3) Section 514(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1514(c)(3)) is amended by moving the last 2 sentences 2 ems to the left as flush left text.

(4) Section 520(a) of the Tariff Act of 1930 (19 U.S.C. 1520(a)) is amended—

(A) in paragraph (1), by striking the semicolon at the end and inserting a period;

(B) in paragraph (2) by striking ''; and'' at the end and inserting a period; and

(C) in paragraph (4)—

(i) by inserting ''an importer of record declares or'' before ''it is ascertained''; and

(ii) by striking ''by reason of clerical error''.

(5) Section 557(a) of the Tariff Act of 1930 (19 U.S.C. 1557(a)) is amended—

(A) in paragraph (1)—

(i) in the second sentence, by inserting after ''the date of importation'' the following: '', or such longer period of time as the Bureau of Customs and Border Protection may at its discretion permit upon proper request being filed and good cause shown''; and

(ii) in subparagraph (A), by inserting after ''the date of importation'' the following: ''or such longer period of time as the Bureau of Customs and Border Protection may at its discretion permit upon proper request being filed and good cause shown''; and

(B) in paragraph (2), by inserting after ''the date of importation'' the following: '', or such longer period of time as the Bureau of Customs and Border Protection may at its discretion permit upon proper request being filed and good cause shown,''.

(6) Section 559 of the Tariff Act of 1930 (19 U.S.C. 1559) is amended by inserting after ''the date of importation'' each place it appears the following: '', or such longer period of time as the Bureau of Customs and Border Protection may at its discretion permit upon proper request being filed and good cause shown''.

(7) Section 562 of the Tariff Act of 1930 (19 U.S.C. 1562) is amended—

(A) in the first sentence, to read as follows: ''Merchandise shall only be withdrawn from bonded warehouse in such quantities and in such conditions as the Secretary of the Treasury shall by regulation prescribe.''; and

(B) in the second sentence, by striking ''All merchandise so withdrawn'' and all that follows through ''except that upon permission therefor'' and inserting ''Upon permission''.

(8) Section 629(e) of the Tariff Act of 1930 (19 U.S.C. 1629(e)) is amended by striking ''insuring'' and inserting ''ensuring''.

(b) TRADE ACT OF 1974.—(1) Section 135(f)(2)(B) of the Trade Act of 1974, as amended by section 2004(i)(1) of the Miscellaneous Trade and Technical Corrections Act of 2004, is amended by striking ''their establishment'' and insert ''its establishment''.

(2) Section 238(b)(1) of the Trade Act of 1974 (19 U.S.C. 2298(b)(1)) is amended by striking ''and (2)'' and inserting ''and (2))''.

(3) Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking '', other than subchapter D''.

(4) Section 291(2) of the Trade Act of 1974 (19 U.S.C. 2401(2)) is amended—

(A) by striking ''1001(5)'' and inserting ''1001(e)''; and

(B) by striking ''1308(5)'' and inserting ''1308(e)''.

(c) CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended—

(1) in subsection (b)—

(A) paragraph (1)(A), by aligning clause (iii) with clause (ii); and

(B) in paragraph (7), by striking ''paragraphs (2)'' and inserting ''paragraph (2)''; and

(2) in subsection (e)—

(A) in paragraph (2), by aligning subparagraph (B) with subparagraph (A); and

(B) in paragraph (6)(C)(i), by striking ''commonly know'' and inserting ''commonly known''.

(d) BIPARTISAN TRADE PROMOTION AUTHORITY ACT OF 2002.—Section 2107(a)(4) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3807(a)(4)) is amended—

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

(2) by striking ''paragraph (2)(B)'' and inserting ''paragraphs (2)(B)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. CARDIN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

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

Mr. THOMAS. Mr. Speaker, this is generally known as the miscellaneous trade bill. We do this virtually every year. It consists primarily of those bills that, on their own, don't have any opposition, but standing alone, would have a difficult time in the legislative process. They are important in terms of their particularities, but taken as a whole, it represents an opportunity to put together, in a bipartisan way, those requests by Members in bill form to do what is absolutely the right thing to do, and, that is, those products not available in the United States and which are primarily materials used in making goods in the U.S. that do produce value added are subject to a tariff. So all it does is add costs. It is not in competition with anything in the United States, and so to help reduce costs we put together every year this list of trade bills.

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

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

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

Mr. CARDIN. Mr. Speaker, I agree with the chairman of the committee. I think he has described this legislation accurately; that is, it contains provisions that are technical and miscellaneous in nature, but taken collectively they are very important changes in our trade laws that will help U.S. businesses, farmers, workers and consumers.

Most of the provisions in the bill suspend or reduce import duties on items that are not produced in the United States, and correct instances where Customs has overcharged for import duties. These provisions improve the competitiveness of U.S. manufacturers and provide a benefit to consumers by reducing the price of final products.

I am pleased about the process that was again used in putting together the Miscellaneous Tariff and Trade Act. Beginning in March of 2005, Chairman SHAW invited Members to introduce bills for inclusion in the miscellaneous trade package. In July, Chairman SHAW requested public comments on each of the bills that were introduced. Provisions were then analyzed by the International Trade Commission and by the administration to determine whether there were any domestic producers that would be negatively affected by the bills.

After this process was completed the final package was put together by Members and staff working in a bipartisan fashion.

I would like to thank Chairman THOMAS and Chairman SHAW and their staffs for the manner in which this bill is put together. I would urge my colleagues to support the legislation.

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

Mr. THOMAS. Mr. Speaker, I yield as much time as he may consume to the chairman of the Trade Subcommittee of the Ways and Means Committee. But prior to yielding, I would request unanimous consent that the remainder of my time also be controlled by the Chairman of the Trade Subcommittee, the gentleman from Florida (Mr. SHAW).

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

There was no objection.

□ 1815

Mr. SHAW. Mr. Speaker, today I rise in strong support, along with my colleagues, of this bill, H.R. 4944, the Miscellaneous Trade and Technical Corrections Act of 2006. The bill amends a Haphazard Tariff Schedule, HTS, of the United States, to cut certain rates of duty on a variety of products and to make technical amendments to trade law.

The body typically considers such a miscellaneous trade bill during every

Congress; and while the practice may be routine and have minimal costs, these provisions do make vital changes that are important to our businesses, farmers, workers, retailers and, of course, our consumers.

This year, in addition to cutting tariffs, there is a provision that clamps down on the illegal import of tobacco products by clarifying certain laws and increasing coordination between the U.S. Customs and statewide enforcement officials. Smuggling is a problem that affects every State, especially those with significant ports such as Florida, and cuts into the States and Federal tax and duty collection.

Mr. Speaker, H.R. 4944 enjoys broad and bipartisan support. I would like to recognize the hard work of the members and staff of both parties for their hard work on this legislation. Each provision included in this legislation has been thoroughly vetted for support, and it has been made public record for some time. The legislation we now consider raises no objection from either party and has to be determined to be administratable upon enactment.

Mr. BLUMENAUER. Mr. Speaker, I am pleased that we were able to take some small yet important steps to improve livability across the country in this Miscellaneous Trade Bill. The bill includes a section allowing three streetcars manufactured in the Czech Republic to enter the United States duty free (there are no domestic producers of streetcars). These streetcars are additions to a system in Portland, Oregon that is undergoing expansion. The current system has led to $2.2 billion in new development within three blocks of the streetcar corridor and ridership is up to 2.8 million per year.

There are also a handful of provisions that allow several types of bicycle parts and components for which there is no major U.S. producer to be imported duty free. The transportation reauthorization bill that passed last year does much to make cycling safer and more accessible to communities across the country. The provisions in this trade bill will help make bikes and accessories more affordable to the increasing number of riders nationwide, especially school children taking advantage of the new federal Safe Routes to School program.

I strongly support these provisions.

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

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

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

The SPEAKER pro tempore (Mr. REHBERG). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 4944.

The question was taken.

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

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

The yeas and nays were ordered.

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

## GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4944.

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

There was no objection.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 18 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REHBERG) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res. 354, by the yeas and nays;
H. Con. Res. 190, by the yeas and nays;
H.R. 4944, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

## EXPRESSING SUPPORT OF CONGRESS REGARDING ACCESS OF MILITARY RECRUITERS TO INSTITUTIONS OF HIGHER EDUCATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 354.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 354, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 347, nays 65, answered ''present'' 2, not voting 18, as follows:

[Roll No. 39]

YEAS—347

Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
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Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
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Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
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Inglis (SC)
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Issa
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Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
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Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
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LaTourette
Leach
Lewis (CA)
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Lipinski
LoBiondo
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Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui
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McCaul (TX)
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Oberstar
Obey
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Pickering
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Poe
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Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta

Saxton
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Schwartz (PA)
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Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
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Wynn
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Young (FL)

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Ackerman
Baldwin
Capps
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Carson
Conyers
DeGette
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DeLauro
Farr
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Honda
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Green, Al
Watt

NOT VOTING—18

Culberson
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Davis (IL)
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Emerson
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Harris
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McKinney
Radanovich
Skelton
Strickland
Sweeney
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. REHBERG) (during the vote). The Chair announces that the time for resumption of proceedings on House Concurrent Resolution 190 and on H.R. 4944 is re-designated as tomorrow. After completion of the electronic vote now in progress, no other votes are planned for today.

□ 1926

Ms. PELOSI and Ms. CARSON and Messrs. LANTOS, TOWNS, HASTINGS of Florida, DELAHUNT, ROTHMAN, MORAN of Virginia and RANGEL changed their vote from ''yea'' to ''nay.''

Ms. ESHOO and Messrs. MARSHALL, OBERSTAR, KENNEDY of Rhode Island, REYNOLDS and CROWLEY changed their vote from ''nay'' to ''yea.''

Mr. CAPUANO changed his vote from ''present'' to ''nay.''

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. KILPATRICK of Michigan. Mr. Speaker, personal business requires my presence in the congressional district, and I am unable to be present for legislative business scheduled for today, Tuesday, March 14, 2006. Had I been present, I would have voted "yea" on H. Con. Res. 354, a resolution expressing the support of Congress for requiring an institution of higher education to provide military recruiters access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds (rollcall No. 39).

Mr. FILNER. Mr. Speaker, on rollcall No. 39, on H. Con. Res. 354, I was en route from my Congressional District on official business. Had I been present, I would have voted "yea."

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4857

Mr. DICKS. Mr. Speaker, I ask unanimous consent to have my name withdrawn as a cosponsor of H.R. 4857.

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

There was no objection.

## ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. TANNER. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 4297, the tax reconciliation conference report.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4297 be instructed, to the maximum extent possible within the scope of conference, to insist on a conference report which will neither increase the Federal budget deficit nor increase the amount of the debt subject to the public debt limit.

## REPUBLICAN RECORD ON NATIONAL SECURITY

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

Ms. PRYCE of Ohio. Mr. Speaker, as Members of Congress, our first responsibility is to protect our country from all of those who wish to harm us. House Republicans have built a record of action on national security issues, supporting our military, providing for a strong national defense, and aggressively prosecuting the war on terror.

The PATRIOT Act that the President signed last week will give our law enforcement personnel the tools that they really need to continue to keep our Nation safe from terrorist threats. This week, we will take up another very important national security bill, the supplemental appropriations bill to fund the war on terror.

This bill provides for essential tools for our troops, such as armored Humvees and tracking vehicles, training for Iraqi and Afghani security forces, and it has increased oversight of war expenditures to ensure that taxpayers' dollars are spent wisely.

House Republicans remain committed to giving our troops the resources they need and funding, fighting, and winning the war on terror. We will continue to meet our obligation to defend our Nation from every threat, at home and abroad.

□ 1930

## NEW SCHOOL CONSTRUCTION

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, today I rise to reintroduce the ''Expand and Rebuild America's Schools Act,'' H.R. 4945.

This important piece of legislation would create a class of bonds that would provide for much-needed construction of new schools. The bonds will be targeted to help overcrowded, high growth rate schools that are struggling to provide a learning space for their students.

To be eligible to participate in this program, schools must be able to fulfill certain requirements: Schools must seek out more assistance from local, private businesses and corporations through public-private partnerships; they must demonstrate that programs to alleviate overcrowding have already been implemented; and they must have high growth rates and high teacher-to-student ratios.

My bill will help schools with limited financial resources combat their major overcrowding problems, and help stop the continuing infrastructure crisis in our schools.

If passed, this bill will provide local school districts with a real incentive to pass their own local school construction bonds. I urge my colleagues to join me in supporting this new school construction by cosponsoring the Expand and Rebuild America's Schools Act.

## COMMENDING NORTH CAROLINA'S EIGHTH DISTRICT AMERICAN IDOL FINALISTS

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

Mr. HAYES. Mr. Speaker, I am proud to announce that not one but two talented individuals from the Eighth Congressional District of North Carolina have made it to the final 12 on the hit show ''American Idol.'' Stanly County's Kellie Pickler and Richmond County's Bucky Covington are using their God-given talents to compete and make their dreams come true. Both Kellie and Bucky's communities are

pulling for them, watching every week and dialing and texting as many votes as possible to keep them in the competition. Their local newspapers keep everyone informed of their progress on the show and their thoughts when the cameras are turned off.

Mr. Speaker, I wish Kelly and Bucky all the best. Even judge Simon Cowell cannot deny their talent and drive to compete.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KUHL of New York). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

## THIRD CASE OF BSE IN UNITED STATES

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from Ohio (Ms. PRYCE).

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

There was no objection.

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

Mr. OSBORNE. Mr. Speaker, yesterday the United States' third case of BSE or mad cow disease was diagnosed. The first case was December 2003, which was a Canadian-born cow that was diagnosed in Washington State. The second case was last June, a cow from Texas, and now this latest case, a cow from Alabama, and it is assumed that it is at least 10 years old or older. If so, this cow was born before the 1997 feed ban went into effect, and that is significant because in 1997, it was decreed that no ruminant animal feed would be fed to livestock; and, of course, ruminant feed means it contains some parts of animal within the feed.

It is assumed BSE is acquired by an animal eating part of another animal that is BSE positive. As a result, we think that this feed ban should control the spread of BSE over time, but this apparently was an older animal that may have been prior to the ban.

Also, it is duly noted that roughly 150 people in the United Kingdom have died from a related disease to eating BSE-positive animals, so it is a concern.

So this leads to some questions:

Number one, is U.S. beef safe?

The answer is yes, despite this third case. Annually we slaughter roughly 35 million cows in the United States, and we have had three positive since 2003, and our testing system is sophisticated to the degree if there is one animal that is positive for BSE in 10 million cows, we would be 99 percent certain to find that one cow. So the testing, the surveillance has been ramped up considerably. We have tested 640,000 animals since June of 2004. Also, any animal in the United States that is slaughtered has the brains and spinal tissue removed, which is the tissue that normally carries the BSE prion.

The second question: Will this hurt beef exports from the United States?

The answer is it will certainly not help, and it may hurt to some degree. However, I think people around the world have become more familiar with BSE, what it is and how it can be prevented, and so it might not be quite as alarming as it was 2 or 3 years ago.

Japan closed their border to U.S. beef 3 years ago. The border was opened last December, and it was closed again in January due to a breach in our export procedures. So we have lost that market which is roughly $1.4 billion a year in U.S. trade to Japan. A lot of this depends on confidence on the part of the Japanese public that we have rectified the problem. So this latest case is not going to help.

Hong Kong has also suspended beef imports from one U.S. packing plant here in the United States rather recently.

That leads us to the final question: What needs to be done?

It is very important that we have animal ID in the United States. Most other countries have it. We need to be able to determine where this animal from Alabama came from, what feed yard. It has only been on this one farm for 1 year, so the previous 9 years, where was it and what animals might have been contaminated along with it? Until we have that knowledge, until we have animal ID, it is going to be very difficult for us to maintain a positive trade climate around the world. So it is imperative that we begin to work on this and get this done as quickly as possible.

## URGING CONGRESSIONAL OVERSIGHT OF IRAQ

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

Mr. EMANUEL. Mr. Speaker, in order to solve the problem, you have to recognize that you have a problem in the first place.

For 3 years, the President and his administration contended that everything was going fine in Iraq, that we were winning, and they openly questioned the motivations and the patriotism of anyone who questioned or disagreed with them.

Now we are finally getting some straight talk from people who have been in the administration since the very beginning. The U.S. Ambassador to Iraq says the country is nearing a civil war and we have opened ''Pandora's box'' by toppling Saddam Hussein.

Director of National Intelligence, John Negroponte said, ''Even if a broad, inclusive national government emerges, there will almost certainly be a lag time before we see a dampening effect on the insurgency.''

And today, General Peter Pace, the head of the Joint Chiefs of Staff said, ''The Iraqi people themselves are standing at a crossroads, and they are making critical decisions for their country right now about which road they want to take,'' whether it is going to be a civil war or the road to democracy.

These are sobering assessments, but they were a welcome change from the standard White House line of everything is fine, everything is hunky-dory, we are winning in Iraq, the road to victory is in Iraq. In fact, we are at the precipice of a civil war. We are on the doorstep of a civil war.

Now that we have this honest talk finally, we are finding from people who are telling us what the beginnings were because we did not get here by accident. We got here by people not listening to the people on the ground. Our first ambassador, Paul Bremer, writes in a recent book, even on page 10, you don't even have to finish the book, he had asked for more troops. The President of the United States, the Secretary of Defense for years maintained nobody had asked for more troops. We had enough troops, if the generals needed more troops, they would have told us. Now the lead ambassador, the point man for the President of the United States, in fact, asked for more troops.

One of the big problems we had, we had 500,000 troops to get Iraq out of Kuwait, but somehow some genius over at the Department of Defense, that is the Secretary of Defense, thought you could do it for less than 100,000, both occupy Iraq, win a war in Iraq, and do it for less than 100,000 when we needed 500,000 just to get them out of Kuwait. In fact, somebody did ask for more troops, and the President of the United States and the Secretary of Defense refused to listen to the ambassador, their point person.

That is not the only mistake they made. In fact, today, going back to one of the early days of the insurgency, we now realize from the last 2 days of The New York Times, generals were saying we had to not try to topple Iraq, we had to deal with the Feyhadeen. Otherwise, we are going to have the beginnings of an insurgency. The generals on the ground were overruled.

Again, contrary to the line, which is, we are going to listen to the generals and whatever they need, we did not listen to the generals. When we finally get to Baghdad and did finally topple the government, and there was all this chaos going on, the Secretary of Defense once again used his famous line

which is ''Freedom is messy. Sometimes it is followed by chaos,'' after a country has been headed by an authoritarian dictatorship for so long.

Every problem we are facing today, too few troops, not listening to the generals to literally suppress and put down the insurgency early on, not having a plan for the occupation, is what has gotten us to this point today, where we are on the precipice of a civil war. And all is not hindsight, Monday morning quarterbacking. At the very time these problems were emerging, people said you are doing the wrong thing. And the Secretary of Defense and the President of the United States and others around his administration refused to listen.

And this Congress has acted like the ''hear no evil, see no evil'' Congress. We have $10 billion on Iraq reconstruction that nobody can account for, and there have been no hearings and no accountability by the administration. Paul Bremer has not asked to come up and tell us what happened when he said he needed more troops. What happened to the generals when they said we have to put down the insurrection?

Yet, this Republican Congress refuses to hold anybody's feet to the fire, refuses to ask any question, ask the questions and get the answers for the people that we represent want to know.

On page 10 of ''My Year in Iraq,'' Bremer writes that he was alarmed by a RAND Corporation report stating we did not have enough troops on the ground to stabilize the country. Bremer continues, ''I found the conclusions persuasive. And troubling. That afternoon, I had a summary of the draft copied and sent down the corridor to Don Rumsfeld. 'I think you should consider this,' I said in my cover memo. I never heard back from him about the report.''

Troop levels were not increased. The Feyhadeen were never put down. We have lost $10 billion, never to be accounted for, and we never had a plan for the occupation we have today. And now we are the precipice of a civil war.

Mr. Speaker, we can do better than this. These problems that are repeating in Iraq where nobody is held accountable and nobody is asked questions are not isolated to the problems of Iraq. Look at Hurricane Katrina and all of the trailers down there and the money wasted. Again, nobody was in charge. Nobody listened, and American taxpayers' hard-earned dollars are seen wasted away.

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

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

## MURDER IN NEW YORK

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

Mr. POE. Mr. Speaker, Imette St. Guillen had everything going for her. She graduated with honors from George Washington University. Upon graduation, she moved to New York City to pursue her master's degree. She was an honors graduate student at John Jay University studying criminal justice. She had great grades, great friends, and she had her whole life ahead of her.

But 5 days short of her 25th birthday, in the early morning hours of February 25, 2006, Imette went with her friends to a local Manhattan watering hole.

□ 1945

Around 3 a.m. one of her friends decided it was time to leave. But she stayed behind and later traveled to another bar down the street. It was called the Falls Bar. According to reports, St. Guillen remained at the Falls Bar until last call, where she was asked to leave.

Witnesses say that she was last seen being walked out of the bar by one of the bouncers, his name Darryl Littlejohn. Seventeen hours later her abused body was found wrapped in a quilt and thrown in a marshy area in East Brooklyn. A white sock had been stuffed down her throat, her face had been sealed with duct tape, her ankles and wrists were bound with plastic ties. An autopsy showed that she had been sexually assaulted and strangled.

DNA tests showed that Darryl Littlejohn's blood was found on plastic ties that were used to tie Imette's hands behind her. More circumstantial evidence links Littlejohn to this murder.

So who is Darryl Littlejohn? He is a bouncer at a bar, but he is more. He is a bouncer who has been violating his parole because he stays out past 9 o'clock p.m. violating his curfew. He is also a career criminal. He grew up in Queens, amid drugs and gangs. He was first convicted of armored robbery at the age of 16, later served prison terms ranging from 2 to 4 years and then a 10-year term for armed bank robbery. His fifth stint in prison for a Long Island bank robbery was committed just after 3 months of being on parole from the previous trip to the penitentiary.

His career criminal history includes seven felony convictions for armed robbery, assault, drug dealing, weapons possession and more. He was paroled in 2004 where he was sent to live with his mother. His neighbors described him as being intimidating and had a hot temper. If convicted in this case, he can add murder and rape to his long list of criminal conduct. But hopefully this time the judges will get his punishment right.

Mr. Speaker, an innocent woman was brutally slain and the prime suspect that is linked to her by DNA is a former seven-time ex-convict. As a former criminal court judge in Texas, it is clear to me that the sentences were not harsh enough to begin with. Judges must understand their responsibility to punish those violent individuals that come to their courtrooms. We need to lock them up. That is why we build prisons.

According to the New York Daily News, Littlejohn was formerly denied patrol with the following statement by the Parole Board. It was said: ''You are violent and out of control. Your behavior shows you are a menace to society. Your continued incarceration remains in the best interest of society.''

Additionally, according to the Boston Herald, when Littlejohn was released on his latest parole, he was to be watched by parole officers until 2007. But last Friday, officials admitted they failed to monitor even a single day of the postprison wanderings due to some clerical error.

Imette St. Guillen lost her life in a grisly and gruesome murder. This crime could have been avoided, but this catch-and-release policy puts dangerous criminals and demons back on the streets. How many crimes does a felon have to commit before we learn some folks need to be behind bars indefinitely?

Judges have a moral and legal responsibility to punish violent criminals and make them our prisoners, rather than us continuing to be their prisoners. And when a criminal gets to the penitentiary, keep them there. Judges need to quit living in the land of excusable conduct and justifying the menacing misdeeds of malcontents. Criminals should pay for their crimes, not victims like Imette St. Guillen. Street terrorists like Littlejohn are just as much a threat as insurgents in Iraq. Both types of terrorists are a homeland security issue, and both should be brought to American justice.

Mr. Speaker, that's just the way it is.

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

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

## IRAQI WOMEN DELEGATION

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of turn.

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

There was no objection.

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

Ms. WOOLSEY. Mr. Speaker, there haven't been any front-page articles in the newspapers about it. Time, Newsweek, and U.S. News and World Report haven't covered it either. And the big news channels are pretty much silent.

But the fact that a group of courageous Iraqi women came to the United

States last week to tell their stories is nothing short of remarkable. To get here, they had to brave the treacherous 500-mile stretch from Baghdad to Amman, Jordan. Then they had to clear U.S. Customs, no easy undertaking, and fly from Amman to New York.

The stories they shared when they visited the Halls of Congress were both strikingly sad and extremely valuable. But you wouldn't know it unless you had met with them personally, because the American media has hardly reported a single word they said.

Too often in this Chamber we have heard that the media isn't doing a good enough job of covering the war in Iraq. Well, you know what? They are right. The media isn't doing a good enough job. The media isn't reporting about the destroyed hospitals, roads and schools, not to mention the shattered lives, shattered lives throughout Iraq.

The media isn't talking about the tens of thousands, maybe hundreds of thousands, of Iraqi civilians who have been killed over the last 3 years of war and occupation. And they are not telling us that some 50 percent of those killed have been women and children, or that thousands of Iraqis have been unnecessarily detained or have gone missing.

But the women who flew from Amman to New York talked about what is really happening in Iraq, about some of the burdens they bear every day as a result of our politics there.

One of these women was Faiza Al-Araji, a mother of three from Baghdad. Faiza's son, Khalid, was a student at Baghdad University. Last year he was arrested by officials from Iraq's Ministry of the Interior for no apparent reason. He was never charged with a crime and his family was not told about his whereabouts for 3 days. To secure her son's release after Khalid was finally allowed to call home, Faiza had to pay a ransom to the Ministry of the Interior.

As if she hadn't already suffered enough, last year, gunmen put a rifle to Faiza's head and stole her car. When she told a group of American soldiers what had just happened, they told her, There is nothing we can do. When she told her story to the Iraqi police, they told her, I am sorry, my sister, but there is nothing we can do.

Mr. Speaker, we have nearly 150,000 soldiers stationed throughout Iraq, many of them in Baghdad. If they can't keep the Iraqi people safe, and if the local police can't keep them safe, why are we there?

After going through these ordeals, Faiza and her family moved to Amman, Jordan where it is safer. She has dedicated herself to telling the truths about Iraq, the truths that our media isn't telling us.

Mr. Speaker, I would encourage anyone watching tonight to visit Faiza's blog, www.afamilyinbaghdad.blogspot.com.

Sadly, what Faiza and the rest of the Iraqi women's delegation have revealed is what many of us have suspected for months, that an Iraqi civil war isn't imminent; it is going on right now, right before our very eyes. Shiite and Sunni militias have been fighting each other and targeting innocent civilians for months. Well more than 2,000 people have been killed since the bombing of the famed gold-domed Shiite shrine in Samarra last month. And the situation will not get better until we bring our troops home.

Mr. Speaker, how many more innocent Iraqis, mothers, fathers and their children need to be killed before we realize that our policies in Iraq are not working?

How many more of our troops have to be killed before we bring them home?

Faiza and the rest of the Iraqi delegation know that it is time for our troops to leave. Nearly two-thirds of the American people share this belief. It is time for Congress to catch up.

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

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

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

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

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

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

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

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

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## REVISIONS TO THE ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEAR 2006

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

Mr. NUSSLE. Mr. Speaker, I am transmitting a revised table for the current level status report published in the CONGRESSIONAL RECORD on February 1, 2006. As published, the table that compares the current levels of discretionary appropriations for fiscal year 2006 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees distributes the supplemental appropriations contained in the Defense appropriations act to the subcommittees that have jurisdiction over those matters. As revised, the table applies all supplemental appropriations to the subcommittee on Defense because they were contained in the regular Defense appropriations act rather than in a freestanding measure.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2006—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

| Appropriations Subcommittee | 302(b) suballocations as of November 2, 2005 (H. Rpt. 109–264) | | Current level reflecting action completed as of January 27, 2006 | | Current level minus suballocations | |
|---|---|---|---|---|---|---|
| | BA | OT | BA | OT | BA | OT |
| Agriculture, Rural Development, FDA | 17,088 | 18,691 | 17,031 | 18,747 | −57 | 56 |
| Defense | 403,280 | 372,696 | 393,131 | 406,132 | −10,149 | 33,436 |
| Energy & Water Development | 30,495 | 30,273 | 30,495 | 30,696 | 0 | 423 |

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2006—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS—Continued

[In millions of dollars]

| Appropriations Subcommittee | 302(b) suballocations as of November 2, 2005 (H. Rpt. 109–264) | | Current level reflecting action completed as of January 27, 2006 | | Current level minus suballocations | |
|---|---|---|---|---|---|---|
| | BA | OT | BA | OT | BA | OT |
| Foreign Operations | 20,937 | 25,080 | 20,937 | 25,213 | 0 | 133 |
| Homeland Security | 30,846 | 33,233 | 30,846 | 33,184 | 0 | −49 |
| Interior-Environment | 26,159 | 27,500 | 26,159 | 28,760 | 0 | 1,260 |
| Labor, HHS & Education | 142,514 | 143,802 | 142,514 | 143,848 | 0 | 46 |
| Legislative Branch | 3,804 | 3,804 | 3,804 | 3,809 | 0 | 5 |
| Military Quality of Life-Veterans Affairs | 44,143 | 81,634 | 44,143 | 41,803 | 0 | −39,831 |
| Science-State-Justice-Commerce | 57,854 | 58,856 | 57,854 | 58,537 | 0 | −319 |
| Transportation-Treasury-HUD-Judiciary-DC | 65,900 | 120,837 | 66,518 | 121,433 | 618 | 596 |
| Unassigned | 0 | 430 | 0 | 0 | 0 | −430 |
| Total (Section 302(a) Allocation) | 843,020 | 916,836 | 833,432 | 912,162 | −9,588 | −4,674 |

## PEAK OIL PRODUCTION

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

Mr. BARTLETT of Maryland. Mr. Speaker, this is a historic event for me personally because it was just one year ago this date that I first came to this floor to talk about the subject of peak oil. As a matter of fact, that subject was so new that when we were preparing to give that first talk, we were debating should we talk about the great rollover or should we talk about peak oil.

The great rollover refers to that peak of the curve when it rolls over and you start down the other side of that consumption curve, which is the availability curve of oil. We finally decided that the proper designation to use was ''peak oil,'' and I guess that most other people who are talking about this subject have decided the same thing, because in this year, Mr. Speaker, just about everybody is talking about peak oil.

We looked at the statistics for last year and found that oil has increased about $10 a barrel, about 52 or 53 last year, 62 or 63 this year. Gasoline, I think, was about $2.05 last year. Now it is up and down a little, but $2.35, $2.45. Local stations where I live it is now $2.45.

A couple of very interesting things have happened in this last year. Oh, I have another document here, Mr. Speaker, which is about another very historic event; and it was 50 years ago, the 8th of this month, and I am sorry that I didn't know that date last year or I would have tried to do my first Special Order on peak oil on the 8th of March, because it was just 50 years ago on the 8th of March that M. King Hubbert gave his very famous talk at the spring meeting of the Southern District of the Division of Production of the American Petroleum Institute, Plaza Hotel, San Antonio, Texas. And this was a startling article. It is now very historic. This was in 1956.

In that speech, he predicted that the United States would peak in its oil consumption in about 1970. He did that with words. He did that with graphs, and he showed the graphs of the use of oil up to that time in 1956 and how much oil he thought that the United States would find and, therefore, when we would peak in oil production.

He was able to do this, Mr. Speaker, because he had watched the exploitation and exhaustion of individual oil fields, and he found that they all followed a very similar pattern. The oil production increased until it reached a maximum. That maximum production was, for most fields, about the halfway point of all the oil that you would get out of the field. And after reaching that maximum, no matter how vigorously you pumped that field, the production fell off steadily until at the end of the exhaustion of the field it reached a zero. And he theorized that if he knew how many individual fields there were in the United States, he could predict when the United States would peak in oil discovery.

This is a long paper with a lot of math in it. This wasn't just some intelligent guesses from looking at the data. He did a lot of mathematical analysis. Here is one of his graphs, for instance; and we have a larger one that we will show you in a minute. But this graph shows that he expected a peak about 1970. That was 14 years after he made this prediction.

So this tonight for me is a historic event because it is 1 year since I gave the first speech here on this subject. Since then I have given nine others. This will be the 10th since then and the 11th overall.

About the time I started this, 30 prominent members of our society, and let me put up a chart that shows that here for just a moment and then we will come back to two things that have happened in this year, which are really very interesting.

These numbers encouraged 30 prominent members of our society, including Boyden Gray and McFarland and Jim Woolsey and Frank Gaffney and 26 others, a number of retired four-star admirals and generals, to write a letter to the President saying, Mr. President, the fact that we have only 2 percent of the world's oil reserves and we consume 25 percent of the world's oil, and import about two-thirds of what we use, is a totally unacceptable national security risk; and, Mr. President, we have to do something about that.

□ 2000

I just want to show one chart here. Then I will introduce my colleague, and I will read a little paragraph from a recent report before doing that.

This is the curve that M. King Hubbert predicted in this article, reprinted here from 50 years ago, an article and a speech. The smooth green curve here was his prediction. The larger symbols, where the actual data points, and you see that right on target, we peaked in about 1970.

The red curve is the Soviet Union. They had a bit more oil than we. They peaked a little bit after us. Then they kind of fell apart when the Soviet Union dissolved, and they did not reach their potential. There will be a second little peak now, but they are nowhere near their former peak. They reached peak oil some time ago.

Mr. Speaker, in fact, I think 33 of the 45 countries in the world that produce oil have already passed their peak. Many others are at their peak or rapidly approaching it.

I want to read briefly from a new study, and this is one of the two really interesting things that have happened in the past year. One was a study by SAIC funded by the Department of Energy. I have some charts in a few moments that I will show, some of the comments that they made. There is another study that has just come out. Although this is not a brand-new study, the date on this study is September 2005. This is dated September 2005; but for some reason, it has not been released from the Pentagon.

This was done by the U.S. Army Corps of Engineers, and I am going to read from it a little later. Ordinarily, I don't read, but I haven't had time to make charts of this. I think this is so interesting and so startling, and it just came out. Yesterday, I think, may have been the first day; and for most people today, this was the first day they could get a hold of it.

Mr. Speaker, let me read you something, from that article and this will introduce my colleague, WAYNE GILCHREST, who said he would be happy to come down and join me in this talk, if he could talk about global warming. I said, WAYNE, that is exactly what the Corps of Engineers was talking about.

Let me read what they said here: ''Worldwide consumption of fossil fuels

and its coincident and environmental impact continues to grow.'' The Earth's endowment of natural resources are depleting at an alarming rate, exponentially faster than the biosphere's ability to replenish them.

Mr. Speaker, I would remind you that this is not an article from some environmental journal. This is from a report, which has kind of been kept under cover now since last September, just released. I think that it was inadvertently released, by the way. But now that it is out, you can get a copy of it. This was done by the Corps of Engineers. This is a U.S. Army publication. The Earth's endowment of natural resources are depleting at an alarming rate, exponentially faster than the biosphere's ability to replenish them. It took nature 100 million years to create the energy the world uses in 1 year. Fuel consumption affects the global climate with the production of greenhouse gases and localized production of acid rain, low-lying ozone, and smog.

Mr. Speaker, this is not from some environmental journal; this is from the U.S. Army Corps of Engineers. Mining and production of fuels destroy the ecosystems and biodiversity. The loss of habitat is leading to localized extinction of species. This reduction of biodiversity results in greater vulnerability of the planet to ecological stresses.

Mr. Speaker, I would like to digress for just a moment to note how wise this observation is. There may be a species that you don't think has much environmental impact; but when you lose that, you have lost a gene pool that for one reason or another we may need to go back to in the future.

I just want to give one little example of this in agriculture. To produce hybrid corn, you have to have male and female. You have to take the tassels, that is the male part of the corn. You have to take the tassels off the top parts of the stalks whose ears you want fertilized by the male from the other corn.

For many years they hired college students to go through and break the tassels off, always a chore because some came out later and you could not have a tassel here or there which was going to fertilize the other ears, the female part of the silk.

They discovered what they call a Texas male-sterile cytoplasm. When they put this gene in the corn, the male was sterile. They didn't have to go through the field and pull off these tassels. There was a blight, I think it was, that struck all plants that had the Texas male-sterile cytoplasm. We couldn't produce any hybrid corn the way we ordinarily produce it.

If it weren't for Hawaii, where we could go to produce two generations of corn, you see, we had to go back to the old gene pool that we were no longer using. We went back to that older gene pool, and they went to Hawaii where you could produce two crops of corn in 1 year.

Over the winter season, they produced two crops of corn so that we would have enough seed so that we could do the planting in this country, but still the seed was somewhat scarce and considerably more expensive. This reduction of biodiversity, they said, results in greater vulnerability of the plants to ecologic stress. If the gene pool is not there, you cannot go to that gene pool for more diversity.

Waste from nuclear power generation plants is accumulating, and no viable means exist to safely and effectively dispose of them. Current energy policies and consumption practices are not sustainable. They clearly limit, boy, this is quite a statement, they clearly limit and potentially eliminate options for future generations. Mr. Speaker, just think for a moment what they are saying. They clearly limit and potentially eliminate options for future generations.

Mr. GILCHREST, a discussion of climate change and global warming is perfectly appropriate and anticipated by this report from the Corps of Engineers.

I would yield to you, sir.

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Maryland for yielding.

Mr. Speaker, just to support Dr. BARTLETT's assertions on peak oil that he has so eloquently and scientifically presented here on the House floor for about a year now, Mr. BARTLETT is looking at the security problems of peak oil, the economic viability problems with peak oil, and the environmental problems of peak oil. Dr. BARTLETT mentioned a report from the Army Corps of Engineers in which it says in part that we are using or burning in decades, in about the last 50 years, what we have used as far as fossil fuel, especially where oil is concerned, for our transportation needs that it took nature millions of years to lock up.

What does that mean? That means that we are releasing into the atmosphere greenhouse gases, in this case specifically carbon dioxide in a few short years, what took the geologic forces of the planet to take out of the atmosphere in millions of years. Is there a potential for climate disruption as a result of that scenario? The answer is yes.

Human beings, in the last century or so, or in the Industrial Age, have become a factor in the heat balance of the planet. Heretofore, the only factor that could contribute to the heat balance of the planet, the greenhouse effect of the planet, the warming, the cooling, the various cycles, the storm cycles of the planet, were natural geologic forces. The oceans, the land mass, the tectonic plates, volcanoes, those kinds of massive, natural geologic forces have shaped the way the planet looks today.

What we are seeing, and what Mr. BARTLETT is talking about in his discussions on energy usage, is that in the latter part of the Industrial Revolution, human beings and their activities are a geologic force, because we are putting into the atmosphere in decades what it took the natural forces millions of years to lock up. We human beings, in our activity, are a geologic force affecting the climate, affecting the atmosphere.

If we went back to James Watt in 1769, we would see through various scientific methods that there was about 280 parts per million of $CO_2$ in the atmosphere, 1769. About 100 years later, 100 years after that, 1895, partly because of natural warming, the climate has been warming since the Ice Age, there were 290 parts per million, 100 years after James Watt discovered the steam engine; and we know that the steam engine enabled us to burn coal in greater abundance than we had prior to that.

Mr. BARTLETT of Maryland. Mr. Speaker, if the gentleman would yield for just a moment, I would like to note that during the Christmas break, because I am a senior member of the Science Committee, I went down to Antarctica to our experiment station down there at the South Pole. That is about as far away as you can get from any factory that is burning fossil fuels. The $CO_2$ you measure there is going to be probably lower than the $CO_2$ any place else; and it will fairly represent the base for $CO_2$ increase, and they will give you a chart there, they have now been following this, charting this for a number of years. They will give you a chart which shows exactly what you said, that the $CO_2$ is rapidly increasing.

They have done corings of the ice pack there, and it goes back for tens of thousands of years. It is a desert down there with about 2 inches of precipitation a year, but it has been accumulating so long that the ice is almost 2 miles thick in the middle of the continent, up about 10,000 feet.

When we go back to those corings, they can find the $CO_2$ level of the atmosphere, because ice is totally impervious to $CO_2$, and it is trapped there. They can find the level of $CO_2$ in the atmosphere, and they can judge from the pollen and so forth what the temperature of the Earth must have been, because there was more growth.

They have found that every time in the past that there was an increase in temperature this was accompanied by an increase in carbon dioxide. You are exactly right. They have now been measuring this, I think, in the best place of the Earth to measure it. That is at the South Pole, which is as far as you can get away from any place where they are burning fossil fuels.

I thought this would be interesting. It would just emphasize what you have been saying that the $CO_2$ is increasing in our atmosphere.

I yield back to you again, sir.

Mr. GILCHREST. Mr. Speaker, I thank the gentleman.

Mr. BARTLETT and I a few years ago traveled together to the Antarctic to

McMurdo Station and the South Pole. It is a fascinating, majestic place, a little harsh, but nature in the raw seldom mild.

I will say it is an arduous trek, even in this day and age, to Antarctica. I want to compliment the gentleman for taking a second trip down there.

I will briefly conclude on the correlation of increase in $CO_2$ in the atmosphere that has a direct effect on the heat balance of the planet. In the first 100 years of the Industrial Revolution, $CO_2$ increased by about 10 points, 280 parts per million, to 290 parts per million. If you look at the third generation of the Industrial Revolution, which ends with us, about 100 years from 1890, the latest calculation in 2003 was 370 parts per million.

That is increasing. Look at the last 100 years of increasing $CO_2$, which is 100 parts per million increase.

Mr. BARTLETT of Maryland. Mr. Speaker, if the gentleman will yield again, you are talking about this exponential increase. It reminded me of a very interesting and startling statistic.

Up until the Carter years, every decade, the Earth used as much oil as had been used in all of previous history. That slowed down after the crash of the 1970s and so forth. Up until then, each decade, we used as much oil as had been used in all of previous history. What that meant was that when you had used half of all the oil in the world, that just 10 years of oil would remain.

□ 2015

Now we are better than that today, because we have slowed down. I am going to read you some numbers in a few minutes from this report from the Corps of Engineers.

But you were talking about exponential increase, and this was a startling example of exponential increase, and fortunately, we are more efficient today and we have slowed down, or we would be in bigger trouble than we are. May the gentleman continue?

Mr. GILCHREST. I would agree with the gentleman, we continue with a sense of urgency. We should continue with a sense of urgency, that efficiency is one of the components to stave off a really very difficult economic time period if we do not find alternatives to fossil fuel.

One last item about the chronology of increasing $CO_2$. As $CO_2$ increases, the temperature of the planet and the corresponding manner has also increased. And if you look at the increases in $CO_2$, they cannot be shown with natural influences of the planet.

When you take a mathematical calculation as to the cycles of $CO_2$ in the atmosphere and where it comes from, the natural process will add, and has been adding $CO_2$, over the last 10,000 years. In a corresponding way, the temperature of the planet has continued to increase over the last 10,000 years.

But if you take the amount of $CO_2$ with the natural influences, it does not account for the dramatic increase in $CO_2$ that we have seen over the last 100 years. And so if we are looking at environmental conditions, energy independence, economic viability with a positive alternative energy source, there is a sense of urgency that I think Congressman BARTLETT has brought to this House and to the Nation.

Mr. Speaker, I thank the gentlemen for yielding.

Mr. BARTLETT of Maryland. Thank you very much. I appreciate you coming down and joining us.

Mr. Speaker, I wanted to come back again to this very historic document, this speech that was given by M. King Hubbert, just 50 years and a few days ago, and because this is so important, Mr. Speaker, I would like to place this in the RECORD at this point.

Mr. Speaker, I want to return to these numbers here, the 2 percent of world oil reserves, the 25 percent of the world's oil which we use, and the roughly two-thirds which we import. I want to look at a couple of other numbers here.

We produce 8 percent of the world's oil. And we do that from only 2 percent of the reserves. What that means is we are pumping our oil pretty quickly. In a couple of minutes, I am going to read you a statement from this report from the Corps of Engineers, it startled me when I read it, that talks about relationship here.

We represent a little less actually than 5 percent of the population of the world. And I want to read something else here from this report, from the Corps of Engineers. It is understood a subheading called ''Security.''

You will remember, Mr. Speaker, that it was security that these 30 people wrote to the President about, national security. ''In an age of terrorism, combustible and explosive fuels along with potential weapons-grade nuclear materials create security risks. The United States currently has 5 percent of the world's population, but uses 25 percent of the world's annual energy production.

''This disproportionate consumption of energy relative to global consumption causes loss of the world's good will.''

You need to think about what they are saying for a moment. A summer ago, I was in Europe on a trip visiting the major shipyards there. And at one of the events, one of the Europeans mentioned to me, you mean gas is still only $2 a gallon in your country, it was about $2.05, still $2 a gallon in your country?

His tone was somewhere between anger and disdain. And I thought of that comment when I read this statement. ''Causes loss of the world's good will and provided a context for potential military conflicts at the cost of lives, money, and political capital. A more equitable distribution of resources is in our best interest for a peaceful future.''

That is a very wise observation, I think, Mr. Speaker. What they are saying is that our disappropriate use of these resources, only 5 percent, actually less than 5 percent of the world's population, one person out of 22, using 25 percent of the world's energy has not gone unnoticed. And they note here that it causes a loss of the world's good will.

So in addition to providing for our national security, by freeing ourselves from our dependence on foreign oil, it will increase the good will that the United States has in the world, is what they are saying here, and I think that is correct, Mr. Speaker.

There were two things that happened in this past year that confirmed my concerns. And by the way, I need to say this evening, Mr. Speaker, what I say every time I speak about this, and that is that I hope I am wrong. I hope that all of these experts, I hope that this study by the Corps of Engineers is wrong. I hope the Hirsch report is wrong, because if they are not wrong, and if I am not wrong, I think we are in for a very bumpy ride as we transition from the fossil fuels to the renewables.

Two things happened in this last year. One was this study that was done last September, dated then, but just came out now. You have to wonder a little, Mr. Speaker, why it was kind of kept under wraps for this long.

And the other thing that came out was a study funded by the Department of Energy done by the very prestigious SAIC organization. Dr. Robert Hirsch, was the principal investigator on this, and it is generally called the Hirsch report.

If you do a Google search, you can find the Hirsch report. Here are some comments from their report. The peaking of world oil production presents the United States and the world with an unprecedented risk management problem. As peaking is approached, liquid fuel prices and price volatility will increase dramatically, and without timely mitigation, the economic, social and politically costs will be unprecedented.

Let me read now, while that is up there, a quote from this report by the Corps of Engineers. ''The days of inexpensive, convenient, abundant energy resources are quickly drawing to a close.'' When I read that, Mr. Speaker, I was reminded of an introductory sentence in a report by Matt Savinar, that you can find if you do a Google search for peak oil, and then click on Matt Savinar.

And the first little sentence of his report says, ''Dear reader, civilization as we know it is coming to an end soon.'' My wife read that and said the guy is an idiot, I am not going to read any further, and I said, please reserve judgment and read on.

And she did. And by the time she finished reading it, she was genuinely frightened. If you will click on Matt Savinar, you will get about 11 pages. If you then click on page 2, you will then get another 33 pages. That is well worth doing. Because there he discusses all of the potential alternatives

and the pluses and minuses of these alternatives.

Matt Savinar, Mr. Speaker, may be audacious, but he is not an idiot. Domestic natural gas production, reading again from the Corps of Engineers study, and listen to these numbers. They are striking and frightening. Domestic natural gas production peaked in 1973. The proved domestic reserve lifetime for natural gas at current consumption rates is, what do you think? Is about 8.4 years.

Maybe that is why gas is $6, $7, it has been $12 and $14 for 1,000 cubic feet. The proved world reserve lifetime for natural gas is about 40 years, but will follow a traditional rise to a peak and then a rapid decline, like the curve that we saw a few minutes ago for oil.

Domestic, that is the United States oil production, peaked in 1970 and continues to decline. In spite of feverish drilling in the 1980s and in spite of Prudhoe Bay, it continues to decline.

Now this is a number, in this next sentence, which shocked me, but I saw it twice in their report, so I am guessing it is not a typo. Proved domestic reserve lifetime for oil is about 3.4 years.

Now that gets us back to that we have only 2 percent, we are producing 8 percent of the world's oil. We are really good at pumping oil. We have been so good at pumping oil, we have drilled, by the way, 530,000 oil wells in this country.

Saudi Arabia has roughly 400, Iraq has maybe 300. We are really good at pumping oil. The Corps of Engineers say that we have 3.4 years remaining. World oil production is at or near its peak. They believe we are either at peak oil or very near peak oil.

And current world demand exceeds the supply, and that is why oil is $62 a barrel today rather than the $10 a barrel it was a relatively few years ago. Saudi Arabia is considered the bellwether nation for oil production. And it has not increased production since April 2003.

A few months ago, the Saudi Arabia oil sheik was over in our country talking to the President. And you may have noticed from the news that he did not, I think the proper verb is could not, promise the President that the Saudis would increase oil production.

One of the current experts in this area is Matt Simmons, who runs one of the largest, if not the largest energy investment bank in the world, personal energy advisor to the President, I think in both of his campaigns. And Matt Simmons had gone to Saudi Arabia, gone to the library, gone through a great deal of material there, and he has written a book with the interesting title, Twilight in the Desert.

He believes, as the Corps of Engineers believes, that the Saudis have probably reached their maximum oil production. The great oil field, the granddaddy of all oil fields, Garwar, probably reached its peak production several years ago.

After peak production, supply no longer meets demand. Prices and competition increase. World proved reserve lifetime for oil is about 41 years.

Now, Mr. Speaker, this is not 41 years at current use rates and then you fall off a cliff. We are going to follow that traditional bell curve, the curve that the United States has been following. We are well down the other side of Hubbert's Peak now, we are going to follow that curve.

There will still be a lot of oil available 40 years from now, but in greatly reduced amounts, and probably by the end of the century, we will have gone through or very close to being through the age of oil.

Most of this they say, of the oil for this 41 years, is that declining availability. Our current throw-away nuclear cycle, and here is another number that surprised me, our current throw-away nuclear cycle will consume the world reserve of low cost uranium in about 20 years.

That, Mr. Speaker, is at current use rates. If we build more nuclear power plants, the use rate will go up and it will last less than that. That does not mean that we cannot have nuclear power 25 years from now, what it does mean is it is going to cost more, and we are probably going to have to go to breeder reactors. France and Japan are already doing that, so it is not like we would be plowing new ground.

Unless we dramatically change our consumption practices, the earth's finite resources of petroleum and natural gas will become depleted in this industry.

I think there may be a little at the end of the century, but it is going to be a very small amount compared to what we are now pumping.

□ 2030

We may, Mr. Speaker, long before that, decide that it is really not very bright to burn this gas and oil you remember which is the feed stock for a very important petrochemical industry.

We really live in a plastic world. And if you look around you and see how much of your automobile, how much of your office, how much equipment you buy is made from oil, it is just everywhere.

Coal supplies may last into the next century. If we can find that coal chart, I would like to look at that. Coal supplies may last into the next century depending on technology and consumption trends as it starts to replace oil and natural gas. This is a very correct statement. It may last into the next century, but only if you keep using at current use rates. It will last 250 years with current use rates. You see on the abscissa here, 250 years. But if you increase the use of oil just 2 percent, that is not much, if you increase the use just 2 percent, it reduces the supply to 85 years.

When Albert Einstein was asked after the discovery of nuclear energy and the detonation of the nuclear bombs, Dr. Einstein, what will be the next big energy discovery in the world? And he says, it is already discovered. The most powerful force in the universe is the power of compound interest. That is exponential growth. Just 2 percent exponential growth doubles in 35 years. And that reduces the 250 years with no growth to only 85 years with 2 percent growth; and then when you recognize that much of the use that you will have to make of that energy cannot just be coal. We will have to do in our country, and the world will have to do, what Hitler was forced to do in World War II and that is to make oil and gas from coal; and the technology for doing both of those is readily apparent.

As a little boy, we did not have electricity in our house until I was near a teenager, and we used what was universally known then as coal oil lamps. And after other people were calling them kerosine lamps, we still called them coal oil lamps because the oil used in the original lamps, the oil that replaced whale oil, saved the whales, thank goodness, when we learned to get oil from coal, was called coal oil.

When you use enough energy to convert the coal into an oil or a gas so you can use it, now it is shrunk to just 50 years. So their statement that it may last depending upon use is a very correct statement.

They say we must act now to develop the technology and infrastructure necessary to transition to other energy sources. Policy changes, leap-ahead technology, breakthroughs, cultural changes, and significant investment are requisite for this new energy future.

Time is essential to enact these changes. The process should begin now. Just back for a moment to the Hirsch report. That is not what they said. What the Hirsch report said, and I do not have those charts with me, they said unless you start 20 years before peak oil, there are going to be meaningful economic consequences.

Here are some other quotes from the Hirsch report. World oil peaking is going to happen. The study by the Corps of Engineers says that, in other words, it is not ''if,'' it is ''when''; and they believe that it is now or very shortly in the future. World production of conventional oil will reach a maximum and decline thereafter. That maximum is called the peak.

A number of competent forecasters project peaking within a decade. And now to that list has been added the Army Corps of Engineers. Others contend it will occur later, few in this category. Prediction of the peaking is extremely difficult because of geological complexities, measurement problems, pricing variations, demand elasticity, and political influences. Peaking will happen, but the timing is uncertain.

Oil peaking presents a unique challenge. This is a startling statement. The world has never faced a problem like this. Maybe that is why our government has not claimed ownership of either the Hirsch report or the study

by the Corps of Engineers. As a matter of fact, they have asked for a new study. The results of these are so startling, Mr. Speaker, and they indicate that we should have a number of years ago begun addressing this problem, and to make sure that we need to invest time, energy, and money and so forth that is going to be required if we are going to make this transition.

I understand the desire of the administration to make sure that this is real so that now they have commissioned another study by the National Petroleum Council. If they are looking at the same data these other two studies looked at, they should reach the same conclusion. It is not like the Department of Defense is not doing anything, because the Department of Defense Under Secretary for Acquisition Technology and Logistics and the Office of Force Transformations is sponsoring a new interagency monthly series of seminars entitled ''Energy, A Conversation About Our National Addiction.'' And they are borrowing the President's word from his speech when he said we are ''addicted'' to oil.

By the way, recovering from addiction to most things requires some trauma, and I think that there will be sufficient trauma here in breaking our addiction to oil. The Department of Defense is the single largest buyer of fuel in the United States, so I am really glad that they have initiated this series of seminars. The first speaker is Jim Woolsey, and I think the second month I will be the speaker at this series of discussions.

Back to comments, and again I apologize for reading, but I have not had a chance to make charts, and these are such significant comments because the Hirsch report said, and it has been out for several months now, and we have been saying this, Mr. Speaker, this is now the 11th time that I have come to the floor to talk about peak oil. A year ago I was kind of a lone voice. As I mentioned, we were debating should we call it ''peak oil'' or the ''great rollover.'' But since then, peak oil has found its place in the common jargon and many people are talking about it, and I am really pleased that these two major studies are saying the same thing that we thought the evidence was saying when we started doing these floor speeches a year ago.

Our best options for meeting future energy requirements are energy efficiency and renewable resources. Energy efficiency is the least expensive, most readily available and environmentally friendly way to stretch our current energy supplies. The oil you do not use is the cheapest oil you can buy. For efficiency and renewables, the intangible and hard to quantify benefits such as reduced pollution and increased security yield indisputable economic value.

They have a little subtitle in their report called ''Petroleum'' and they say: ''Historically, no other energy source equals oil's intrinsic qualities of extractability,'' poke a hole in the ground and it came gushing out in many places, ''transportability,'' put it in a pipeline and move it hundreds of thousands of miles. Put it in a truck and carry it over the road. Put it in a tanker and carry it across the ocean.

''Transportability. Versatility.'' How many different ways do we use oil? To heat our homes, to cool our homes, to run our cars, to run our ships.

How many different way do we use it? The qualities that enabled oil to take over from coal as the frontline energy source for the industrialized world in the middle of the 20th century are as relevant today as they were then. Oil's many advantages provide 1.3 to about 2.5 times more economic value per Btu than coal. Currently, they say in the report there is no viable substitute for petroleum. Let me read that again.

This is the Corps of Engineers. Currently, there is no viable substitute for petroleum, and petroleum has probably reached its maximum production. It will hold at about this level for about awhile, and then it will inevitably taper off. It will become smaller and smaller as we go through the years.

In summary, they say, the outlook for petroleum is not good. This especially applies to conventional oil which has been the lowest cost resource. Production peaks for non-OPEC conventional oil are at hand. Many nations have already passed their peak and are now producing at peak or below peak capacity.

The next chart shows where we have gotten our oil from in our country. Now, M. King Hubbert's prediction was for the lower 48. And the curve has followed exactly what he said for the lower 48. If we take out Alaska, Prudhoe Bay, you see that it peaked in 1970 and then fell off. Now we found a lot of oil in Prudhoe Bay at Dead Horse. There is a 4-foot pipeline there. I have been there at the beginning of that 4-foot pipeline, that has for a number of years been producing about a fourth of all of our domestic oil. But notice that that caused only a blip in the slide down the other side of Hubbert's Peak.

The next chart shows a stylized curve. By the way, you can make this curve as steep as you want by simply changing the dimensions on the ordinate and the abscissa. This is a 2 percent growth rate. We know that because in 35 years it doubles. And you see the little yellow there which represents the shortfall if we are at that point. I believe we are, I hope we are not, but I believe we are at that point. And this represents the shortfall that will occur over the next 35 years. Notice that the problem occurs before peaking, before you actually reach the peak. The demand curve has deviated from the supply curve.

Now, Mr. Speaker, if we are going to have any energy to invest in renewables, in alternatives, we are going to have to have a pretty massive program of conservation because today there is no surplus energy to invest. If there was any surplus energy, oil wouldn't be $62 a barrel.

The next chart looks back through history and that is a really interesting chart and the Corps of Engineers talked a little about this. This shows only 400 years of 5,000 years of recorded history, but it kind of puts in perspective where we are. The little brown hump on the bottom there is the Industrial Revolution that began with wood. We learned to make steel with wood. We denuded the mountains of New England. More forest today in New Hampshire than there was at the Revolutionary War. We denuded many of the hills, the mountains there to send charcoal to England to make coal.

Catocin Furnace just up the road here near Emmitsburg, near Thurmont in Emmitsburg, is a little furnace where they denuded the hills there in northern Maryland to make steel there. Then you see what happened to the Industrial Revolution when we found coal. But look what happened when we found gas and oil. That is the red curve. Going on this scale, and this is only 400 years of our 5,000 years of recorded history, on this scale going almost straight up, you notice there at the top of it what happened in the seventies. It really made a difference.

Remember I noted that up until the Carter years every decade we were using as much energy as we had used in all of previous history. That is on the steep part of this curve. We now have broken away from that, thanks to a lot of energy efficiency. Your air conditioner today may be two or three times as efficient as it was in the seventies. The similar thing for your refrigerator. We really are very much better today at efficiency than we were then. By the way, that is one of the things that we ought to be exporting from our country because much of the developing world is using oil energy very inefficiently.

□ 2045

For now, about 150 years we have been in what you call the age of oil, and another 100 to 150 years, the report by the Corps of Engineers says maybe less, we will be through the age of oil. What does that mean?

I started thinking about this subject probably 40 years ago. I guess it is the scientist in me. I knew that fossil fuels could not be forever, and I asked myself the question, what does that mean? Do we have 10 years remaining? Do we have 100 years remaining? Do we have 1,000 years remaining? I had no idea when I started looking into this what the dimensions of this problem were.

If you can think about this, Mr. Speaker, and where we are and where we come from, for 5,000 years of recorded history, the world's population was somewhere between a half billion and a billion people, and then we hit oil. And not only did the economy grow, represented here on the ordinate by quadrillion Btus, not only did we use ever increasing amounts of energy,

but boy, did our population spurt. If we had an ordinate on the other side with population curve on it, it would follow. It would pretty faithfully follow this increase in energy production.

Once we are through the age of oil, and we will one day be through the age of oil, and thinking about this, I often think about my father, who was a little boy in Kentucky. He remembered the first one-cylinder gasoline engine that came into Lincoln County, Kentucky. He died in 1985. He lived within a score of years, roughly halfway, through the age of oil.

What is the carrying capacity of the earth minus this incredible resource we have in gas and oil? I want to, for a moment, give you a couple of illustrations of how important this gas and oil has been to our life and our economy.

Just 1 barrel of oil, the refined product you can buy now, is just a little over $100. Forty-two gallons, a little over $100 at a pump will buy you the work output of 12 people working all year for you in manual labor, and you buy it for $100. To give some sense, if this is probably correct, reflect on how far a gallon of diesel or gasoline, and I was drinking a little bottle of water last evening and drove by a service station and noted the $2.45 gas, and I paid more for my bottle of water than for that in the grocery store. So gasoline is still cheaper than water.

But reflect on how far that little gallon of gas takes your car or your SUV and how long it would take you to pull it through. Now, I drive a Prius. I get about 50 miles per gallon, but it would take me a long time to pull my Prius 50 miles. I could get it there with a come-along and hooking to the guardrail or tree, but it would take me a long time.

Another little indication of the incredible quality of these fossil fuels is electricity. If I work really hard at manual labor all day long, I can get more mechanical work out of an electric motor for less than 25 cents worth of electricity. That may be humbling to recognize that I am worth in terms of manual labor less than 25 cents a day, as compared to the energy we can get from fossil fuels.

Future historians, after the age of oil, may very well wonder how we could have done this, how we could have found this incredible resource, one barrel of which provides you the work output of 12 people working for you all year long, incredible wealth, how we could have found this and not have stood back and asked ourselves the question, what are we going to do with this? How could we get the most good to the most people for the longest time out of this enormous wealth that we found under the ground? But that is not what we did. Like children that found the cookie jar, we just pigged out. I wonder what future generations will say about us.

Well, our time is running out, and there are so many other things I would like to talk about. Let us look at the chart that says where we go to now, and we will transition ultimately, Mr. Speaker, to renewables. Geology will demand it. We either do it because we are running out of readily available, high quality gas and oil, or we do it on our schedule which will be a kinder, gentler schedule.

These are the alternatives. We have some finite resources: the tar sands, the oil shales, the coal. We talked about coal. Nuclear, light water reactors, feeder reactors, fusion. If we ever get to fusion, we are home free; low odds, I think. These will only tide us over for a while. Then true renewables, which now represent, as the next chart shows us, tiny percentages of our total energy production.

We are very much like a young couple that has gotten married and their grandparents have died and they have got a big inheritance and they have established a lavish lifestyle where 85 percent of the money they spend comes from their grandparents' inheritance, and only 15 percent from their work. They look at the reserves and their inheritance and how much they are spending, and it is going to run out. So they have got to do one of two things. Either they have got to make some more money if they want to continue that lifestyle, or they are going to have to change that lifestyle. That is exactly where we are.

I use those numbers because 85 percent of our current energy use comes from coal, petroleum and natural gas, and these are not all renewables, by the way. They are alternatives. Nuclear is a bit more than half. Other people may have only 6 percent for the renewables. This chart uses seven. These renewables, seven are blown up, and you see that the biggest contributor there is conventional hydro. It is not going to grow in our world. Wood, that is, the paper industry and timber industry, wisely using a waste product, and then solar, winds, agricultural, geothermal, alcohol from fuel is part of agricultural, and energy from waste, that is a big one that should grow and could grow.

Mr. Speaker, if we are going to transition to these, and we will, I shouldn't say if. We are going to. We are going to transition, but if we are going to do that as painlessly as possible, we need today a very aggressive program. Time is running out. The Hirsch report says that. The study by the Corps of Engineers says that. Common sense says that. If we are at peak oil, where is the energy going to come from to invest in the alternative?

We need a program, I believe, Mr. Speaker, that has the dimensions of putting a man on the moon and the urgency of the Manhattan project. I think it can be very challenging. I think Americans will rise to the challenge. I think Americans will feel good about victory gardens, about getting cars that have high mileage, about two and three going together in a car. Life is so easy today that I think Americans would be challenged, that they would feel really good about making a contribution.

What we need, Mr. Speaker, is a national commitment to a program that has the commitment of putting a man on the moon and the urgency of the Manhattan project. If we do that, Mr. Speaker, I think we can have a relatively smooth transition and Americans feel good about their contribution.

## GULF COAST DISASTER RECOVERY CAUCUS

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Louisiana (Mr. MELANCON) is recognized for 60 minutes as the designee of the minority leader.

Mr. MELANCON. Madam Speaker, I appreciate the opportunity to be here tonight. With the recent events that have occurred over the past seven, eight months, since Hurricanes Katrina, Rita and Wilma have hit the gulf coast of the United States, in the recent week, a group of us got together, and we have set up the Gulf Coast Disaster Recovery Caucus to basically try to make sure that this Congress and America and this administration do not forget the disaster and the catastrophe that has occurred and inundated people all along the gulf coast.

It is not just a New Orleans thing. It is Louisiana, across the entire breadth of the State. It is Mississippi, across the entire coastal area. It is Alabama, it is Texas and it is Florida, on the west coast this time.

I look at the news articles and such. I have had some concerns with some of the statements that have been made in the past about being below sea level, the honesty and the integrity of elected officials in Louisiana. It really bothers me because I do not see the moneys, the $85 or $87 billion that have been attested to be sent to the gulf coast in the hands of the people that need it, in the hands of the victims. There has been billions of dollars that have gone around that are somewhere between Washington, D.C., and the gulf coast of the United States, and I can tell you, it has not gotten to the people that are in need.

If you look at some of the instances of what is going on, parish governments that want to retain their own contractors cannot get what the cost of the Corps of Engineers and FEMA are paying to their contractors, and it is believed on best information that that price may be double to triple what is being paid by the local contractor, by the local government who is doing the job faster, better, and apparently, we believe, if we can ever get the numbers, more efficiently.

$4.2 billion has just been approved to gravel a 172-acre parking lot for mobile homes in Hope, Arkansas. Now, that goes on top of the $25,000 a month paid to the city of Hope, Arkansas, and I am

glad for the city of Hope, Arkansas, because if it is like rural American towns, it needs every dime of income it can use to sustain itself. But we have got over 11,000 trailers that are stationed there, 450 miles to the closest disaster parish or county, and there is 11,000 trailers up there that FEMA tells us they cannot put in a flood zone.

Well, the hurricane does not hit in the mountains. The hurricane does not hit in the desert. The hurricane hits along the coastal areas of this United States, and that is what these hurricanes have done.

They put up this morgue, a temporary morgue, FEMA did, in Coralville, Louisiana, $17 million, and now it is abandoned. $5.2 million, this was really nice, was spent getting a contract to a contractor that did not exist, and if it would not have been for the Justice Department seeing that these folks were cashing checks for $10,000 at a time, that they bought a brand new mobile home and three brand new automobiles, then we would still probably be out about $5.2 million. Then when they started to doing the work, it had to be turned over to the fire department and another contractor to get the job done.

Congressman PICKERING told me today, and I think I recall it is either 90 or 95 percent of all the moneys are being contracted for debris removal and cleanup in Mississippi is going to contractors from outside the State. I can tell you, I get calls daily in my offices from people that are local that have been trying to get jobs, and then those that seem to be able to get some work, which is the bottom tier, are waiting months for their money.

I have one contractor that has been waiting for $50 million because the FEMA people or the State advanced the parish in which they are working some moneys right after the storm, about $30 million. This contractor is not getting his money, and in good faith, he has been working since day one, and has not gotten his money to pay his people and to run his company because the State and FEMA say that the parish that he is working in has not accounted for every dime.

□ 2100

And yet they have assured, the State and the contractor can document that he has not received a nickel from the parish, yet he is held up. There is another contractor across the river in Plaquemines Parish; they are to the tune of $6 million waiting. I have a guy in my hometown that is a very small company, he is waiting on about $150,000. And let me tell you, for a little, small independent guy like that, that is crushing him. That is killing him.

After the Florida hurricanes, three of them a year and a half ago, under section 32, the Department of Agriculture invoked section 32 of Ag Stabilization Act of 1935 and allowed the Secretary at his discretion to start reimbursing and helping those farmers that were in the category covered by section 32 to give them disaster assistance and get them back working.

On October 28, the Department of Agriculture finally invoked section 32. That is 2 months afterward. And to this day, the $250 million that they allowed, out of 780 in the account that has been appropriated for this year, zero has hit the ground in any one of the States that was impacted by any of these hurricanes. No disbursement whatsoever.

The caucus was set up in hopes of doing several things. One is making sure that the people that lived and worked and want to return to their homes will have that opportunity; to make sure that we provide and that this government provides for the safety of these people, protecting their communities, so they can rebuild their families, their homes and their businesses and trying to provide housing and rebuilding and repairing those houses so people can return home.

We need to get the economy back up. We need to create jobs and rejuvenate the entire coastal region, from Galveston Bay to Mobile Bay and all around down in the Tampa area where Wilma hit.

Health care is nonexistent for those that need it in the Orleans area. If you have a broken arm and you need surgery, you better get to another city. If you have cancer, you better get to another city. If you have anything that requires long-term health care, you better get to another city, because health care is in jeopardy in south Louisiana.

The doctors are like any other businessmen, they have to make a living. They cannot make a living if the customers or the clients or the patients, however you want to refer to them, are not back. And the hospitals can't keep themselves running when people are coming to them with injuries with no hospitalization coverage and they are required to take these people into the hospital to take care of them. And then, of course, when they are hurt, to give them a bed, which becomes a free bed. And you have hospitals that have used every dollar of their reserves and are getting ready to fold up and go under.

Education: families won't bring their kids back unless there are schools to attend. We have tried and we are trying. In Chalmette, they have the school system back up very quickly. Of an 8,000 student population, there was 800 the first day. They are hopeful the folks will come back. But one school has pre-K through high school, and they are working with what little they have.

We need to make sure that we respond to the Americans that have been injured, that we do everything in our power. If we can rebuild infrastructure in Iraq, schools, mosques, public buildings, private facilities, spend $100 million on a marsh area to bring it back to life, then surely we can spend some of our money and these taxpayers' money to help them get back on their feet.

The people in my district, the people of the gulf coast are not looking for a handout. They are just looking for a helping hand, and this government owes those folks that.

Madam Speaker, I yield time to Mr. JEFFERSON first.

Mr. JEFFERSON. I thank the gentleman for yielding. Madam Speaker, we, as we talk about conditions in Louisiana and Mississippi tonight, we don't want this Congress or the people of America to believe that we are ungrateful for the help that we have already received. We are deeply grateful for it. We appreciate it immensely, and it has been a huge help to our people.

But I think what is important to note is that the disaster that we were stricken with is so immense, so pervasive, so once-in-a-lifetime historic, that there is just so much to be done over such a long time to restore opportunity for people to have a chance to reclaim their lives.

So I want to start out by just talking a little bit so people can better understand the dimensions of our problem. If you can imagine that in your city, if your city were ours, and just to talk about New Orleans a minute, a city of 480,000-or-so people, and you woke up one morning and 80 percent of your city was underwater. Eighty percent of your schools, of your hospitals, of your playgrounds, of your homes, of your businesses were all underwater, and that the water didn't recede in a few hours or a few days or even a few weeks. It stayed there for several weeks. And it wasn't just a little water in your house, ordinarily it was 4 feet, 5 feet, 6 feet, and sometimes more than that, over the roof.

This happened in Orleans Parish, and it happened in St. Bernard Parish, where the whole place was obliterated. And it happened in Plaquemines Parish as well. And imagine that 1,000 or 2,600 of your people died from this storm and that another thousand are still missing and no one knows where they are, and families are still searching for them. Imagine that if you were in Mississippi that 200-or-so people lost their lives.

Imagine that if you counted up all the houses that were destroyed in Louisiana and this happened to you, there would be 220,000 houses destroyed, and about 61,000 in Mississippi, and that your people were trying desperately to get back home. They were looking for temporary quarters, and they were willing to live in FEMA trailers or wherever they could find a temporary abode, and there were 98,000. That is how many there are in Louisiana looking for a trailer now, and fewer than half of those requests have been filled. In Mississippi, some number in the 30,000 range were involved, and most of those have been filled.

Imagine if you had been waiting for electricity for your neighborhood for now 6 months and you didn't have it, for the most part. In Orleans Parish, a

little better than half of our folks have their places connected for electricity. A little better than that in Mississippi, but in our place it isn't true. Imagine if you were trying to figure how could you get your hands around your problem, build back your house, get yourself back together and your insurance company wasn't cooperating and they were denying claims left and right, and saying that your homeowner's policy didn't apply. If you didn't have flood insurance, then you had nothing. If you had flood insurance, then you had limits that would be much lower than would ordinarily be expected to be useful to help you build back.

Imagine you were counting on your government, FEMA, to come forth and give you some direction as to how you could build back your place, to what level you had to build back safely, and FEMA had not even given you preliminary elevations that you could use. Imagine if you now were paying rent in one place or a house note somewhere and had a house note to pay in Orleans Parish and you could not get back in your place to live and your bank was calling you at your homestead, your mortgage company saying we cannot carry this anymore; you have to figure out some way to pay it.

Imagine you wanted to get back home, and you had 5,000 hospital beds when you left, a hospital bed count, and now you only had a few hundred and you were worried about your family and your children getting back and having a place to go if they got sick or hurt or needed to see a physician. And all the physicians, a great number of them, are out of town, somewhere else themselves, victims of trying to make the place work.

Imagine if your city had, at the end of the storm, no tax base and your school board had no tax base, and your schools weren't open. That is the situation that you find yourself in not only the day after the storm or the week after the storm or a few months after, but now 6 months after. And not a whole lot has changed because the problems are just so complex and so large and so enduring.

Now, these are not problems that are going to go away overnight. Our country needs to know this. Our friends need to know that all that we have done so far is to start to address these issues, to make down payments on certain aspects of it, but it will be years and years and years before we actually get this done.

Now, imagine also that you were trying to figure how you could avoid having this ever happen to you again and you were looking for a way to secure yourself, and you knew that it would take a real commitment for hurricane protection measures to be taken. And you had taken a trip, as I have, to the Netherlands, other parts of the world, and you had looked around to see what people had done to secure themselves against hurricanes and storms. And you found out that this was technically possible; that in the Netherlands people are living and have lived for 53 years, since their last calamity with a storm there that drowned their people.

For 53 years they have lived with a system of barriers and canals and pumping stations and dikes, as they call them, we call them levees, and dunes and all the rest; an integrated system of water management for flood protection. And they have done this for 53 years now without an incident that has required them to have any loss of life or property. They have spent $18 billion over a long period of time to provide this security, and they were an economy of $485 billion.

In our country, we haven't yet made a decision to support a system in our part of the world that might cost $30 billion, $40 billion, in an economy that is not $485 billion, like theirs was, but is $12.2 trillion, the largest economy in the whole world. Twenty percent of the world's wealth in our country and we haven't been able to make a decision to step up and find a way to use the technology that already exists to support our people and to make them safe over time and to avoid large expenditures in the future.

Because we all know one thing for sure: that while there may not be another terrorist attack on our shores, we may find a way to prevent that, there is no way to prevent these storms that are brewing in the Gulf of Mexico and that are coming more frequently, more ferocious than ever before, and that will be with us for years to come. We can secure ourselves against these storms if we build the coastal barrier protections that we need and if we build our wetlands back and our coastlines back, so that when these storms come, as ferocious as they may be, by the time they reach our population centers, they will be tamped down enough such that they can be handled by a levee system and other flood protection systems that are in place.

So we have made a lot of progress, but there is a great deal for us to do. And we are here tonight to highlight for the people of our country how much there is to be done and to ask them to stand with us and stay with us over this long period of time because it is going to take years and years to bring our people back.

And, look, folks aren't asking for our government to take care of them forever. They know, though, that they can't do this by themselves. Because no one has seen this kind of damage before in this country. It is a catastrophe beyond imagination. It has never happened anywhere on the face of America ever before to this extent, to this dimension.

So we are saying, give us a chance to help ourselves. Let us get back into our home places. Let us get back to the places we live and to the places that we want to live. Recognize the right that our people have to return, to restore their lives, the right to rebuild in their places, the right to reclaim their experiences back home. We want our people back home. We need your help to get them back home, and they can live in New Orleans safely. They can live in our environment safely.

So when people ask this question of what should the footprint of New Orleans be, it is a misplaced question. The issue isn't where can we rebuild. Because we know from the experience of the Netherlands we can build anywhere. If they can live 15 feet below sea level, and in New Orleans we talk about 4½ feet at the lowest point, if they can secure themselves 15 to 20 feet below sea level, we can secure ourselves 4 and 5 feet below sea level in the lowest points.

We can have this vibrant city restored and have our people in a place to reclaim their lives, and for our city and our region to continue to be the force that it has been for our country in natural resource development and distribution throughout the country; our pipeline system, our oil and gas system that we have invested in across the gulf.

□ 2115

And for our fisheries, the provisions we make for our country and the work that we do with our port system that moves the goods from mid-America to the rest of the world, these are very important assets that New Orleans provides and our country cannot do without. We are extraordinarily valuable, not to mention our cultural contributions to this country.

We want to see the people of America understand how deep our problems are. That is why we have come to the floor tonight, to make that point to the people of this country and to our colleagues in Congress, many of whom we have had a chance to bring down our way, and many others we want to invite down so they can see for themselves what they need to do to help us.

I thank my colleague, Mr. MELANCON, for helping to bring this matter to the attention of the American people and giving us a chance to talk about it tonight. I am pleased to join with him and soon with Mr. GENE TAYLOR of Mississippi and our other colleagues.

Mr. MELANCON. Madam Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman for this hour, along with Mr. GENE TAYLOR and Mr. BILL JEFFERSON.

Sitting and listening to Mr. MELANCON and Mr. BILL JEFFERSON, I believe they have appropriately set the tone for why we are here tonight. I beg the indulgence of my colleagues, because we are obviously concerned about both what we have seen, who has been impacted, and what we can do better. For many of us who are members of the Gulf Coast Disaster Recovery Caucus, this has become a cause, a passion, and a desire to ensure that there is a final resolution for the people who are in need.

Let me just take a moment to acknowledge that this is Congressman BILL JEFFERSON's birthday. And of course we all know that the good news about birthdays is we have an opportunity to give back, and you have just seen Congressman JEFFERSON on the floor talking about the needs of his community.

I want to spend just a moment to thank Mr. MELANCON, Mr. BILL JEFFERSON and GENE TAYLOR. I have never seen more collegiate Members under the auspices or under the umbrella or under the pain of devastation.

Certainly there are other colleagues throughout Louisiana, Mississippi and Alabama, but in our caucus we have seen this unified team, and certainly Mr. THOMPSON, who is the ranking member of the Homeland Security Committee, has been very helpful to this team, but you all have been the voices of reason and strength, the voices who have refused to back down, yet trying to bring along Members from both sides of the aisle. I want to thank them, particularly as a Member from Texas where many of their constituents are, and seeing how hardworking and diligent so many of the survivors are in our community, wanting nothing more than to return to the quality of life, the love of their community, the service they have given to their community, more than anything.

Many are mourning the loss of loved ones, and still having to toil finding work, maybe temporary work, making sure their children are in school, seeking to get the necessary benefits, benefits for elderly parents and relatives that they are taking care of. And many have had to funeralize relatives.

Madam Speaker, 1,100, possibly more, had to be funeralized. How many of us saw or was able to glean what kind of place New Orleans was by having to bury and funeralize 1,100-plus individuals, and there are those who never found their loved ones.

I want to tip my hat to Mr. MELANCON, Mr. JEFFERSON and Mr. TAYLOR for continuing to press forward even in spite of the fact that there are many agenda items that take up the time of Members of Congress, but you are saying to us that the lives of our fellow Americans must be premier in our concern, and I am forever grateful. Texans are ever certainly grateful because as we fight for resources in the Gulf region, not in conflict and not in fist fight, but certainly in coordination and in collaboration.

So I rise today to sort of weave into this debate the needs of Louisiana and Mississippi, certainly Alabama to a lesser extent, but also to join with the State of Texas as a partner in the efforts that are necessary to be made.

Madam Speaker, just about 2 weeks ago, we joined with the delegation of 34 Members of Congress who saw fit to meticulously travel through three States and a number of different cities, and of course, we had the hospitality of Mr. MELANCON, Mr. JEFFERSON and Mr. TAYLOR. We were able to see and hear firsthand not only local officials but real people.

One of the key elements that I want to raise tonight that really brought me to a degree of almost frustration, because when hardworking people do the right thing, when you follow the law, when you provide for your family, when you make sure you have insurance, when you pay your mortgages and pay your taxes and get up every morning and go to work, you should be able to rely on your local, State and certainly your Federal Government.

May I present my frustration in the context of visiting New Orleans and Mississippi and bending down and picking up a family picture, a mother holding her baby. When you go throughout these areas, you find the debris of life scattered about. A picture, teapot, a pink dress of a little girl blowing in a displaced closet, having been blown out of a house and sitting on the side of a road. This is the scene of broken hearts and broken lives for people who have tried to do everything that they thought was right.

One issue that brought great pain was at a stop by the side of a road where a family was in a trailer in Mississippi. It happened to be one of the law enforcement, our first responders of whom we are so proud. To hear him tell the story how he paid his insurance, how he gets a busy signal or no signal or a hang up, and how the insurance company tells him, almost like in the biblical times in the birth of Jesus Christ when Mary and Joseph were looking for places to give birth, and there was no room at the inn and they wound up in a manger. This man could find no relief.

None of his insurance policies, or the main one that he thought he had appropriately paid for and applied to, would provide him recovery. I hope, Mr. MELANCON, in the Disaster Recovery Caucus, one of the main issues will be to confront this catastrophe, this crisis that impacted Hurricane Rita victims as well, to be able to rely upon paying insurance and not having to read the fine print to be able to find out whether or not I am going to be covered or denied.

In fact, in going throughout the region, I did not find one person that said, oh, yes, my insurance has covered me. There was one denial after another, one lawsuit after another. Two women that I spoke to said they were still waiting for recovery.

This issue needs to be confronted by Congress. Democrats are taking the lead on this issue. We welcome the joining of our colleagues on the other side of the aisle because we rise today to focus on the needs of people, and we need to rush toward victory by helping individuals who are suffering.

Let me also say that today we stood together to speak against this question of the eviction of almost 40,000 families, we believe, tomorrow. If the Secretary of Homeland Security, the Deputy Secretary of Homeland Security can hear our voices on the floor tonight, we are pleading with an extension of that eviction date. What will be said is we have extended it. In fact, I am looking at a time line hear that talks about October 25, November 15, December 15, November 23, December 12, January 9, and it says FEMA requires all evacuees staying in hotels and motels register for an authorization code by January 30, and then they went on to February 7 and then January 13. They were going to be kicked out, and now it has been extended.

Let me say one simple sentence. Why don't we extend the time to remain in place, if necessary, until the anniversary of the Hurricane Katrina and Hurricane Rita tragedies. Why not just do that.

I want to conclude by mentioning these items, and I see we are joined by Ms. LEE, who has been very helpful on these issues, particularly on the Financial Services Committee, where we have gathered to try to work with that committee on the housing issue. So eviction from a place where you have no place else to go, where countless trailers are lost in Hope, Arkansas, but they are going to evict people from places where they have no place to go. I am asking America, does that make any sense to you?

I am standing here making a plea that even in the midnight hour, that we can get an early morning accountability or response from the Secretary of Homeland Security to extend for a couple more months the idea of those last individuals being able to live.

And I want to make sure that we have a response to the insurance debacle that has opened up a searing wound in America: Pay your dues, and you get smacked in the face.

And then I would like to ensure that we have accountability. What does that mean? I heard Mr. MELANCON say, and he was very astute in teaching us when we went down and met with a number of his constituents in his parishes and other areas where the local elected officials said: I just wanted to put our community to work. That is what I asked for. In fact, I went out front to ask the Army Corps of Engineers to ask whether we could put our community to work.

They said if you want anything done quickly, you better go the route we are taking and if you go that route, you will get things done quickly. But lo and behold, we did not know that our contractors would not get paid, our small contractors and minority-owned contractors would not get paid. We did not know that the large contractors would bill and bill and bill and bill, and have excessive amounts of dollars, using of tax dollars, and none of that generating down to those who obviously are in need of those dollars.

So this is a plea for help to this Congress. It is also a plea to recognize that we do have a vehicle that I think will be enormously helpful. So I close by

just counting these points on the omnibus bill H.R. 4197, the Congressional Black Caucus bill, that I hope we will see all Members of Congress use as the vehicle to bring relief to the gulf region.

It has a one-time payment, like 9/11, to all of the survivors; down payment assistance for your new house or rebuilding; bankruptcy protection for individuals who are being asked to pay mortgages and pay taxes and being asked to pay credit cards when they have no money; and voting protection, so that we have satellite voting and the Voter Rights Act is implemented in the April 22 election, particularly in Louisiana.

□ 2130

Environmental cleanup, the opening of hospitals and clinics and mental health coverage for those who are suffering.

I, Mr. MELANCON, appreciate you bringing us here to, if you will, vocalize or, more importantly, galvanize our efforts, and our promise to those of you in the gulf region is certainly to continue to work. And as a Texan who will be addressing the supplemental, as we all will, to ensure that there is fair compensation for much of the work that we are doing in education and security in Texas, we are not going to stand against you. We are going to stand alongside of you, and we are going to make sure that our efforts are a unified voice because the relief of the gulf coast is unified not divided, and we can do this together. We can do better. We can do it for Americans, our fellow brothers and sisters.

Mr. MELANCON. Thank you, Congresswoman JACKSON-LEE. I truly appreciated you and the 23 other people that have joined the caucus that we formed up this past week before going home.

With that I would like to yield time to Congresswoman BARBARA LEE.

Ms. LEE. Thank you very much. And let me begin by also thanking my colleagues from the gulf coast, of course, Mr. TAYLOR and Mr. JEFFERSON, and to you, Mr. MELANCON, for organizing this special order tonight. But also more importantly for staying on the front lines, helping your constituents and your communities recover and rebuild. Each of them has suffered tremendous personal loss from the tragedy of Hurricane Katrina. But all of you have worked tirelessly to focus national attention on the Gulf Coast and to win the support of Congress and the President to provide more funding and more assistance.

Also, they continue to ask the tough questions, the tough questions in demanding accountability for this administration's failure to lead and coordinate the response to Katrina. They are a credit to their constituents, to our country, and you deserve our support and our thanks. Thank you, Mr. MELANCON.

Let me just say tonight, Madam Speaker, that we know the entire world watched the wealthiest, most powerful country on earth, quite frankly, turn its back on those who couldn't afford to evacuate this horrific hurricane called Katrina. People were left to fend for themselves on rooftops trying to save their lives and the lives of their families. And the majority of these people were African American. And we cannot sweep under the rug the faces of those who were disproportionately abandoned by their government because unfortunately, today, 6 months after the storm, the majority of these people are still fending for themselves.

If we don't deal with this up front we will continue to be in denial about the unfinished business of America in addressing the issues of race and class.

Now, 2 months ago, I had the opportunity to visit New Orleans and Mississippi as part of the first congressional field hearing which was held in the gulf coast. We toured New Orleans. We saw the Ninth ward, New Orleans East, Lakeview and other areas. We went to Mississippi and passed through Waveland, Bay St. Louis and Gulfport. And I tell you, like others who have visited the region, it takes a visit to the region to really fully understand the impact and the devastation that this hurricane brought upon the people of that region.

We saw firsthand this devastation and quite frankly, I will never, ever be able to sleep as well ever again in life based on what I saw during those 2 days.

We heard from victims of the storm who lost their homes and were displaced, who were living with friends and relatives or staying in hotels or motels mostly waiting for their FEMA trailers. They wanted to know that they would have a place to stay so that they could call someplace, just someplace their own. They wanted to know that FEMA wouldn't terminate housing assistance for people living in motels or hotels. They wanted to know that they wouldn't be discriminated against in seeking housing because of their race, ethnicity, age or disability. They wanted to know that the levees would be rebuilt so that they could go back to their homes and their communities to rebuild. And they wanted to know that they wouldn't be evicted from their homes or be gouged.

And we heard of the price gouging over and over and over again. And they wanted us to help them to make sure that they would not be gouged by the high rental prices or that some opportunistic developer wouldn't buy up their land and gentrify their communities. And they wanted to know that they would be hired to carry out Federal contracts to clean up and rebuild the gulf so that they could work, they could work and get a steady paycheck and participate in the equitable development of the region. They wanted to know that their kids could go back to school and still be children. And they wanted to know that they could go to a clinic or a hospital if they got sick.

In short, they wanted to know that they mattered and that their government would do all that it could to take care of them and put them back on their feet quickly.

And, Madam Speaker, the survivors of Hurricane Katrina are still wondering the exact same things today. 6 months after Katrina, virtually nothing has changed. Only now, our government is about to add insult to injury by disenfranchising over 300,000 displaced survivors from New Orleans, who will not be given the right to vote in elections that will determine the future of their city.

And tomorrow, we have learned that FEMA will boot out probably another 7,000 families that are still living in hotels and motels and have no other place to go.

This is a disgrace. The administration failed to prepare a plan of action to respond to Hurricane Katrina, and they have failed to put together a coherent plan to rebuild and restore the gulf coast region.

H.R. 4997, a comprehensive bill to help the gulf coast rebuild, which is supported by Katrina survivors and introduced by the Congressional Black Caucus under the leadership of Congressman MEL WATT should be supported. This bill provides for housing rights, a victim restoration fund in the spirit of 9/11 Victims Fund, expanded opportunities in rebuilding the gulf coast and voting rights for all.

We also work very closely with Mr. BAKER and improved upon his will to rebuild New Orleans and to help the region recover; got bipartisan support in the Financial Services Committee for that bill. But the administration has rejected both of these plans.

And now we are 3 months away from the start of the new hurricane season. And we can not afford to allow the continued incompetence of this administration to hinder the recovery and rebuilding process any longer.

Tomorrow, when we vote on the supplemental appropriations bill, I will offer an amendment to basically block FEMA from using, any money to evict people living in hotels or motels as a result of Katrina. We should not allow FEMA to kick people out on the streets. That is just plain and simple. That should not be done. So I urge my colleagues to support my amendment.

And we must continue to stand with the people of New Orleans and gulf coast and send a clear signal to the rest of the world that we must take care of all people. We must put people first regardless of their race or their income or their age or their disability. We have got a lot of work to do, and we don't have a lot of time to do it, Madam Speaker.

And so I just want to thank my colleagues from the region for their tenacity, their continued support for staying strong in the midst of a storm and for allowing those of us from other areas to try to help and try to do something.

I am very proud of my congressional district, immediately raised money to

send to the gulf coast region and to New Orleans. The Ninth Congressional District, like other Congressional Districts and other non profit organizations and charitable groups, should be commended for stepping up to the plate.

But our government must do more and we must do more now.

Mr. MELANCON. Thank you, Congresswoman LEE. I want to try, and of course we are getting towards the end of the hour, and Congressman JEFFERSON and I were hoping to have a few minutes.

I want to thank leadership for their assistance in trying to provide us with time so that we can make the issues known to the Members of Congress that are going to be voting on these issues.

This is not just a Louisiana thing. This is not just a New Orleans thing. This is an issue for the entire gulf coast. These are Americans, good tax paying citizens who have been left, not because they didn't buy the insurance that they were told to buy by their local government, by their insurance agent, by FEMA itself, the mortgage lenders. They bought those things. They did, they paid their taxes. They cared for their homes and now they are totally gone, with insurance companies saying no coverage, that is flood, and many of those houses being outside of flood zone.

Mr. JEFFERSON can attest to a lot of those issues being from New Orleans and my having Chalmette and South Plaquemines Parish. I would like to yield a little time to Mr. JEFFERSON.

Mr. JEFFERSON. I thank the gentleman for yielding. I think it is important to make a point here that often gets lost in these discussions. We did suffer a tremendous natural disaster in our region. But so much of what happened to our people, and what really drowned our city was not the storm itself, but the deluge that came from the breakage of our levees. Our levees gave way because they weren't designed, constructed or maintained properly. This was a Federal responsibility. This was the responsibility of the Corps of Engineers. And therefore, when we talk about the responsibility of our government now to make an appropriate addressing of these issues, it is important to understand that we are asking a government that, in large part, caused the loss and devastation there to step forward now and help us to fix it.

And so our position isn't just that we are victims of a natural disaster alone, but that we are also victims of a man-made disaster made by the men and women who were responsible for building, designing and maintaining our heavy system. And so there is an additional responsibility for this government to come to our aid, not just because we are victims of a storm, but because they had a hand in bringing about the devastation and destruction that occasioned us.

Had it not been for the drowning of our city, we wouldn't be here talking about these issues today in large part. Yes, there would be some overtopping of levees and there would be some flooding, but there would be nothing like the devastation that we witnessed and our people are enduring now. So let us not forget the main reason for our being here. It is because our area was flooded. Flood water stood for many, many weeks because our levees did not hold, after the government told us that they would, assured us that they would.

As Mr. MELANCON says, they told people they didn't even have to take flood insurance in many cases because the levees were going to prevent any flooding there. And they did not do that. And so I think we have a moral high ground here with respect to our demand of our government, and not just because we are citizens and taxpayers. That is enough in itself, but because the government had a big hand in bringing about the catastrophe that struck our people.

Our city drowned. Our region drowned because our levees failed. And that was the responsibility of our Federal Government.

And I think, Mr. MELANCON, people are coming to realize that now. And they can't embarrass us to say you are just coming as victims asking for more and more. The government did this to us as much as anyone else did, much more than it just being a natural disaster for. We have a right to demand that our government set things right.

Mr. MELANCON. Thank you, Mr. JEFFERSON.

Ms. JACKSON-LEE of Texas. Will the gentleman yield?

Mr. MELANCON. Yes, for a minute please.

Ms. JACKSON-LEE of Texas. Let me if I might, join and just reaffirm, Mr. JEFFERSON, what you said one of the reasons, because I come from the gulf coast region. And I really think that as we work in this caucus, Mr. MELANCON, we really should focus on the educating of our Congress on the problems or the distinctiveness of the gulf region, which I think America should be proud of its regional diversity.

Tragically, this past weekend we had a number of tornados, I believe, or windstorms throughout the Midwest, loss of life, a loss of property. These are regional climatic issues that come about.

And so I suffered too. Houston is 50 feet underwater. We were almost in the eye of Hurricane Rita. And we don't have exactly levees, but we have bayous and our bayous have tended to overflow, and we have needed the reconstruction of our bayous.

So I think it is important that as we look at the other social needs, the housing and electricity, that we really need to have a separate massive agenda, infrastructure, Army Corps, Department of Transportation, Homeland Security, all the elements that deal with the infrastructure of helping to safely secure the gulf region, all along. And Florida is likewise included, having suffered so many of the hurricanes. We really need that agenda.

And let me finish on this point that I indicated I would make clear. We discussed earlier about the voting, just or in a moment, and this goes directly to the April 22 voting. And I don't want my colleagues and others to think, you know what? They are going to let those people who live in New York and Utah and Houston, they are going to let them vote twice. They are living there and then they are trying to get them to vote in New Orleans.

Well, I don't want, if I might use this terminology, for anyone to apply to us the okey-doke. We are not here standing talking about any fraudulent activities or any suggestion that anyone is voting twice or in two different places. We know under the law that you can choose your residency, and where you choose your residency to be, that is where you will be allowed to vote.

□ 2145

When you pool the thousands of individuals in Houston, and I would imagine elsewhere, they will say to you that they are residents of Louisiana and that is where they want to vote. And that is why, as I yield back, our argument is to have the voting rights protection, to allow residents of Louisiana where they might live, one, to have satellite voting where they might live, but also to ensure them the right to vote, one vote, one person.

Mr. MELANCON. Let me see if Congressman JEFFERSON and I can wrap it up. If you use the cost-ratio method that the Corps of Engineers used for projects, and what many Federal and State agencies use to determine whether there is value in investments into areas, the resources and the area that was destroyed, and this is just Louisiana, I am not talking about Mississippi and Texas and Alabama now.

Thirty percent of the United States's energy comes from Louisiana offshore oil fields, straight through the state of Louisiana. 30 percent of the United States seafood comes through Louisiana. 42 percent of every commodity that is exported from this country goes through the Port of New Orleans. And that does not count the other three or four ports that are located on that river.

This city, this region, this southern port of our country is an important part that needs to be revived, needs to be helped back along. We can put money into projects, as I said, rebuilding other countries when they are having problems. We have got to be able to do this for ourselves.

There are a lot of folks that wrap themselves in the American flag and their politics, they are patriots, I am a patriot. There are a lot of people that espouse religion in their politics. And I say to those folks, what would Jesus do?

I do not think that he would leave these people wanting. This is not black, this is not white, this is not rich, this is not poor, this is not Republican, nor is it Democrat, it is about Americans that have been hurt and need the help of the citizenry, their fellow citizens to get back on their feet.

There are people returning to their communities and starting to do the planning in spite of the fact that they cannot get answers to the questions of how high, and when, and is anybody going to do anything at all?

There is resiliency in the people of the gulf coast. They are going to come back one way or another. It is going to be a tough bill. It is going to take time. It would take time whether the Government helped or not. But it sure would make it a whole lot better in my mind for other countries in the world to say Americans help each other.

I yield to Mr. JEFFERSON.

Mr. JEFFERSON. Madam Speaker, I thank Mr. MELANCON for yielding to me. I want to say how grateful he and I are for the bipartisan approach that was made in our region just a few weeks ago when the Speaker of the House and our Democratic leader, Mr. HASTERT and Ms. PELOSI, came together and worked together in that region to address some of the issues we are talking about tonight and to bring to the attention of the American people how crucial it is that all of us pull together for this region.

As Mr. MELANCON has said, it is a very important region to our Nation. And so it is not just a matter of helping the folks of Louisiana, it is a matter of helping people across this country. Yes, our folks are strewn in 44 States around the country, but we are not talking about that sort of a national problem, we are talking about one where we actually, the country needs our region and we need our country to come to our aid so we can continue to supply these vital services to the rest of the people of our Nation.

I believe that if someone were to take a poll, Mr. MELANCON now, and ask people of this country whether they were standing with New Orleans and with our region and wanted to see us brought back, wanted to see our country helped, I think they would all say yes to that.

We just have to get the message here to the Members of Congress that people out there want to see us rebuild, want to see us recover. And if we keep this measure in front of them, the American people will see us through this. So a part of our mission here tonight is to make sure that the American people understand how deep and abiding and enduring our issues are, and to inform their Members of Congress how much we need their continuing help on a bipartisan basis to see us through this set of problems.

I think it is good for our region, it is imperative for our country, and it is the way that we ought to address these issues. We cannot go out with credibility with the rest of the world and say we are going to fix their issues, their problems, their infrastructure requirements, and not say the same thing for our people here at home with any credibility.

So I thank Mr. MELANCON for what he has done to arrange this. I thank Congresswoman SHEILA JACKSON-LEE for her contribution tonight, for Congresswoman LEE, and for all of our colleague who have joined us in this colloquy tonight. I appreciate the opportunity that the House has given us to bring this message to the people of our country.

Mr. MELANCON. Madam Speaker, in closing, the days immediately following the storm in Katrina, before Rita even came and devastated southwest Louisiana and eastern Texas, the only way I can get to Chalmette and St. Bernard Parish was by boat on the river. And when I got there, I met the sheriff.

And they were organizing people they were lifting off the roofs at the port facility referred to as the Chalmette Slip. And all of these people, they had lined up about 200 people putting life jackets on them, putting them on a barge to bring them across the rivers to what is known as Algiers Point in hopes that there would be buses there could take them to a good place, because nobody really knew whether the buses would come and where they would ultimately end up.

But we gave them two MREs and we put them on the barge and we sent them out to Algiers Point, one we said for supper tonight with a bottle of water, one for breakfast in the morning with a bottle of water and let's just hope that the buses will get there.

And as the sheriff and I said goodbye to these folks, the first guy that was in line looked at the sheriff and looked, and he said, Sheriff, you know me, told him his name. He says you know my brother, Joe. You know where we live. Joe drowned. Do not forget him.

The next person in line was a lady who just burst into tears and hugged the sheriff and she was excited. She thought she was going somewhere. I do not where that lady is today. She may be in a hotel somewhere waiting to see when she can get back home.

The third person, this guy was standing there with a plastic grocery bag in his hand. And the sheriff said, I see you have got your lunch already. And he told the sheriff, this is not my lunch, this is all I have left now. My house went under 20 feet of water, at least that is about how high my roof is.

There are people that have suffered tremendously. We talked about the voting rights. I think there is enough safeguards. I believe that if America can spend millions of dollars to help Iraqis vote in this country for transitional government and elect officials in their country, then surely we can safeguard and make sure that Americans, regardless of where they are from, can vote in the elections in the communities of their choice where they reside, where they want to reside, where they want to return to.

In closing, I can only say that what we have done, while it is a good beginning, and every bit that is parceled out to the southern coastal States, we are thankful for. But this is far beyond the capacity of people or individuals to comprehend without physically seeing what is down there.

I do not care if it is Biloxi, Mississippi, New Orleans, Louisiana, Venice, Louisiana, Bayou LaBatrie, Alabama, it does not matter, if you go and you see you will understand.

It is inexplicable to try and describe it. I encourage, as I did with the leadership, when the CODEL came down to Louisiana, every Member of this Congress to go down there. If you make the trip, if you see the areas that were hit, and if you do not feel differently about trying to help these Americans, then there is nothing more that I can do.

I want to thank the leadership for allowing us the time. My job I feel is to keep this issue in front of the American public, because the gulf coast area is not back up on its feet and still needs quite a bit of help. Thank you, Madam Speaker.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. COLE of Oklahoma (during the Special Order of Mr. MELANCON) from the Committee on Rules, submitted a privileged report (Rept. No. 109–391) on the resolution (H. Res. 725) providing for consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## IMMIGRATION REFORM IS NEEDED

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING. Madam Speaker, I would first like to start out by saying that I appreciate the opportunity to listen to the delegation, particularly the representatives from Louisiana and gentlewomen from Texas and California, their remarks on how bad it is down there in the gulf coast.

Madam Speaker, I have made three trips down there myself, two of them on my own and another with a transportation CODEL. And the first one was the September 10 through September 12 when New Orleans was 70 percent underwater.

The second one was October 4 where we saw most of the coastline, all of the way through Biloxi and all of the way

to Alabama. And the third one was the middle part of January, where I went down alone and I wanted to be able to go where my instincts took me and ask questions and get a feel for what is going on down there.

And it is at least as bad as was described on the floor here tonight. It is not possible to understand the scope of the damage and the disaster that is there. I have 3,000 pictures, and can I run those through and look at them. They only bring back the memories that helped me better understand how bad it is down there still today.

And the parts of the community that still do not have water, that do not have electricity, the devastation down in Plaquemines Kerr, all of the way down to the outlet of the Mississippi was the worst, and that is the part I think that has been reported the least.

I want to say that I appreciate the tone of the people that have testified on the floor here tonight. And this is a very difficult question for this Nation. And the degree of certainty that has not been offered to the people that have their homes that have been devastated, you know I visited a home of an individual who had received his insurance check, he had paid for his house, it was a 2-year-old small brick house, and had a drive-in slab for his car.

He had stripped it out down to the 2-by-4s. He was ready to go. He had the money. He had the materials, he had the contractor lined up. But he could not get a building permit to move forward to get it done.

FEMA said we will move you in a trailer house and park it beside your house, but we cannot quite get the red tape out of the way.

The uncertainty of the Corps of Engineers, and to not know that New Orleans is going to be protected to the level that it was prior to the storm by June 1, which I think they will make it, maybe the quality of that work, some of that could be in question, I think they will make that.

But what about the next level? When you go to invest capital, and that capital might be invested for 30 years or more, than I think there needs to be a degree of certainty as to whether there is going to be protection for a category 4, 4.5 if there is one, a 5 so that people can make their only financial judgments.

We appropriated out of this Congress before Christmas funding for the Corps of Engineers to produce a category 5 study. And that is the right path to go down to some degree, but it is only going to give us one option, that is category 5. It is 24 months to produce the study.

And so 24 months of indecision, added upon these months of agony, I think, add to the pain of the people that are trying to work their way out of this. I have empathy. I have sympathy. I have initiated my own trips down there for that reason.

I have been a victim of the floods in 1993 in Iowa, and I did not realize how much that had scarred me until I saw what happened to the people down there.

And yet the other side of this is, we do not know, we do not know where FEMA has spent the money or we do not know where they would spend the money. I do think they need to come to this Congress with an accounting of it and with a plan.

And the worst tragedy is not to have the plan to lay out in front of the people. And I would say that I think the coastline, east and west of New Orleans, will probably get themselves rebuilt with the structure that is there and the funding and the insurance that is there.

But I do not think New Orleans can come out of this without some better solution. I have pointed out that I think hard times invariably produce strong leaders. There was Winston Churchill, Rudy Giuliani. This scenario, for one reason or another, has not produced a strong leader that helps add clarity to this plan.

I am hopeful that there will be a strong leader emerge. If that can happen, it would help us all to be able to follow a path and get behind this. I do not think that there is a political struggle here. I do not think it is a partisan struggle.

My sense is that there is a sense of fiscal responsibility on the one side of this argument, and a sense of frustration that we have not been delivered the accounting or where the funding has been spent nor the plans on where it would go.

□ 2200

I know that when they came to us for the $50 billion FEMA funding, in that was altogether 300,000 trailers, which now we have a clearer view, I think, of how much of a debacle that was; 270,000 of them were back ordered. There was $650 million in that funding that was for mitigation of future disasters.

So some of this jumped the gun, and it has not served the people well that are suffering down there. I hope we can find a way through this. It saddens me to listen to you all tonight. This message needed to come out here before this Congress.

I just wanted to let you know that my ears heard it, and I think that there were thousands of Americans that heard it. And I hope that we can find a way to bring some solution there; and it will be a long time, I think we all know that. This is the worst natural disaster for this country ever to face in loss of lives, in loss of treasure, and the degree of difficulty in reconstructing the region, and in the planning difficulty, and how to put levees back in place, how to give people some sense of certainty.

And then on top of that the difficulty in finding reliable engineering on the settlement rates that are going on, some of them below sea level, some of them above sea level that are there. I struggled for months to get my hands on some. I think now I have maybe all that is available in the world in my office. One rolled-up, nice-looking document.

I want to let you know that I will pay attention with you on this, and I will be working for a plan and for a solution. We may or may not agree as this process goes forward, but I wanted to express my heartfelt sympathy for the people in the gulf coast of America. I appreciate you staying on the floor to hear that message because I mean it from my heart, Mr. MELACON and all of us to you.

So however we move forward on this, hopefully the first thing and the most important thing I would think would be to get a core plan out here in front of the American people so they can start to plan. If we cannot get resources to them, at least they can move ahead on their own if they know what they can count on for protection from a flood.

We have to have a New Orleans. Thomas Jefferson saw the vision in that. If he had not bought anything except that southern part of Louisiana for the money he paid for the entire Louisiana Purchase, it would have been a good deal. Part of where I live is part of that purchase as well, but that port down there is essential to America. It must be viable again. I thank you for your words. I came to talk about another subject matter, but I appreciate the privilege to say a few words about it, and I thank you for your contribution here tonight.

Madam Speaker, I came to the floor to talk about another subject matter, and that is the subject matter that America is talking about in virtually every stop I make across the Midwest and other parts across the country, that is the subject matter of illegal immigration.

I would point out that most everyone I meet is supportive of legal immigration. I am one who is supportive of legal immigration. I have argued many times that we need to design an immigration policy that is for the enhancement of the economic, the social, and the cultural well-being of the United States of America. It needs to be a plan that is somewhat selfish, if you will: one that is designed to grow our economy; one that is designed to develop our society; one that is designed to help us continue to be the beacon of liberty for the world. That has been the charge that has fallen upon this Congress. In fact, it is the constitutional charge that the Founding Fathers wrote into our Constitution. That design and that plan have fluctuated over the years, but we have always corrected and when we have overdone things, we have always corrected.

So today we are faced with this debate, and it is a debate that is profound and it is complicated. As I listen to this debate across the Midwest especially, but around here, inside the beltway, in Washington, D.C., Madam Speaker, and around the country, I

hear two things, two things on different sides. One of them is that business cannot get along without illegal labor and that if we pull that illegal labor out of the marketplace that our economy would collapse. And the other side of that equation is that because we are all sons and daughters of immigrants, therefore we should not deny access to America to anyone because, after all, we either came here as immigrants ourselves or we descended from immigrants. That actually includes the Native Americans who, according to anthropologists, came over here about 12,000 years ago across the Bering Strait. So they were the first to arrive, but immigrants the same.

As I pose some of those questions in hearings, as I listen to the testimony, one of the questions, Madam Speaker, I posed was to the witnesses: Name a nation that was not built by immigration. And I add no one on the panel could answer that question as to any nation that had not been built by immigrants. In fact, all nations in the world have been built by immigration. There is no police in the world where there is an indigenous people that just sprouted up there and lived there and they did not leave and no one else came. We have all been the beneficiaries of fresh blood that comes in from new regions, new ethnicities with new advancements to their culture, new vigor that comes from the fresh blood of immigration. That has taken place in the United States of America in a more effective way than any place in the world.

We have done a better job of assimilation than any other place in the world. But any nation you want to look at, including Iraq, which many will say is the cradle of civilization, but there has still been immigration that has flowed back and forth there for millennia.

If you look at Europe, we know the history of the Normans and the Celts that came across that part of the world and they vied for who was going to be the rulers in that region. As the Huns came down from the north and the Romans came in from the southeast, they mixed their culture, and today we have some of that vigor. We have the legacy of that. The same here for the United States of America, only we did it under unique circumstances, Madam Speaker. We did it under these circumstances where this entire continent, in fact, the Native Americans did not view land as an ownership. And so because of that, the land had not been fought over, had not been struggled over. There had not been wars that were fought over the land itself. Yes, some of the hunting grounds, but not the lands itself.

As opposed to Europe, Madam Speaker, where for centuries the ownership of land, occupying the land, was a reason for war. So they had fought over that land and the very deep-seated grudges were rooted in that land. But as we received the beneficiaries of Western Civilization, they came over here to the United States for their different reasons, for freedom to worship, freedom of religion, freedom of press, freedom of speech, free of enterprise, Madam Speaker, and the opportunity to invest some capital or some sweat equity or both and be able to pull themselves up by their boot straps and succeed and go clear to the top of the heap, an environment of low or no taxation and low or no regulation. But the benefit of this country was that we had an entire continent to settle, and it needed people to live on it, Madam Speaker.

So the new circumstance turned out to be good people, hardworking, Godfearing, aggressive people to settle this land, could homestead much of this land. And the legacy of the grudge, the blood that was on the land they left did not get imprinted here on the land in the United States of America. So we were able to under that kind of environment, where there were not grudge matches over the ownership of the land, bring people from different walks of life, from different nationalities, different ethnicities, different languages, different religions and bring them together on this land called America where they assimilated with each other on a common value system, began to understand and learn a common history that bound them together. They learned a common language called English that tied them together. They had a religion that was predominantly Christianity. They had Judeo-Christian values that bound them together and they had a sense of destiny. They had a clarion call for manifest destiny. And they settled this continent from the Atlantic to the Pacific in a very, very short period of time.

But that was a legacy of the circumstances of history, the hand of providence, the values that they brought with them, Madam Speaker, unique in the world. And so we have this unique privilege and this unique opportunity in the United States of America. We have a sacred covenant with our Founding Fathers that we must preserve and protect and defend. We have an obligation to look downrange, to look beyond the horizon and ask questions of all of us.

What has America been? What is America today? And what is America to be tomorrow, next year, next decade, next generation, next half a century, next century?

Madam Speaker, I do not hear a lot of that discussion in this immigration discussion that we have. I hear short-term discussions that have to do with I need to have these people come in here, the illegals, because we count them in the census and therefore we apportion congressional districts. They have a representation in Congress, and they do, Madam Speaker. In fact, there will be nine to 11 congressional seats in America that exist because the illegals that live in that district are counted right the same as an American citizen. And at least two of those seats in a State that I can think of, it only takes 30,000 votes to win a seat in Congress.

My district, the Fifth District of Iowa, takes 120,000 votes to win a seat in Congress because we have very few illegals in my district. So the people who come to the polls are about 240,000 strong out of 600,000 people altogether. That would be the registered voters. But in a couple of seats out west, there are only 60,000 registered voters to come to the polls because the rest of them are either not registered or they are here in the United States illegally and they cannot vote.

So 30,000 votes wins the seat in Congress that has the same voice, the same vote that my 120,000 people that come to the polls to vote have. That is wrong, Madam Speaker. The people who are citizens of the United States deserve representation here. They do not deserve to have their representation diluted by counting people who came into this country illegally. But that is the political power of illegal immigration that is aligned mostly with the left.

So they have a powerful political motive to support massive supplies of illegals to come into this country in the first place because they guarantee congressional seats in Congress, nine, 10 or 11 of them, depending on whose study you want to follow.

In the second place because they believe that if they keep the pressure up there will be a path to citizenship so that those people do get to vote. It changes the political dynamic in America. That is the urge on the left. That is their motivation to not stand by the rule of law, to not defend our borders, to not enforce domestically the violation of immigration laws, Madam Speaker.

On the other side of this equation are the companies that are profiting from illegal labor. Now, they will argue and they have argued relentlessly and vociferously that we cannot be deporting 11 million illegals. I would argue that, yes, I think we could if we had the will to do so if we could find the means and the way to do so. I do not suggest that we do that, but I reject the idea that we could not do that.

I would argue that they came here on their own. They could go back on their own. And we need to get people to go back to their home country, get in the line to come into the United States legally, not illegally.

To give an example of what happens when you reward people for breaking the law, I recall a protestor that had signs out at an event that I attended some months ago, and those signs said, ''I was an illegal immigrant. Now I am a United States citizen. Steve King is a'' pick your adjective that you might want to describe me as, Madam Speaker. But it struck me that this individual was proud that he had come into the country as an illegal alien, but he was given amnesty in 1986 in one of the two times that my beloved President Ronald Reagan let me down.

So the reward for breaking the laws of the United States was United States citizenship. And then he has contempt for the law and argues that we ought not enforce our immigration laws today. He was a beneficiary of not enforcing them in 1986. Now he is a United States citizen. Now he is exercising his rights of citizenship to protest the idea that I would stand up to defend the rule of law. Of course he has contempt for the rule of law. The rule of law did not restrain him from breaking it to come into the United States. And he was rewarded by citizenship for breaking the laws of the United States.

One of the foundations, one of the basic tenets of being an American, our American values, is respect for the rule of law, Madam Speaker. And if we bring in millions of people who have contempt for the rule of law, we will find ourselves devolved into a downward spiral of the kind of corruption that we see south of the border. There is contempt of the rule of law there. You have to pay off the police force. You cannot protect the rights of property. There is a reason that their economy has not grown like our economy has grown. And that reason is many of the things that we know: the rule of law; respect for the law; a kind of a culture that polices itself.

When we wonder whether it is actually the Mexican military, Madam Speaker, or whether it is paramilitary dressed like the Mexican military or active duty Mexican military who are hired out to the drug cartels that are escorting convoys of drugs across the Rio Grande into the United States, it does not matter a lot to me. A country that can have that kind of thing going on has contempt for the rule of law, their own laws, and absolutely has a policy that runs directly against the laws of the United States of America.

Fifty-eight percent of Mexicans believe they have a right to come to the United States, 58 percent. How can that be in a nation that hears this media? Our television blasts down in there. Our radio blasts down in there. Don't they hear this message continuously that Congress is now fed up, that we passed immigration laws?

□ 2215

I guarantee you, Madam Speaker, they do because somewhere between 25,000 and 40,000 of them were here in this city last week protesting the fact that we want to enforce our borders.

Now, think of this. The Nation State, United States of America, Nation State, one of many, one of several hundred Nation States in the world, if there was ever an institution that demonstrated its resilience and its success over the last century, the 20th century, it is a Nation State, and a Nation cannot be Nation unless it has borders. You cannot declare there be borders unless you enforce them.

The reason we have borders is, one, for national security, national security, so foreign armies do not come in, so that contraband does not come in like illegal drugs, guns, weapons, weapons of mass destruction. It could be chemical weapons. It could be biological or nuclear. It could be a dirty nuclear device. A Nation has to have borders and enforce their borders to protect their national security, for one thing.

To control the flow of commerce for another so that our commercial treaties that we have from one Nation to another are honored and respected and any duties that might be owed at the border get paid, going both ways, another reason to have a border. You have to define that location with a bright line, Madam Speaker, because a border defines the line distinctions between the law of two Nations. We have a law that says you do not come into the United States in violation of our law. You have to have lawful presence to be here, but the contempt that is demonstrated on our southern border encourages more than 4 million to come across the border in a single year.

In the last reporting year, 1,159,000 illegals were stopped by the border patrol in the southern border. That is 1,159,000. Of those 1,159,000, there were probably another 3 million that made it in that did not get stopped, but of 1,159,000, only 1,640 were adjudicated for deportation. That is not a very good percentage, and the rest were released on, one might say, their own recognizance, but I would say they are released on their promise to return to their home country, I promise I will go to my home country, please let me go, Mr. Border Patrol, and they are released.

About 155,000 of them were other than Mexicans, OTMs, and these were those that we did not have the right kind of a treaty arrangement to be able to deport them to their home country. So now we have a lot of Congress that is upset about that. I cannot draw a distinction between whether they were other than Mexicans or whether they were Mexicans. They all fit into the same category to me. They broke the law to come into the United States. We need to enforce the law.

Why can we not do immediate deportation? Why can we not we just issue the order that says you came into the country illegally, we will take you down to the turnstile and you go back where you came from; if you come back here again, we have got your fingerprints now; we will lock you up; now then we will send you back. That is a simple solution.

But we need to put a fence along our southern border, Madam Speaker, and I called for that fence on August 22. We passed legislation that would build a fence here 3 months, 3 weeks and 3 days, 114 days, later and that would be 700 miles of the 2,000. I supported that. I thought Duncan Hunter did good work on it. He wrote up a very good plan to build a reasonable fence. I would connect it the whole way, and even with a 10-foot chain link fence, with wire on top, it would be about $680 million to build it the whole way.

I would want to delineate and define and identify our border, and I would hang signs on the south side of them in Spanish that say, you cannot come here through this fence. You need to go sign up, go sign up and then wait your turn, and you can come to the United States if there is room for you in the amount of legal immigration that we are going to allow.

We cannot guarantee that everybody that wants to come to America can come here. In fact, if we opened up our border, Madam Speaker, and allowed everyone to come here that wants to come here, I would imagine there would be somewhere around 6 billion in the United States. Sooner or later, if we ended up 3 or 4 billion, maybe by that point it would be so crowded that folks would decide they do not want to.

But at what point does it sink the lifeboat called the United States of America? At what point when we are taking people on and bringing them in and telling ourselves that we are the relief valve for poverty in the world and we are doing good things for these million or 2 million or 3 or 4 million people that come in here every year, and that makes our heart feel good, but while that is going on, there are another 10 or 12 million that are born, that are not going to have that opportunity to come here. There are another 4.6 billion people on the planet that have a lower standard of living than the average citizen in Mexico.

So it is not possible for us to alleviate poverty by opening up our borders. Maybe we can alleviate any kind of guilt that is there. Madam Speaker, I feel none. It is a great blessing to be born in the United States. It is a tremendous privilege to be able to come here as a lawful resident and be able to earn citizenship that is here. I see that from people who are Americans by choice, and the depth of their patriotism and their commitment to this country is strong. I appreciate that and they bring their talents with them, and it adds to the vitality and they love freedom. Many of them love freedom as much, or more, than native born Americans do because they have known something other than that freedom.

But we cannot be the relief valve for the poverty in the world. We can export our values, but if we think we are going down take on all the poor people in the world: Bring me your tired, your poor, or your hungry, the wretched refuse of your teaming shores, that cannot go on because this lifeboat will sink. And then where do people migrate to then?

So I would ask as you are involved in this debate, and as Americans across the world are, I would ask them to pose the question, when somebody steps up and says I think we ought to have open borders and a guest worker plan and a temporary worker plan, I would ask them this question: Is there such a thing as too much immigration? Simple, number one, easy question. If they

will not be willing to answer, because they know that if they answer the question the way they would like to answer it, which is, no, there is not too much, then they have to answer the question if 6 billion Americans are too many. When you ask that question you say, well, that is a few too many, or about 5 billion or 4 billion or 3 billion, or 2 billion, that is all too many.

They have to begin to settle on an answer of what should the population of the United States be. Is there such a thing as too much immigration? If so, how much? Why would there be too many people living in the United States? If it came to 1 billion people here like there are in China and India and the answer to that is that, yes, we could sustain that kind of population. It would be crowded, packed and put pressure on our infrastructure. We would not have enough roads, schools and hospitals. Our parks would be packed in full, and we would have to shut some of them down. We would not have enough clean water. We would have trouble handling the sewer. We could make those adjustments if we had the people, but there is not a reason to open the doors to take on that load and change the character of America that dramatically.

So there is such a thing, Madam Speaker, as too much immigration, and too much immigration from a single country changes the culture and character of America.

I am not here the say whether that is good or bad, but I am here to suggest, Madam Speaker, that we need to have a national debate on that. We need to have a national debate to discuss what is the character of America, what has made us strong, where do we derive our strength.

I do not hear that discussion here in this Congress. I do not hear it around the hallways of the offices that are around here, and I do not hear it a lot back in Iowa either, but I would submit that the strength of America comes from three main pillars.

Those three main pillars are free enterprise capitalism. We have had the freedom and the opportunity and the structure and the rule of law to let us invest our dollars in our sweat equity to do the best we can to earn our way through this life. If you rise to the top of the heap and you are worth $50 billion and you are Bill Gates, hurray for you. America cheers that kind of success because we know when someone makes it to the top of the ladder, they have also helped many others up to the top of the ladder with them, and that kind of success spills out amongst us all. A rising tide lifts all boats. The tide of Bill Gates and Microsoft and $50 billion and an individual's wealth has risen all boats and we all live better because of that and that creativity is awarded here in the United States because we have a rule of law. We have free enterprise capitalism. So the first pillar is free enterprise capitalism.

The second pillar of the strength of America's economy is Western civilization. We could go into a discussion about the struggle of the west versus the east right now, and Western civilization being challenged by radicalism, but I think, for the time being, I will take us to the benefits of Western civilization, Madam Speaker. I will suggest that the origins of Western civilization are rooted in the Greek, the Greek thought, 2000, 3000 years before the time of Christ when they sat around and took great pride in being able to reason, to be rational, to be able to set up a theorem and be able to track that and be able to prove to the level of the science that they had things that they could believe in that were factual. Once they could establish those facts, they could move on to other facts that were based on real truth.

Now, we are in this age where there is an argument that there is no such thing as truth, but I will argue that there are many things that are true, and it is the math and sciences, the physics, the chemistry, the geometry. Physics, chemistry and geometry, math, those sciences, those things, exact sciences, the things that you could count upon and use to calculate the engineering design to build a bridge over a river, for example, that is some of the foundations that grew from Western civilization.

We saw the Romans develop their engineering in a magnificent way, and they were part of Western civilization, and they demonstrated how you could take science and reason and be able to do wonderful engineering designs, many of which exists to this day in Rome. That is, the Greeks, in particular, and the Romans successes are the foundation of the Western civilization, and as that thought, that age of reason flowed its way up through Europe and found itself in the age of enlightenment in France, in particular, in the late 1600s and in the 1700s, that age of enlightenment that brought forth the industrial revolution, those values of Western civilization, the beginnings of the industrial revolution found their way to the new world, found their way to the North American continent.

Where? We had free enterprise capitalism now married up with an industrial revolution that was the Western civilization, the success of Greek thought, Roman thought, age of enlightenment in Western Europe that came over here and tied up together with this almost free enterprise opportunity where there was almost no taxation and no regulation, but there was a protection of the rule of law. There was a return on capital. The return on that capital, coupled with the science and the technology, brought about this robust economy here in the United States.

That robust economy would, I think, have turned this Nation into a voracious, imperialistic Nation that would have been seeking to conquer the world and that conquest and occupation of the world would have been the natural result of that appetite, of almost perfect environment for free enterprise and almost perfect receptacle for Western civilization, those two pillars, free enterprise, Western civilization.

But the third pillar came along to mitigate this, tie this together and give it a moral foundation. That is our Judeo-Christian values. Those are the values that are part of our culture, that tell this Nation of Americans that you have a duty that goes beyond yourself. We have a duty to the world, we have a duty to posterity and duty to God to establish a moral foundation. That moral foundation has been our restraint, our restraint that causes us to help other people up the ladder and reach out and promote this freedom and this liberty so that the rest of the world will have that opportunity to benefit from the technology, the industrial revolution, the free enterprise capitalism, the descendants of and now the leaders of Western civilization.

But it was our Judeo-Christian values that tempered that aggressive appetite and made us a moral Nation. That is the core that has made America great. That is a debate that we have to have and the values that we need to preserve, and if we will preserve those values and if we can infuse those values into people that come here to take advantage of these opportunities, and if we are knowledgeable about what has made this Nation great and if we are humble about this blessing that we have and if we take this responsibility seriously, so that we know that when new people come here their opportunity for assimilation becomes also a way for them to be incorporated into these American values, these values that I have articulated of free enterprise capitalism, Western civilization, Judeo-Christian values, all tied together, that drive us toward a destiny to be the leader of the world, not just the leader of the free world.

We used to say United States of America is the leader of the free world. No, we are the leader of the world. Our Nation is the world's only future power. Being the world's only future power is an awesome responsibility, Madam Speaker, but also shaping this Nation is an awesome responsibility.

So the question becomes, is there such a thing as too much immigration? Yes. If so, why? It overburdens us, as I said, our infrastructure, the highways, our sewers, our roads, but also, it changes the shape and the character and the culture of America. We should be always nurturing this character and culture to be pro-free enterprise, pro-Western civilization, pro-Judeo-Christian values, and you might notice, Madam Speaker, none of those values I have given necessarily run contrary to the largest population that comes into the country both legally and illegally, but we need to articulate this and bring people under our wing so they can be assimilated as Americans.

Then to ask the question of those who are for open borders, what will

America look like in 10 years, 25 years, 50 years, 100 years?

□ 2230

What is their vision for America? What do they believe are the circumstances and the consequences of essentially unlimited immigration? And their answer will be: This Nation can't get along without the immigrants because, after all, it was built on immigrants. And we can't get along without the labor that is there. Business will collapse.

Madam Speaker, I would submit business won't collapse. Four percent of our labor force is illegal labor. They do 2.2 percent of the work. They turn out 2.2 percent of the work; 4.0 percent of the labor force. And they earn about $75 or $76 billion in wages, and they send between $20 billion and $30 billion of those wages back south of the border to their home countries.

Now, that puts a burden on our health care, our education services, and our welfare services. And you would argue, no, they do not access welfare if they are not here legally. True. But their children do. So it comes out to be, for the average illegal family, about $2,700 that an illegal family is a burden on the taxpayers. Most of that is to provide education and health care and those things.

If they were legalized in a guest worker or temporary worker plan, then that burden on the taxpayer would go up because they would utilize those services more. The calculation by the Pew Foundation is about $7,700 per family, if my memory serves me correctly. So it would be not quite triple the cost of having an illegal family here to legalize them.

But it is not a net gain to our economy by that measure. In fact, it is a burden on the taxpayer, Madam Speaker. And so I would go further and submit that of the 11 million, and now perhaps 12 million people, it has been charted that the workforce that exists is 6.3 million, some will say 6.5 million of the 11 million, and that group, and I will use the 6.3 million, is the workforce. That is the workforce that would need to be replaced if they were all doing essential work.

I would submit that if they are mowing lawns, if they are trimming trees, if they are doing servant work around houses, people that might be able to mow their own lawn, trim their own trees, maybe make their own bed or do their own vacuuming, that that is not essential work. Some of that is not essential. Some is. But for the sake of argument, let us just say there are 6.3 million people here illegally working doing essential work. And if they all went home over a period of time, it wouldn't happen all at once but over a period of time, then maybe we would need to replace that workforce.

How might we do that, Madam Speaker? I would submit that one of the ways we could do that would be to go into the unemployment rolls. On any day there are 7.5 million unemployed, and we are paying them not to work. There are another 5.2 million out there that have exhausted their unemployment benefits that will answer the polling and the survey saying I am looking for work. I want a job. So 7.5 million, plus 5.2 million. That is 12.7.

In addition to that, between the ages of 16 and 19, the teenagers, there are 9.3 million teenagers that are not in the workforce. Not even part-time. Presumably some of them would like to go to work and earn some money for their college education or perhaps some spending money or to pay for their car, even on a part-time basis. So there are 9.3 million of those. And between the ages of 65 and 69, people that are in retirement age, and some of them presumably in pretty good health, as our health is nowadays at that age, there are 4.5 million people in that age group.

Now, I add up a little more, I started looking, and this is all from the U.S. Department of Labor statistics that are available on their Web page, but between the ages of 20 and 64, and including those ages, there are 51 million people that are not in the workforce. We only have a workforce in America of 140 million people, and we have about 283 million by our census from the year 2000. That has grown some, but 140 million people working out of at least 280 million. So perhaps less than half of America is actually working today, and the other half could, some of them, presumably, could go to work.

But of the lists that I have given, the unemployed, those looking for work, those 16 to 19 years old, those between the ages of 65 and 69, and those between the ages over 20 and 64 that are not in the workforce, there are 51 million of them between the ages of 20 and 64 not in the workforce. They might be retired, independently wealthy, they might be working for cash, or they could be drug dealers, Madam Speaker. They could be doing anything, but they are not in the workforce. So I add these people up to find out how big of a pool there is to hire from. And that pool totals up today, by those statistics, at 77.5 million people in America that would be a pool that one could potentially hire from to go harvest the onions or the grapes or fix the roof or vacuum the floors or make the bed or cut the grass or trim the trees or pull the weeds or whatever the situation may call for. Whatever job it is that some say Americans won't do.

We would only have to hire from those Americans one out of 12 of those sitting around idle and put them to work to replace those who are here illegally. One out of twelve. Is that too much of a burden on America for the rule of law, to hire one out of 12 of the idle among us, to put them to work?

But, I forgot, Madam Speaker, there is work out here that Americans won't do. I remember a particular high-profile leader made a statement here a couple of months ago that was, if it is 105 degrees in Dallas and you need a roof fixed, you aren't going to find an American to do that job. So I went back to my staff and I asked them, What would be the dirtiest, most difficult, most dangerous job that there is to do anywhere in the world?

We surveyed around through the jobs and the different countries and came to the conclusion that rooting the terrorists out of the hovels in Fallujah would be the dirtiest, most difficult, the most dangerous, and the hottest job there is anywhere in the world. With 130 degrees, you put on a flak jacket, go in there and risk your life to root the terrorists out of Fallujah. Well, the lowest ranking marine would be collecting about $8.09 an hour. That is if he was there on a 40-hour week. And you can bet he is turning in more than 40 hours in that combat environment, Madam Speaker. But $8.09 an hour to do that kind of work.

And they are proud of their work. And they deserve every accolade we can give them and all the honor from here in this Congress and from the American people. They have demonstrated that they will do that work for that kind of pay plus the honor that comes with the sacrifice. And the memories that we will have and the memories that their families will have and the appreciation and the gratitude this country will have cannot be measured in dollars. And they would be the first to tell you that. But it gives you an example of the kind of work that is being down out there for low pay.

I have spent my life in the construction business, and I have hired all kinds of people to do all kinds of work. I never hired anybody to do work I would not do. In fact, I never found work I would not do. If it needed doing, I would jump in there and do it alongside the people I hired. But I could find people to do necessary work, and sometimes I had to pay them an adequate rate for that necessary work.

But paying someone $6 or $7 an hour to harvest a crop and arguing that that is a good going rate, or $8 or $9 an hour and saying I am paying $8.50 an hour for people to harvest my onions, but I can't get anybody to come do it for that kind of money. Well, okay, that doesn't mean there isn't available labor. It means the going rate is higher than that.

I spent some time working on the pipeline when I was a young man, when I was about 19 years old. They would pull in on a job, might be Kansas, in fact, this one was, and they would start hiring people and the wage would go. And it paid a good wage and it paid expenses and mileage. And we had people come from all over the country with their welding rigs and their campers. And in no time at all, there would be a little town that would build up out there on the prairie, and it would be right there by what we called the bone yard, where we dispatched our trucks and our equipment and we went out and began building that pipeline across the State of Kansas.

They built a little city there because there was enough money to attract workers from all over America. They brought their equipment and they brought their trailers and they came and set up a campsite and went to work. And that is not the only place that that has happened. That is just an example that I happen to live by. And the reason we came from places like Iowa and Utah to places like Kansas was because the pay was good. For me it was $2.10 an hour, so that was enough to get me all the way down to Kansas to do that work at that time.

□ 2240

Today it is a different wage scale, but the incentive is the same. I have heard arguments that our onion and blueberry industries would collapse, and nobody would be there to harvest the grapes or the cucumbers or the zucchini. I would not lament if the zucchini were never harvested. However, unlike the first President Bush, I do like broccoli.

However, the markets that are there have been established by supply and demand, and the labor is established by supply and demand. The argument that there is not labor there to do the work, I would submit that there are many businesses that are raising specialty crops that have established their business on the premise of hiring illegal labor to do the work. When it became more difficult for illegal labor to get there to do the work, now they come to the government and say, legalize them.

They have become addicted to illegal labor, the addiction of the heroin of illegal labor, and now they want the methadone of the legalization of a guest worker or temporary worker plan. There is no such thing as a temporary worker plan in the history of the world. No successful plan, I would submit. I would say that I can think of one temporary worker plan, and that was when Moses led the Israelites out of Egypt. That is an example of a failed temporary worker plan. I find no example of a successful temporary worker plan.

I sat in on hearings and I listened to a witness testify that their agriculture processing operation was near the border and they had a weekly turnover of 9 percent of their employee workforce which was a substantial size workforce. So it was difficult to recruit new people because they had trouble coming across the border to go to work every day, sometimes for the week I imagine. And it was the fault of Uncle Sam because we have tightened up our border enforcement, which I am somewhat surprised to hear.

I would submit the business plan was based on an illegal premise, the plan of setting up a business near the border so it would be easily accessible by illegal workers, to bring people in because they would work cheaper and you could send them back to their home country and not have to worry about, and I do not know in this particular case, but from a general perspective one could take this assumption, and not have to worry about health insurance, workers comp, litigation, retirement benefits, the kind of things that are the burdens attached to any employer here in the United States who hires legal people.

There is a benefit to hiring illegals. They work cheaper. You can hire them when you need them, send them away when you don't need them. They do not have a contingent liability that goes with them. They are not filing a lawsuit against you.

One of the things they do also is they claim a maximum number of dependents. At say $10 an hour, to pick a round number, claiming the maximum number of dependents, there would be no withholding for Federal income tax. And in Iowa, there would be no State income tax withholding, especially for the States that do have income tax. An illegal would forfeit their payroll tax, the 7.65 portion for Social Security, Medicare and Medicaid.

When that is said and done, compared to an American citizen, the illegal would take $1.54 more an hour than your legal American citizen. How long is an American citizen going to put up with that, taking home less pay, knowing that the person next to them is not paying taxes except for the mandatory withholding of the 7.65 percent that goes to Social Security, Medicare and Medicaid.

So I asked the American people: What do you think of this? What would the real survey results be, and I sent out a mailing of 10,000 questionnaires to the Fifth Congressional District of Iowa, randomly selected households from different areas of the 32 counties that I represent. I asked a series of 20 some questions on immigration. The most operative question, the most instructive question asked on a scale of 1 to 10, with 10 being the most intensive, how intensively do you agree with this statement: We should eliminate all illegal immigration and reduce legal immigration.

Now, I am not calling for reducing legal, I would freeze it where it is, but that was the question. On a scale of 1 to 10, 82 percent wrote down 10. Some of them I think held their pen like a dagger when they wrote their numbers and comments on the side. They were intense.

Madam Speaker, 82 percent said eliminate illegal, reduce legal, and they were emphatic. If you added up to the 6s, 7s, 8s and 9s to the 10s, 97 percent said eliminate illegal immigration and reduce legal. That is the America that respects the rule of law and knows that if we do not have rule of law, control of our border, if Congress does not have the will to enforce these laws, how can they advocate that there is going to be something like a guest worker or temporary worker program. They cannot legitimately do that. The American people know better. They know this administration has not demonstrated a will to enforce the laws of the United States of America.

And if we put more laws on the books, as we have sought to do here on the floor of Congress and sent over to the Senate, if those laws are signed into law by the President, that does not mean that a single one of them will be enforced by this administration. In fact, in the last 2 years, I cannot count you a half dozen businesses that have been sanctioned for hiring illegals. Yet I can point to a business that had 34,000 no-match Social Security numbers, and the withholding of those went into the suspended earnings file. Over 34,000 for a single company, they got the letters from the Social Security Administration. They know they are hiring illegals as a matter of practice.

I have put together a piece of legislation that seeks to remedy this. It is called the New IDEA bill. New, there are not hardly any new ideas in any legislative process, and this Congress is no different, but I believe this is a new idea. It is called the New Illegal Deduction Elimination Act.

I looked around and tried to identify what government agency is doing their job, what government agency is enforcing, what agency has the will to enforce the laws that they are charged to enforce and protect and to bring penalty and interest and do their collection. We know who that is, it is the Internal Revenue Service, not the IRS, not the current ICE, but the Internal Revenue Service.

So I thought how can I use the IRS to enforce immigration law. I drafted up some legislation and it does this: New IDEA, Illegal Deduction Elimination Act, removes the Federal deductibility for wages and benefits that are paid to illegals. It allows for an employer to go on the basic pilot program on the Internet, instant check I call it, entered the Social Security number and some other data. That search mechanism goes out to the database of the Department of Homeland Security, NCIC, and comes back and it will tell you if that identifies, the information entered identifies someone who is legal to work in the United States.

If an employer uses the instant check program, they get a safe harbor protection from the New IDEA. But if they do not use instant check or if they use it and ignore the results, they know or should have known they are hiring an illegal, and the IRS, in the course of their normal audits, would come in and remove that deductibility.

So presumably, let us go back to the $10 an hour employee. That $10 an hour employee would have been a $10 deduction for the employer from their income side. It would go over to the schedule C side of their income tax. But when the IRS looked at that and determined the $10 that you paid went to an illegal, the company knew or should have known it was an illegal, they remove that from the schedule C and it goes back over into the gross receipts and presumably becomes profit.

If this is a company, corporate income tax perhaps in the 34 percent

bracket, then their elimination of that $10 deduction from their income becomes income and the interest and the penalty and the tax on that accrues to about $6 an hour. So your $10-an-hour employee when the IRS is done with their audit becomes about a $16-an-hour employee. That makes it a circumstance by which a legal American can perhaps compete. A $16-an-hour illegal does not look quite so good any more compared to the $12 an hour legal.

Those kinds of rational decisions will be made by the millions across this country when we pass New IDEA, when the President signs New IDEA into law. It will dry up the jobs magnet. We need to shut down this jobs magnet because that is what is attracting the illegals into America. Shut off the jobs magnet, eliminate birthright citizenship, and seal up the border. If we could do those three things, what we would see happening is fewer people would be coming into the United States. Two of the biggest reasons to come here would be gone: Birthright citizenship and jobs. The jobs dry up.

□ 2250

And then the human traffic that is 4 million strong; this human haystack that pours across our border begins traveling back in the other direction and starts to head back south again. That will happen by the millions. I don't think it empties out 11 or 12 million. In fact, I think there are perhaps 20 or more million in this country that are illegal. But I think it maybe takes 30 to 40 percent of those that will go back south again. I know that there are quite a few that were working off the books that aren't even being deducted. They are working cheap enough that the employer decides, I am not going to do the book work on them; it is too much trouble. I am just simply going to hand them cash and pay them off.

But I also know that there are perhaps 50 percent or more that are on the books that are sending in these no-match Social Security numbers that go in the earning suspense file like the 34,000 for the single company.

We pass New IDEA, that changes some of that. That sends the traffic back to the south, shuts off the jobs magnet in many of these companies; and American citizens have a chance to go to work again, people that are lawfully present here in the United States, the green cardholders. Those that are trying to earn their citizenship the right way have an opportunity.

And what do we say, Madam Speaker, to the young people in America that decide they don't want to go to college and become a doctor or a lawyer or a scientist or somebody that is an MBA from Harvard? What do we say to those people that say, I have had 13 years of school, kindergarten, K–12. I have had it. I want to go to work. I want to work with my hands. I want to develop my skills. I want to start earning a paycheck and bring it home, and I want to do something different with my life. This is the pace that I want. Those people have all been cut out of this.

I got a letter from a lady the other day. She and her husband had been involved in the construction business all their lives. They have been pushed out now. There is no opportunity for them. They are essentially jobless because illegal labor has undercut their wages to the point where they can't get a job anymore.

One Easter I was in a motel visiting my in-laws, and I happened to have a conversation there in between mass with a couple of people that were of Mexican descent. They were U.S. citizens. They happened to be working up in Nebraska. I said, Why are you here? And it is Easter and you are away from your families. And they said, well, we can't go to work down on the southern border because there are so many illegals down there that you can hire four of them for every one of us, so we have to come here to Nebraska. And one of them was going to the Philippines the next week. But they were traveling and sending their money back to their families in southern Texas because the proliferation of illegal labor shut them out of the job market in their own neighborhood, Madam Speaker. This goes on, over and over again.

But I beseech the United States Senate to cease discussion, deliberation, bringing language out of the Judiciary Committee that provides for guest worker-temporary worker. It is a flawed plan. There has never been a successful guest worker-temporary worker plan ever in the history of the world. The arrogance or the idea that you could configure one in committee and sit back and draw one up because you know what's best for America, without a model. And then what would happen is that comes over here from the Senate after you water down the enforcement that we sent over there, and you send us your temporary worker plan, which America knows can't work, and it comes to the floor of this Congress and for political reasons, nearly every one on that side of the aisle will vote for it, Madam Speaker.

And for whatever reasons, misguided reasons, I think, political reasons, because business wants cheap labor, some of the people on this side of the aisle will vote for it too and this will go, if it goes to the President, he will sign a temporary worker plan. It will be an amnesty plan, Madam Speaker. I have seen nothing that anyone has drafted up that is anything but an amnesty plan.

The American people know amnesty. They will understand amnesty, and they will let out a hue and cry and a scream that will be heard for generations if we fail them now; if we fail to provide enforcement at our border to build a fence, to seal that border and send a message that this is a sovereign line between two countries; if we fail to sanction employers; if we fail to pass New IDEA; if we fail to put policies in place that cause people to migrate back to their home countries.

But if we can succeed in enforcement, we can also promote American values, Madam Speaker. In those countries that need help and the people who are coming here are the solutions for the countries that they are leaving. If they would go back to their home countries and build their countries and enforce the changes that are necessary for the reforms, the world is a better place. Their country is more prosperous, their children will have opportunities. And that is the legacy that can echo around the world. It can't succeed under guest worker-temporary worker.

We have an obligation and a duty to our Founding Fathers, to our constituents, to Americans, to God to preserve and protect this great country and to shape an immigration policy that is designed to enhance the economic, the social, and the cultural well-being of the United States of America.

## BLUE DOG COALITION

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes.

Mr. ROSS. Madam Speaker, on behalf of the 37-member strong fiscally conservative Blue Dog Coalition, a group of 37 fiscally conservative Democrats that have a common goal, and that is to restore some common sense and fiscal discipline to our Nation's government, and on behalf of the Blue Dog Coalition, I rise this evening as I do every Tuesday evening to discuss the debt, the deficit, the budget and accountability within our government because I believe, as Members of Congress, Members of this body, we were sent here by the American people to be good stewards of our tax dollars.

I grew up at Midway United Methodist Church just outside of Prescott, in Hope, Arkansas. Heard a lot of sermons growing up about what it meant to be a good steward. And what I learned growing up at Midway Methodist Church about stewardship I believe also applies to being good stewards of our tax dollars.

And, Madam Speaker, I rise this evening because today the U.S. national debt is $8,270,385,415,129 and some change. Again, that is a lot of numbers, and sometimes I get them a little confused. $8,270,385,415,129. For every man and woman and child in America, including those being born right now, each individual in America's share, every man, woman and child's share of the national deb, comes to some $27,000 and some change.

It is hard to believe now, but from 1998 through 2001, we had a balanced budget in this Nation. And yet for the last 6 years, this administration and this Republican Congress have given us the largest budget deficit ever, ever in

our Nation's history. It is time to restore some common sense and fiscal discipline to our Nation's government, and it must start with accountability.

Madam Speaker, we all, our heart goes out to all the people that were impacted as a result of Hurricane Katrina and Hurricane Rita. Our heart goes out to so many people who lost their home and literally everything that they owned. It has been 7 months since that storm, and yet there are still so many things that are not happening the way they should within this administration and within FEMA, and one of those things is happening in my back yard.

I grew up in Prescott, Emmett and Hope, and went eighth through 12th grade at Hope public schools, graduated from Hope High School in 1979. I will be back there this coming Monday evening to keynote their annual chamber of commerce banquet.

But shortly after Hurricane Katrina, the Federal Emergency Management Agency showed up at the mayor's office at city hall in Hope, Arkansas, saying this. They showed up and they said, you know, Mr. Mayor, you have got this old World War II Army airport facility at your airport, these inactive runways, inactive taxiways, inactive tarmacs; and we want to use this as a FEMA staging area. And we are going to have manufactured homes, these 60- and 80-foot-long manufactured homes, 14-foot wide, two and three bedroom fully furnished manufactured homes coming and going, coming into the staging area at the airport, these inactive closed military runways from the World War II days; and then they will be coming in, they will be going out.

Well, Madam Speaker, they came and they came and they came and they came and they came, but they never left.

□ 2300

Well, now some 300 have left. 10,777 brand new, fully furnished manufactured homes arrived at the airport in Hope, Arkansas, with the theory being that they would all be stored on these inactive runways.

Today about 25 percent of them are stored on these inactive runways. 75 percent of them are stored in a pasture. In the past I have referred to it as a cow pasture. And the mayor down there in Hope reminded me there have not been cows in that field in a long, long time.

But the point I am trying to get across is 75 percent of these manufactured homes are just sitting there on grass. Someone told me the other day to start calling it a hay meadow. 75 percent of them are just sitting there on the grass.

In fact, Madam Speaker, if you have ever wondered what 10,777 manufactured homes look like, that is just a sampling of them with an aerial view. This is the active runway at Hope. These are the inactive runways. As you can see, they tried their best to store them on them, but then they ran out of room.

If you wonder why I call it a cow pasture, this gives you a pretty good close up view of it. There is your barbwire fence. There is the pasture. And there is the manufactured homes just sitting there. These were actually parked in my home town of Prescott waiting to get into the FEMA staging area in Hope.

Now in all fairness, when I raised this issue there were 10,777 manufactured homes sitting in Hope, Arkansas. They have since moved 300 of those to Louisiana. 300 out of 10,777, which obviously if you do the math means we have still got 10,477 manufactured homes sitting in Hope, Arkansas at the airport and in this pasture, this hay meadow.

And what is appalling about that is that 7 months after this storm in the middle of winter, in places like Pass Christian, Mississippi, there are still people living in tents, living in tents at a time that we have 10,477 brand new fully furnished manufactured homes sitting in Hope, Arkansas, 450 miles from the eye of the storm

To put it another way, if you stack them end to end, they will stretch from Texas to Mississippi. There are $431 million worth of manufactured homes sitting at the airport. I was down there with the Democratic Leader of the Senate, Senator REID, and Senator PRYOR just this past Saturday urging FEMA once again to get moving, urging FEMA once again to get these manufactured homes to the people that need them.

What does FEMA say? Well, we will not put them in a flood zone, we will not put them in a floodplain. And under a normal situation, I would say that makes sense. But the reality is, that everybody that lost their home that needs a home, their land is in a flood plain.

And surely to goodness FEMA knew that before they purchased 10,000 of these brand new fully furnished manufactured homes. So what is FEMA's response? FEMA's response is that this week they have awarded a bid, just in the last few days at least, they have awarded a bid, and they are beginning to gravel, they are beginning to gravel 170 acres of this pasture land, costing the taxpayers $4.2 million, so that they can continue to store these manufactured homes out of fear that sitting on the pasture they are eventually going to begin to sink.

Madam Speaker, that is an example of the lack of accountability within our Government. That is how our Government, this Republican Congress, this President, is spending our tax money. And all I can tell you, Madam Speaker, is all it takes is an executive order of the President to require FEMA to locate these 10,477 manufactured homes to the people who need them who lost their home and everything they own in Louisiana. The President can do it with one signature on one piece of paper.

But since he has refused to do that, I am proud to share with you that I have written a bill, introduced a bill into this session of Congress, that would basically require FEMA to get moving, to require FEMA to temporarily locate these to the people who need them in Louisiana.

Finally, the most important part of this is that these manufactured homes are not permanent housing, they are temporary housing for 18 months. What is worse? To have these 10,477 manufactured homes spread over multiple flood plains in Alabama, Mississippi, and Louisiana, or have them all sitting there in this pasture at the airport in Hope, where there will be a tornado watch or a tornado warning every 10 days for the next 3 months.

This area is commonly referred to as Tornado Alley. My home county is one county over. We had tornado watches just this weekend. This is an example of how taxpayers are fed up with our Government. This is an example of the lack of accountability in our Government

And as a member of the Blue Dog Coalition, a group of 37 fiscally conservative Democrats, we rise this evening to ask the President, to ask this Republican Congress, to exercise some common sense and good judgment and join us in trying to get FEMA to get these manufactured homes out of Hope and to the people who so desperately need them.

Now for the rest of this hour, we are going to be talking about accountability. We are going to be talking about the debt, we are going to be talking about the deficit, we are going to be talking about the budget.

Madam Speaker, I am extremely pleased this evening to be joined by a real leader within the Blue Dog Coalition, someone who has been elected the co-chair for administration within the Blue Dog Coalition, the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Madam Speaker, I thank my colleague, Mr. ROSS. And I am always pleased to join follow Blue Dogs on the floor of the House of Representatives to talk about the issue of fiscal responsibility, and also about accountability, which go hand in hand.

The Blue Dogs have made a point of trying to make sure that people understand the magnitude of the debt. Mr. ROSS showed the slide that showed over $8 trillion of debt. If we divide that among every man, woman and child in this country, that is over $27,000 for everybody.

And the accountability issue that we have talked about, let's just take that as one issue to talk about now. Because the Blue Dogs have promoted what they call their 12-point plan that will lead us back to fiscal responsibility.

One of the points has to do with accountability. See the example Mr. ROSS gave where you have money being wasted and you wonder what is going on, that is indicative of a broader problem within the Federal Government.

So many agencies within this Government are unable to offer a clean

audit of their books. It is pretty remarkable when you think about it. Businesses would be out of business if they ran this way. And so under the Blue Dog 12-point plan, we think you have to put a structure in place that will force fiscal responsibility, one of the planks of the 12-point plan says that if there is a Government agency that cannot give you a clean audit of their books, their funding is frozen at the previous year's level. No increase for inflation or anything else.

In other words, we are going to create a strong incentive for the people working in that Government agency to make sure that they can at least give you a clean accounting of their books. That is what we should all want. That is what we should all demand quite frankly as citizens of this country.

There is nothing Republican or Democrat about this issue. That is just basic accountability. It is the taxpayers' money. They ought to be able to have an answer when they ask the question, how is it being spent?

And there are too many agencies within this Government who today cannot give you an accurate answer. And it adds up to a lot of money. The most recent year for which we have cumulative data was in 2003. And the Federal Government does not know where over $24 billion was spent in that year; $24½ billion, roughly speaking, is unaccounted for during that year.

That is enough to fund the entire Department of Justice. And we do not know where the money is. I find that amazing. So that is one of the 12 points that the Blue Dogs have offered as a legislative package that we think will help restore some fiscal sanity to the Federal system.

You see, when you take a look at it over time you see deficits occur, and you see certain actions to try to correct that. That is one of the best lessons we all learn if we are in our own household or own our own business, and we saw a year where we lost money, in other words we spent more than we would take in, we would take actions to correct that.

You do not see that happening right now in Washington. That is a concern for me. And in my tenure in Washington, I am in my sixth year here now, I have become convinced that we need to put rules in place, you need to create a structure that forces everybody to be fiscally responsible, forces the Congress and forces the President both to be fiscally responsible.

And that is where this 12-point plan comes into play. The accountability plank is the first plank I talked about. There are a couple of others that are real straight forward that I would like to mention as well. One is we believe that there ought to believe a balanced budget amendment in the Constitution.

Forty-five States have such an amendment. They seem to be doing pretty well in that regard. We think that the Federal Government ought to have that sort of requirement as well. So there is a structural requirement for balanced budgets.

□ 2310

Secondly, we think as Blue Dogs that we ought to put in mechanisms that force you to pay for new programs. So if you got a new program that costs a certain amount of money, you have to pay for it by taking money away from something else. And if you have a new tax cut that costs money, you have to pay for it somewhere else.

By the way, this is not a new idea, this concept of pay as you go for new programs. That set of rules or standard existed in the Federal Government. It started in 1990 during the first Bush administration. Congress passed this legislation. The first President Bush signed it into law, and that created this structure where there was more accountability, where you paid for new programs. Unfortunately, after all the success of that, they expired in 2001, those budget rules; and since then we are going without them. And the Blue Dogs have introduced legislation every year to try to move ahead with that type of budget enforcement mechanism in terms of pay as you go, but we have not been able to get a vote on that.

So that is another point of the 12-point plan, be responsible, pay for new things, find another place to pay for it. Live within your means. It is a concept that all of us can relate to. That is the way we approach things when we sit down around the family dinner table and talk about our own household budget. And if you are a small businessman, you figure out that you have to live within your means, and you make your adjustments and you make your decisions.

Until we put that structure in place here in Washington, my concern is we are not going to have people making those decisions. So I am, as I said, always pleased to join my Blue Dogs colleagues in the House of Representatives to have a discussion about how we can move ahead with fiscal responsibility, what it is going to take.

Here is the thing I find in politics these days. It is easy for people to talk about the problems. We are here tonight offering a solution. We are offering a plan that helps us get away from this pattern, this unending pattern of increasing debt, and that is the kind of thing that I think folks in this country want from their elected officials. They want ideas and they want solutions. And that is why I think this 12-point plan merits everyone's attention, and I think this whole issue of fiscal responsibility is one that ought to bridge across party lines because this is doing what is right for this country, not what is right for one party or the other. This is the right thing to do for this country. It is the right thing to do for all of our citizens. It is the right thing to do because every man, woman and child, as I said earlier, right now owes over $27,000. And we owe it to them and we owe it to future generations to make sure that we do not have an ever-increasing obligation of debt.

I am going to continue to participate in this conversation, but right now I am going to turn it back over to Congressman ROSS. I appreciate his leadership in managing this hour discussion on the House floor. Congressman ROSS, I look forward to continuing this discussion about moving ahead with the fiscally responsible country.

Mr. ROSS. I thank the gentleman from Utah, and the gentleman from Utah raises a couple of good points. First and foremost is that as members of the fiscally conservative Blue Dog coalition, 37 members strong, we are sick and tired of all the partisan bickering that goes on at our Nation's Capitol. It should not matter if it is a Democratic idea or a Republican idea. It ought to matter that it is a commonsense idea and does it make sense for the people that send us here to be their voice in our Nation's Capitol?

I see these Democrats that vote 98 percent of the time with the Democratic Party, and I see these Republicans that vote 98 percent of the time with the Republican Party. And I submit to you, you do not need a brain to do that. And I do not think that is why people sent us here. I think they sent us here to look at the issue and to judge it on its merits and whether it makes sense for the people back home.

There is a lot of criticism that goes on in this Chamber, a lot of people that criticize each other and each party. We are here tonight to point out that there is a problem: the largest budget deficit ever in our Nation's history. The largest debt ever in our Nation's history. More importantly, as the gentleman from Utah pointed out, we are here this evening to offer up our plan, our plan for a budget reform, our plan, a 12-point reform plan, for curing our Nation's addiction to deficit spending.

The gentleman from Utah raised two of 12 points very eloquently. One of those is require agencies to put their fiscal house in order. Again, that is just a commonsense idea. But as the gentleman said 16, 16 of 23 major Federal agencies cannot issue a simple audit of their books. Worse, the Federal Government cannot account for $24.5 billion it spent in 2003. Government auditors should be doing a better job of tracking taxpayer dollars, and the Blue Dog Coalition proposes a budget freeze on any Federal agency that cannot properly balance its books.

Another point the gentleman from Utah raised was requiring a balanced budget. As he pointed out, 49 States in America require a balance budget. I served for 10 years in the Senate in Arkansas. We were required to provide for a balanced budget. My wife makes sure that we have a balanced budget at the Ross household in Prescott, Arkansas. And our banker requires us to have a balanced budget at our family pharmacy that we own back home in Prescott, Arkansas.

As members of the Blue Dog Coalition, we support a constitutional

amendment to require a balanced budget every year except in times of war or a national emergency. The Blue Dogs believe a balanced budget amendment is the only way, the only way to ensure fiscal discipline in Congress. The Blue Dog balanced budget amendment would require a three-fifths vote of both the House and Senate to increase the debt limit or to waive the balanced budget requirement. In addition, the Blue Dog balanced budget amendment protects Social Security from benefit cuts and forbids increases in Social Security payroll taxes in order to balance the budget.

Let me repeat: our amendment protects Social Security from benefit cuts and forbids increases in Social Security, payroll taxes in order to balance the budget.

Madam Speaker, again, the Blue Dog Coalition, who are we? We are 37 members strong. We are a group of fiscally conservative Democrats who are trying to offer up some common sense, some new direction, and some leadership on fiscal issues in this Congress.

Madam Speaker, if you have any comments or questions for us, I would invite you, Madam Speaker, to e-mail us at BlueDog@mail.house.gov. That is BlueDog@mail.house.gov.

At this time in this Special Order on the budget, the debt, the deficit, and the manufactured homes in Hope, Arkansas, a good example of a lack of accountability in this administration and this Republican-led Congress, I am pleased to call on the co-chair for communications within the Blue Dog Coalition. Someone that has been elected to a leadership position in the Blue Dog Coalition. Someone that I have a great deal of respect for, and that is the gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Thank you, Mr. ROSS. It is great to be here again with you as we talk about the fiscal challenges that face our country.

I was glad to hear you talk about how the Blue Dog Coalition has tried to, in a bipartisan nature, work with the other side of the aisle to bring about some fiscal responsibility. In fact, the Blue Dog Coalition sent a letter to the Speaker and to the President asking for a bipartisan working group to try and get to the bottom of balancing the budget and dealing with this fiscal irresponsibility. We have yet to hear from the President. We would certainly like to sit down with him and discuss our ideas to bring fiscal accountability to our Nation's government.

As moderates and fiscal hawks, the Blue Dogs are just trying to do the right thing for America. We are trying to get engaged in a real debate on fiscal responsibility because we need to return honesty and accountability to our Nation's finances.

I am deeply concerned with the continued deficit spending and the complete disregard for fiscally responsible policies and really a fundamental dishonest budget process. The President's proposed $2.7 trillion budget will decrease domestic spending, yet still leave a massive $355 billion budget deficit for this fiscal year. But the $355 billion is not the whole story. The President's figure deliberately leaves out the cost of the effort of Iraq and Afghanistan and the potential future costs of rebuilding of the gulf region and fixing the alternative minimum tax that is plaguing more and more middle-class Americans every year.

All of these issues that were left off the budget are all known costs that will drive up the deficit more than what has been stated in the President's document.

□ 2320

Some would say that the President's budget is a nice break from reality television. The President's budget does nothing to make the Federal Government more accountable for taxpayer dollars.

Every year, the President issues two vital budgeting documents, the budget and the financial report of the United States. You have heard of the first but probably not of the second, and why is it completely ignored? The budget is widely distributed to every Member of Congress and the national press. The financial report, however, is distributed to fewer than 20 Members of Congress with no press release.

The budget says that the deficit is $319 billion in 2005, but the financial report says it was $760 billion, over twice as large as the budget that was distributed to all Members of Congress. The difference is that the budget uses a cash-based accounting which only the smallest businesses of America use because it hides future obligations, thus, painting a potentially unrealistic and misleading picture of the Federal Government's overall performance.

According to David Walker, the comptroller of the General Accountability Office, his statement was that it is painting a potentially unrealistic and misleading picture of the Federal Government's overall performance.

The financial report of America uses accrual accounting, the method required by law for every business in America with revenues over $5 million. The financial report takes into account future obligations of the Federal Government and presents a clearer, more understandable picture of Federal finances.

So when Mr. ROSS is talking about the problems in our budget process, that is one of the things that the Blue Dogs want to highlight is that the true deficit, as you have on your poster down there, is $760 billion for 2005, double what was in the President's budget.

The Blue Dog coalition believes that both the House and Senate should use a more realistic financial report number for its budget, rather than budget numbers that we talk about because it is a truer accounting, and this is not even taking into consideration some of the other spending like we know we are going to have to spend to take care of some of the problems in Katrina and some of the devastated areas of the gulf coast.

I really appreciate you taking me down to Hope, Arkansas, to the airport down there a few weeks ago to see these trailers. I do not know if you have talked about them tonight since I just came down on the floor.

Mr. ROSS. Oh, yeah.

Mr. CARDOZA. The reality is that there is nearly $1 billion in trailers throughout Arkansas, half a billion dollars in your district. It is really wasted. Those trailers should be used for folks who are in flood zones and need them, not sitting sinking in the mud in Hope, Arkansas. So I appreciate you highlighting this fact once again.

I appreciate those in the gallery being able to see the pictures of just wasted tax dollars, $1 billion in your home State, and thank you for having me here tonight, once again, and for leading this hour, and I will be happy to engage with you as we go on.

Mr. ROSS. Madam Speaker, I thank the gentleman from California, and to clarify, it is about half a billion dollars. I believe it is about $431 million worth of manufactured homes sitting there in that pasture at the airport.

Mr. CARDOZA. I believe if you take all the 20,000 throughout the entire State of Arkansas, it is about $800 million.

Mr. ROSS. Some of those are in Texas, Arkansas, Louisiana, Mississippi, several staging areas, but by far, 10,477. When you were there, there were 10,777, and the good news is 300 have left. There is still 10,477 manufactured homes, brand new, fully furnished sitting there in a pasture at the airport in Hope.

The Inspector General had indicated they were sinking in the mud. Not true. Our farm families can just tell you, we have just faced the worst drought ever. Our farmers are used to 50 inches of rain. We did not get 25. We are not sinking in the mud yet. Instead of getting them off the pasture before winter weather sets in and spring weather sets in and they do begin to sink, instead of getting these homes to the people who need them, FEMA's response is we are going to spend $4.2 million graveling, graveling, 170 acres out here so they will not just sit here on the pasture like they are doing right there.

Again, people like this in places like Pass Christian, Mississippi, continue 7 months later to live in a tent while our Federal Government, this administration, has 10,477 brand new, fully furnished manufactured homes sitting at the Hope airport in Hope, Arkansas.

I am convinced there is a lot more wrong with FEMA than Michael Brown, its former director, and I can tell you that if I was President of the United States I would be finding me a new FEMA director.

The gentleman from California pointed out the real United States 2005 deficit is $760 billion and explained how we

come up with that. Again, the deficit for 2005, based on a cash-basis accounting is $319 billion. We do not need to make it any worse than that. I mean, that is one of the worst budget deficits ever in our Nation's history. Again, it is hard to believe we had a balanced budget for the first time in 40 years from 1998–2001, but we did.

In 2005, on cash-basis accounting, which is what our government, our Congress, this administration, uses when it comes to the budget, the deficit was $319 billion. When we say the real United States deficit for 2005 was $760 billion, that is based on accrual accounting.

Again, it was former Senator John Glenn when he was a Member here in the United States Congress that passed the law that said the Secretary of Treasury must issue a financial report of the United States Government every year. Again, when they issued the budget, the budget is delivered with a lot of fanfare to Capitol Hill. You see it on the news and read about it in the paper and hear about it on the radio. Thousands of copies are delivered. There is at least one copy delivered, usually several, to every congressional Member's office.

But when it comes to the financial report of the United States government, only about 20 copies are delivered to Capitol Hill, and that is because this administration, this Republican Congress, does not want you to know the truth about the debt, the deficit and the budget.

Now, do not take our word for it. This is David Walker, who is the Comptroller General of the United States General Accountability Office. What did he say: The current financial reporting model does not clearly and transparently show the wide range of responsibilities, programs and activities. It provides a potentially unrealistic and misleading picture of the Federal Government's overall performance, financial condition and future fiscal outlook. That is David Walker, and obviously, as I indicated earlier, he is the Comptroller General of the United States General Accountability Office.

Now, when we talk about instead of using cash base accounting and accrual base accounting, what is all that about, well, I can tell you our government, our Congress, demands every business is required to use the accrual method of accounting if the business has inventory, if the business is a C corporation, or if there are annual sales of $5 million dollars.

This accrual accounting is the method that this Congress demands businesses in America to use, including our family business back home in Preston, and if I do not use accrual accounting, I am trouble in with the IRS and our government, and yet, our own government that sets these rules in place does not use this method of accounting. They use the cash-base accounting method which is a way for them to play games with the numbers and indicate that the deficit for 2005 was $319 billion instead of $760 billion.

I yield to the gentleman from California.

Mr. CARDOZA. Madam Speaker, one of the things that my constituents ask me when I go home is how we got into this mess, and they say, well, it was just a few years ago in 1997, we actually started paying down the national debt. Then when Mr. Clinton left office in the year 2000, we were actually making good progress paying down the debt and we had 4 years a row in balance and paying down.

But there is one very critical thing that happened in 2001, and that was that the PAYGO rules were suspended. Those rules were put in place by a bipartisan Congress in 1997, and those PAYGO rules said that you had to pay for what you spent, just like we have to do in our home budget.

□ 2330

And if you were to spend more money, you had to either find a budget cut someplace, or you had to find tax revenues to pay for it. So for 4 years, on a bipartisan agreement negotiated between Newt Gingrich and President Clinton, the country lived within its means. Then in the year 2001, those rules were suspended.

Since that has happened, we have amassed some of the biggest deficits in the history of our country, all financed, or virtually all financed, unfortunately, through deficit spending. And that is being financed by foreign governments. In fact, our colleague, JOHN TANNER, is very often quoted as saying that we have borrowed more money from foreign governments in the last 5 years than in the rest of the history of the United States combined.

In fact, he is also fond of saying that if we were going to have to go in, if there was a war between China and Taiwan, and we went in to defend Taiwan like our treaties obligate us to do, we would have to borrow the money from China to defend Taiwan against China. That is how crazy this system has now gotten.

So we can see how dangerous this foreign obligation has become for our country. And I thank the gentleman for highlighting the budget problems in his speech, and I yield back.

Mr. ROSS. I would like to invite the gentleman from Utah (Mr. MATHESON), co-chair for administration within the 37-Member strong fiscally conservative Democratic coalition to join us. And one of the things we talked about is we want to point out the problem, and there is a problem.

Madam Speaker, if you have comments for the Blue Dogs, I would encourage you to e-mail us at bluedog@mail.house.gov. That is bluedog@mail.house.gov. We welcome, Madam Speaker, your comments, concerns, or questions.

One of the things that we have talked about is this debt, and let me just say that the reason the debt should matter to you is because our Nation is spending a half billion dollars a day. A half billion, with a ''b,'' dollars a day simply paying interest on the national debt.

You know, I have got a lot of folks in my district that have been waiting for longer than I have been alive for I–69 to be completed through Arkansas. It is going to take about $1.5 billion to do that. I could build I–69 across Arkansas, across my district, and create jobs and economic opportunities with just 3 days' interest on the national debt. On the western side of my district, everybody has been waiting since I was a small child for I–49 to come through that part of my district, which my district is about half of Arkansas. Again, it is about $1.5 billion. Just with 3 days' interest on the national debt, I could build I–49 through Arkansas. We could build 100 brand-new elementary schools every single day in America just on the interest we are paying on the national debt.

So it is what we refer to in the Blue Dog Coalition as the debt tax, D-E-B-T. The debt tax. And that is one tax that cannot go away until we restore some common sense and fiscal discipline to our Nation's government. As long as we have these massive interest payments hanging over our head as a Nation, then America's real priorities and America's future will hang in the balance waiting for an opportunity for us to meet America's real priorities.

Now, the gentleman from Utah indicated to us about the fact of what we are all about. We are not just here to criticize. We do have a problem. We have to acknowledge the problem, and we have to point out the problem; but we are here to offer up a solution. We have a plan, a plan for meaningful budget reform, a plan for curing our Nation's addiction to deficit spending.

I would welcome the gentleman from Utah to go through the other 10 points with us. And I would welcome the gentleman from California to jump in at any point, and I would love for us to just have a discussion here about the Blue Dog Coalition's 12-point plan.

I yield to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Well, I thank Mr. ROSS. I think it is important to talk about the fact that you ought to have a plan. You know, you have a family business you own back in Arkansas, a pharmacy; and when you borrow money to help take out a business loan, the bank asks you for a plan, how are you going to pay that back.

Right now, the Federal Government is borrowing money, and I do not know that there is a plan out there that has been articulated for how we are going to pay that back.

Mr. CARDOZA. We haven't heard about it, for sure.

Mr. MATHESON. And I think that is something we should expect. I think that is a reasonable request to ask.

I did want to reiterate one point that Mr. ROSS was making when he said

why this matters. He said some people say it doesn't matter. They say, ah, these deficits, it is really not that big a deal, and it is okay. We haven't seen any huge disruption in the economy with these deficits, so they don't matter. Well, the Blue Dogs think they do matter. We think they matter for a lot of reasons.

First of all, they matter because right now this is one of the fastest growing parts of the Federal budget. And so what you are doing, what you are doing with the Federal budget growing so fast, in terms of the interest component, is you are saying, you know what, we are not going to do other things. So there is an opportunity cost, if you will, or lost opportunities, where we are not going to invest in important programs, investing in people, in their education, and investing in transportation infrastructure in the country. We are crowding that out because interest is growing as part of our national debt.

Secondly, you are taking away capital that otherwise might be invested in the private sector. It would help our economy grow. Instead, we are taking it in to pay back government debt here. If the government wasn't asking for that debt, then investors would be investing that much more in the private sector. Our economy could very well be doing better with that increased investment in the economy.

Thirdly, I don't like to pay taxes. I don't think that anybody likes to pay taxes. And what we are doing is we are ensuring a tax burden for generations to come, probably in perpetuity, quite frankly, if we don't turn this thing around, in terms of the tax burdens to pay this interest cost.

And, finally, the fourth reason I think we ought to be concerned. Actually, I will give two more. The fourth reason why I think we ought to be concerned about this debt is because while it hasn't happened yet, in the overall context of supply and demand, the more we are gobbling up debt and asking people to invest in debt instruments in this country, there is going to be an upward pressure on interest rates. And that is not good for our economy.

The final point, the one that my colleague, Mr. CARDOZA, raised, is that this country is entering a new situation they have never faced before in this country, and that is an increasing reliance on foreign government owning the debt of the United States of America. This raises some economic security issues we have never faced before that are hard to get your arms around, but I think it causes concern for all of us.

So there are five quick reasons I offer for why you ought to be concerned about the debt and you ought to be concerned about deficits. And if you don't feel some negative impact of it immediately today, those five reasons I just listed all ought to be cause for concern about why we ought to be fiscally responsible and we ought to get our arms around the debt.

I yield to Mr. CARDOZA.

Mr. CARDOZA. One of the things that you said that I want to dig in a little deeper to is it really precludes our options in times of crisis. If we were to have another September 11 hit tomorrow, and 2 weeks later another Hurricane Katrina hit someplace on the gulf coast, could we afford the $200 billion we spent after September 11 again on top of everything else? And would we be so willing or even able to bail out another gulf coast situation?

We know that calamities are going to happen. In fact, that is one of the 12 points in our Blue Dog plan is to put away a rainy day fund because we know, as sure as the next drought or the next monsoon comes, the next rain storm, there will be another calamity that will befall us. It may be wildfires in the West or a flood in the Midwest. We have challenges that will continue to face our country, and, frankly, the world. And oftentimes the world looks to our country to solve these issues, like the tsunami and other things.

But we are becoming stretched thinner all the time; and the point you raise, Mr. MATHESON, on not being able to have the options because we are running out of dollars, is one that I think we have to think about as a country.

Mr. MATHESON. And let me put a human face on another aspect where investment is being crowded out that just occurred in my office today, and may have occurred in your offices too. A lot of us on Capitol Hill had visits from families today with folks who generally have a child with diabetes, so it is the Juvenile Diabetes Foundation. And they were visiting Congress to plead for investment in basic research dollars to help pursue both better treatments for those who have this disease and also looking for cures as well.

□ 2340

That is the type of investment in public money that pays such huge dividends for us as a country. But growing interest expense is crowding out wonderful investments like basic health research. That is a wonderful opportunity we heard about today on Capitol Hill from families that are passionate on pursuing that interest. But with interest crowding out that the opportunity to make that type of investment, that is another reason to be concerned about the debt.

Mr. ROSS. I have to give it to this President, who has managed to give us the largest budget deficit in our Nation's history, while at the same time cutting programs that are important to people, programs for education, programs for farm families, and the list goes on and on. How does he continue to do that? He proposes tax cuts for those earning more than $400,000 a year. I do not have many folks in my district who earn $400,000 a year. I have voted for tax cuts in the past. Back in times of surplus, before 9/11 and before Iraq and Afghanistan when we really had a surplus, I thought it made sense to give people some of their money back.

But for us to continue to borrow money from foreign governments to give tax breaks may make for good politics, but it makes for bad fiscal policy. But what the gentleman is talking about in terms of the foreign debt, again the debt $8,270,385,415,129 and some change. Who owns that debt? Who do we owe that money to?

Well, we owe $2.174 trillion to foreign lenders. Compare that to only $23 billion we owed to foreign holdings back in 1993. As the gentleman from California pointed out earlier, this administration, this President, this Republican Congress, has borrowed more money from foreign central banks and foreign investors in the past 5 years than the previous 42 Presidents combined.

Who are they? Japan is the top 10. Japan, we owe them $682.8 billion. China has loaned our government $249.8 billion. The United Kingdom, $223.2 billion. The Caribbean Banking Center, they have loaned us $115.3 billion. Taiwan, $71.3 billion. OPEC, and we wonder why gasoline is $2.25 a gallon, OPEC has loaned our government, $67.8 billion. Korea, $66.5 billion. Germany $65.7 billion; Canada $53.8 billion; and Hong Kong $46.5 billion.

I am very concerned about what that means to our national security as these foreign countries will be able to have such a tremendous and dramatic influence on our monetary policy. I find that appalling. I find it reprehensible, and I find it something that we need to correct and we need to correct it now by getting our fiscal house back in order.

Madam Speaker, I yield to the gentleman from California as we go through our 12-point plan.

Mr. CARDOZA. Madam Speaker, I was going to say, one of the things that I like about being a Blue Dog and fighting for fiscal responsibility with the Blue Dogs, we do not just criticize but we also have a plan. Mr. MATHESON gave the first two planks in our 12-point plan to restore fiscal sanity to the United States, which is to have a balanced budget and don't let Congress buy on credit. We call it PAYGO, pay as you go.

There are a number of other things that we have like the third plank in our plan is to put a lid on spending, to have a freeze on additional spending until we can get our fiscal house in order.

Fourth, we require Federal agencies to put their fiscal house in order. As you said, 16 or 17 of the Federal departments cannot balance. They cannot even tell you where the money is going.

The fifth plank of the plan is make Congress tell taxpayers how much they are spending in the bills we pass. We do not tell taxpayers how much we are continuing to authorize every year.

The sixth point in the plan is we are going to require a rainy day fund so we set aside money for the natural disasters that befall our country on a regular basis.

Number seven, and this is really important because we are getting ready to do this as we speak, and that is do not hide the vote to raise the debt limit. Right now under the rules of this House and in the Senate, we are going to raise the debt limit without taking a vote of this House on a recorded vote so each Member of Congress has to put their voting card in and be recorded on raising the debt limit. That is just not appropriate.

Number 9 is to ensure that Congress reads the bills it is voting on. What a novel concept. We actually believe each bill should have to sit on the Speaker's desk for 3 days to give us time to prepare and actually know what is in legislation. It was 2 years ago that we passed the Medicare prescription drug bill. We got that bill 20 hours before we were voting on it and that bill was 680 pages, 678 pages long. I can tell you one thing for sure, no Member of Congress was able to read that bill and know what was in it. And that is probably why it cost the American people double what they told it was going to cost.

The next plank is to justify pet projects. We believe that every earmark passed in this Congress should be justified by the Member of Congress that is asking. There should be a paragraph written about every request and that the Member should have to sign it and say they stand by that earmark.

We would not have the scandals of Mr. Abramoff and all of the other problems that are befalling this Chamber if every Member had to justify their pet projects and earmarks.

Number 10, we require an honest cost estimate for every bill.

Number 11, be sure that every bill fits within the budget that we pass at the beginning of the year. We pass a budget, and we never look at it again. We continue to pass bills that most likely will not fit into that budget, so we just keep expanding the budget with every bill that comes through here after the budget is passed.

The final plank is that we do a better job of oversight. Right now, Congress passes oversight and frankly, we never go back and look at what we have passed to make sure that it is doing the job that we intended when we passed that legislation.

Those twelve points are just the first step in restoring fiscal accountability and making sure that we live within our means.

As I said before, in September, I joined my colleagues in the Blue Dog Coalition in writing a letter asking President Bush to host an emergency bipartisan budget summit to put our Nation's fiscal house back in order. Unfortunately, our genuine effort to engage the Republicans in a reasonable discussion on the budget was brushed aside. We have yet to receive a response to our letter. I think even this White House should be able to pen a letter back to us in the months since we sent it to them. I know they have gotten it. We have talked to them about it on this floor. We have talked to our colleagues in this Chamber on a regular basis requesting cooperation to get together and work together to solve the problems facing this country, and we have not gotten a response.

Mr. ROSS. As we wind down this hour that we do every Tuesday night, as members of the 37-member strong fiscally conservative Democratic Blue Dog coalition, I would like to remind you, Madam Speaker, the reason why deficits matter, deficits reduce economic growth. They burden our children and grandchildren's liabilities. They increase our reliance on foreign lenders who now own some 46 percent of our publicly held debt.

It matters because as a Nation, at a time when we are spending half a billion dollars a day simply paying interest, not principal, just interest on the national debt, we are also increasing that debt. We are increasing it to the tune of about a billion dollars a day, $260 million every day going to Iraq, $33 million every day going to Afghanistan, but do not dare ask how a single dime of your tax money, $260 million a day going to Iraq, $33 million a day going to Afghanistan, do not dare ask this administration how it is being spent. Do not dare ask them because they will say you are unpatriotic.

As taxpayers, I think this administration has a duty and an obligation to let the taxpayers understand that he has, that this President has a plan on how this $260 million a day is being spent of your tax money.

□ 2350

We all want to make sure that our soldiers get the equipment they need and get taken care of and can get back home to their families as soon as possible. And the President, if he is going to spend $260 million in a day to Iraq, he ought to give us a plan. He ought to give us a plan. He owes it to the American taxpayers. He certainly owes it to our troops.

Mr. CARDOZA. Would the gentleman yield?

Mr. ROSS. Yes, I would.

Mr. CARDOZA. I just want to highlight that there is precedent to doing it a different way. During World War II, then-Senator Truman formed a commission that actually did an audit and went after wartime profiteers and, in fact, did a great job at getting to the bottom of the fact that there were people trying to profit irresponsibly on the backs of our soldiers during World War II. So he went in and got to the bottom of the overcharging and the contracting fraud and really cleaned up those who were trying to take advantage of the situation that the world found itself in.

That is the kind of accountability that we need today, Mr. ROSS, and I appreciate that you are bringing this up. It is not unpatriotic to question how our taxpayer dollars are being spent. In fact, if we don't waste our taxpayer dollars, then there is more money available to actually spend doing the right thing by our troops. Thank you for raising that issue.

Mr. ROSS. I want to thank the gentleman from California (Mr. CARDOZA), the co-chair of the fiscally conservative Democratic Blue Dog Coalition, for joining me this evening. I want to thank the gentleman from Utah (Mr. MATHESON) for joining me this evening, the co-chair for administration within the Blue Dog Coalition.

And, Madam Speaker, if you have got comments, concerns, or questions regarding our discussion this evening about the budget, the debt and the deficit, the manufactured homes sitting in a pasture in Hope, Arkansas, I would encourage you to e-mail me. Bluedog@mail.house.gov. That is bluedog@mail.house.gov.

As we finish this Special Order each week, it is a very sobering thing that we do. As you can see, when we started this hour, the national debt was $8,270,385,415,129-and-some-change. Just in the hour that we have been on the floor this evening discussing the budget, the debt, the deficit and, yes, a solution, a 12-point plan for budget reform, the deficit has increased by approximately $41,666,000. It is a very sobering thing that we do at the end of this hour each Tuesday night. But the national debt, 60 minutes later, is no longer this number here. It is $8,270,430,081,129. So, again, the deficit now, at the beginning of this evening it was $8,270,385,415,129-and-some-change. One hour later it has increased approximately $41,666,000. The national debt now stands at $8,270,430,081,129-and-some-change.

Madam Speaker, we will be back next Tuesday evening. Well, Congress is on recess next week. But the following week we will be back on Tuesday evening to continue this discussion about the budget, the debt, and the deficit. We raise these issues because, you see, my grandparents left this country better than they found it for my parents. And my parents left this country better than they found it for our generation. And, Madam Speaker, I believe we have a duty and an obligation to try and leave this country better than we found it for our children and our grandchildren. That is why we are here.

## THE OFFICIAL TRUTH SQUAD

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

Mr. PRICE of Georgia. Madam Speaker, I appreciate the opportunity to come before the House this evening and appreciate the leadership granting me the opportunity to share a few words with the Speaker and with the House.

I know it is late. We just have five more minutes this evening in our House session, but I am here to represent the Official Truth Squad. And the Official Truth Squad, as so many folks know, was begun by a group of freshmen Republicans. Having been in Congress now for about 15 months, and throughout the last year, we had talked with each other and with others in Congress about why is it that you so often hear so much misinformation and disinformation on the floor of the House. And so we thought what we would do as a group is to get together and begin the Official Truth Squad.

And I know it is late, Madam Speaker, and I was going to give folks a break and not take the remaining 5 minutes of the evening, but I was sitting over in my office and I was listening to the previous presentation by some well-meaning folks on the other side of the aisle, and they talked about this, the need for accountability in the budgeting process. And I know that my colleagues and I couldn't agree more. We couldn't agree more.

What I would like to do in this very brief time that we have, though, is to bring a little truth to the debate, and that is the issue of the balanced budget amendment. We, so many of us, support a balanced budget amendment. We agree that there ought to be appropriate accountability. I believe that the desire or the inertia to restrain spending at the Federal level is, frankly, nonexistent. So I think that it is imperative that we have some kind of control on the amount of spending that we have here in Washington. And one way to do that, and I believe an appropriate way to do that, is through a balanced budget amendment.

We just heard within the past hour some folks on the other side who say, yeah, we think there ought to be a balanced budget amendment. But what's the truth about their actions when given the opportunity? And that is what the Official Truth Squad is about, is to make certain that folks are held accountable for not just talking the talk, but walking the walk.

Here is the most recent opportunity that Congress has had to vote on a balanced budget amendment. Now, this was an actual vote in 1997 on a balanced budget amendment. And how did the other side vote? Well, 8 individuals on the other side said, yeah, that is an appropriate thing to do; we believe that that is the kind of budget accountability that we need: 194 was the ''no'' vote on the other side. 194.

And, Madam Speaker, I might mention that it included a majority of the folks who call themselves Blue Dog Democrats. And I don't do this to point fingers, but I do do it to say that when you are talking about issues, it is important to speak the truth and to allow and have your vote follow your speech.

The Official Truth Squad, we have some, a number of mottos, and a number of quotes that we enjoy. One of the quotes that we enjoy and appreciate is that of the former Senator Daniel Patrick Moynihan who said oftentimes that you are welcome to your own opinion, but you are not welcome to your own facts. And, Madam Speaker, this is a fact. And this is a fact that speaks louder than anything I could ever, ever say which says that when given the opportunity for budget accountability, that the vast majority of individuals on the other side of the aisle said, no, we really don't want to do that. We say we want to do that, but in fact we really don't want to do that.

So I am pleased to come before the House this evening, Madam Speaker. I look forward to coming back tomorrow. We will be back tomorrow to shed some more light on some economic good news with the American people and to bring that truth, those pearls of truth that are so incredibly important as we talk about the remarkable challenges that confront us as a Nation, not Republican challenges, not Democrat challenges, but American challenges that we all need to solve together.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Ms. PELOSI) for today and the balance of the week on account of business in the district.

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today on account of business in the district.

Ms. MCKINNEY (at the request of Ms. PELOSI) for today.

Ms. WASSERMAN SCHULTZ (at the request of Ms. PELOSI) for today.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of official business in the district.

Mr. SWEENEY (at the request of Mr. BOEHNER) for today on account of illness.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FARR) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. OSBORNE) to revise and extend their remarks and include extraneous material:)

Mr. DREIER, for 5 minutes, today and March 15 and 16.

Mr. OSBORNE, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, March 15.

Mr. ENGLISH of Pennsylvania, for 5 minutes, today.

Mr. POE, for 5 minutes, today and March 15 and 16.

Ms. FOXX, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today and March 15 and 16.

Mr. NUSSLE, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. PRICE of Georgia, for 5 minutes, today.

## ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1053. An act to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the ''John H. Bradley Department of Veterans Affairs Outpatient Clinic''.

## ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, March 15, 2006, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6675. A letter from the Deputy Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule—Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No. 03-123] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6676. A letter from the Legal Advisor, WTB, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures [WT Docket No. 05-211] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6677. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Randsburg, California) [MB Docket No. 04-276; RM-11033] (Mooreland, Oklahoma) [MB Docket No. 04-279; RM-11036] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6678. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Lovelady, Texas) [MB Docket

No. 05-36; RM-11030]; (Oil City, Louisiana) [MB Docket No. 05-37; RM-10790]; Reclassification of License of FM Station KYKS, Lufkin, Texas [BLH-19900827KA] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6679. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Ringwood, Oklahoma) [MB Docket No. 04-277; RM-11034]; (Taos Pueblo, New Mexico) [MB Docket No. 04-278; RM-11035] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6680. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Tale of Allotments, FM Broadcast Stations. [Shorter, Orrville, Selma, and Birmingham, Alabama) [MB Docket No. 04-201; RM-10972; RM-11103] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6681. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (La Grange, Richlands, Shallotte, Swansboro, Topsail Beach, and Wrightsville Beach, North Carolina) [MB Docket No. 05-16; RM-11143; RM-11295] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6682. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Stateville and Clemmons, North Carolina, Iron Gate, Virginia) [MB Docket No. 03-219; RM-10797; RM-11094] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6683. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Dubach, Natchitoches, Oil City and Shreveport, Louisiana, and Groesbeck, Longview, Nacogdoches, Tennessee Colony and Waskom, Texas) [MB Docket No. 05-47; RM-11157; RM-11179; RM-11232] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6684. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Eden, Texas) [MB Docket No. 03-74; RM-10676] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6685. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Naples and Sanibel, Florida) [MB Docket No. 05-134; RM-11207] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6686. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Prospect, Kentucky, and Salem, Indiana) [MB Docket No. 05-120; RM-11194] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6687. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Grand Portage, Minnesota) [MB Docket No. 04-433; RM-11122] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6688. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Beaumont and Mont Belvieu, Texas) [MB Docket No. 04-426; RM-11125] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6689. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (St. Simons Island, Georgia) [MB Docket No. 05-267; RM-10365; RM-11278]; Reclassification of License of Station WOGK(FM), Ocala, Florida [BLH-19870915KA] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6690. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Memphis and Arlington, Tennessee, and Saint Florian, Alabama) [MB Docket No. 05-140; RM-11225] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6691. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Water Mill and Noyack, New York) [MB Docket No. 03-44; RM-10650] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6692. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Roma, Texas) [MB Docket No. 05-142; RM-11220] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6693. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Johnstown and Jeanette, Pennsylvania) [MB Docket No. 05-52; RM-10300] received February 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6694. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communictaions Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Alottments, FM Broadcast Stations. (Hartford and South Haven, Michigan) [MB Docket No. 03-257; RM-10814] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6695. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communictaions Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Barstow, California) [MB Docket No. 03-147; RM-10722); (Newcastle, Texas) [MB Docket No. 03-148; RM-10724]; (Anacoco, Louisiana) [MB Docket No. 03-177; RM-10749]; (Erie, Pennsylvania) [MB Docket No. 03-178; RM-10750]; (Greenfield, California) [MB Docket No. 03-180; RM-10753] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 4057. A bill to provide that attorneys employed by the Department of Justice shall be eligible for compensatory time off for travel under section 5550b of title 5, United States Code (Rept. 109–390). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of Oklahoma: Committee on Rules. House Resolution 725. Resolution providing for consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–391). Referred to the House Calendar.

## REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XIII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. HYDE: Committee on International Relations. H.R. 3127. A bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes, with an amendment; referred to the Committee on Judiciary for a period ending not later than March 28, 2006, for consideration of such provisions of the bill and the amendment as fall within the jurisdiction of that committee pursuant to clause 1(1), rule X (Rept. 109–392, Pt. 1). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REICHERT (for himself and Mr. PASCRELL):

H.R. 4941. A bill to reform the science and technology programs and activities of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. KING of New York (for himself, Mr. THOMPSON of Mississippi, Mr. REICHERT, and Mr. PASCRELL):

H.R. 4942. A bill to establish a capability and office to promote cooperation between entities of the United States and its allies in the global war on terrorism for the purpose of engaging in cooperative endeavors focused on the research, development, and commercialization of high-priority technologies intended to detect, prevent, respond to, recover from, and mitigate against acts of terrorism and other high consequence events

and to address the homeland security needs of Federal, State, and local governments; to the Committee on Homeland Security.

By Mr. BARTON of Texas (for himself, Mr. DINGELL, Mr. UPTON, Mr. MARKEY, Mr. STEARNS, Ms. SCHAKOWSKY, Mr. GILLMOR, Mr. GENE GREEN of Texas, Mr. SHIMKUS, Mr. ROSS, Mrs. WILSON of New Mexico, Mr. BROWN of Ohio, Mr. FOSSELLA, Ms. BALDWIN, Mr. BUYER, Mrs. CAPPS, Mrs. BONO, Mr. DOYLE, Mr. WALDEN of Oregon, Ms. SOLIS, Mr. BURGESS, Mr. RUSH, Mr. WAXMAN, Mr. STUPAK, Mr. GORDON, Mr. INSLEE, Mrs. EMERSON, Mr. LIPINSKI, and Mr. WILSON of South Carolina):

H.R. 4943. A bill to prohibit fraudulent access to telephone records; to the Committee on Energy and Commerce.

By Mr. SHAW:

H.R. 4944. A bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes; to the Committee on Ways and Means.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. OWENS, Mr. CASE, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. PAUL, Mr. BOUCHER, Mr. SHERMAN, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Mr. HONDA, Ms. CORRINE BROWN of Florida, Mr. KUCINICH, and Ms. MCKINNEY):

H.R. 4945. A bill to amend the Internal Revenue Code of 1986 to encourage new school construction through the creation of a new class of bond; to the Committee on Ways and Means.

By Mr. HAYES (for himself, Mr. ROGERS of Kentucky, Mr. HUNTER, Mr. MCGOVERN, Mr. SPRATT, Mr. WILSON of South Carolina, Mrs. MYRICK, Ms. FOXX, Mr. COBLE, Mr. GOODE, Mr. GORDON, Mr. MARSHALL, Mr. MCCOTTER, Mr. WAMP, Mr. JONES of North Carolina, Mr. DAVIS of Tennessee, Mr. SIMMONS, Mr. ISTOOK, Ms. BORDALLO, Mr. MCHENRY, Mr. TURNER, and Mr. PUTNAM):

H.R. 4946. A bill to prohibit the Department of Homeland Security from procuring certain items directly related to the national security unless the items are grown, reprocessed, reused, or produced in the United States; to the Committee on Homeland Security.

By Mr. BACHUS:

H.R. 4947. A bill to expand the boundaries of the Cahaba River National Wildlife Refuge, and for other purposes; to the Committee on Resources.

By Mr. BLUMENAUER (for himself and Mr. WALDEN of Oregon):

H.R. 4948. A bill to abolish the Committee on Standards of Official Conduct in the House of Representatives, establish an Independent Ethics Commission, and provide for the transfer of the duties and functions of the committee to the Commission; to the Committee on House Administration, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EDWARDS (for himself, Mr. JONES of North Carolina, Mrs. CHRISTENSEN, Mr. LARSON of Connecticut, Mr. BARTLETT of Maryland, Mr. MCGOVERN, Mr. BOUCHER, Mr. SCOTT of Virginia, Mr. BISHOP of Georgia, Mr. ALLEN, Mrs. MCCARTHY, Ms. BORDALLO, Mr. BERRY, Mr. DEFAZIO, Mr. FORD, Mr. BISHOP of New York, Mr. VAN HOLLEN, Mr. ABERCROMBIE, Mr. RYAN of Ohio, Mr. HONDA, Mr. ROTHMAN, Mr. TAYLOR of Mississippi, Mrs. CAPPS, Mr. LARSEN of Washington, Mr. JEFFERSON, Mrs. MALONEY, Mrs. DRAKE, Mr. LYNCH, Mr. GENE GREEN of Texas, Mr. BLUMENAUER, Mr. HINCHEY, Mr. FILNER, Mr. CHANDLER, Mr. CLEAVER, Mr. GINGREY, Mr. BARROW, Mr. FRANK of Massachusetts, Mr. FARR, Mr. GOODE, Mr. SIMMONS, Mr. BONNER, Mrs. DAVIS of California, Ms. HERSETH, Mr. GORDON, Mr. MCCOTTER, Mr. HIGGINS, Mr. PAYNE, and Mr. BILIRAKIS):

H.R. 4949. A bill to amend title 10, United States Code, to prohibit increases in fees for military health care; to the Committee on Armed Services.

By Mr. EMANUEL (for himself, Mr. SHERMAN, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFERSON, Mr. OWENS, Ms. WASSERMAN SCHULTZ, Mr. COSTA, and Mr. CONYERS):

H.R. 4950. A bill to establish the Commission on Economic Indicators to conduct a study and submit a report containing recommendations concerning the appropriateness and accuracy of the methodology, calculations, and reporting used by the Government relating to certain economic indicators; to the Committee on Government Reform.

By Mr. GRIJALVA:

H.R. 4951. A bill to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Indian Tribe, and for other purposes; to the Committee on Resources.

By Mr. JINDAL:

H.R. 4952. A bill to amend the Internal Revenue Code of 1986 to expand the combat zone income tax exclusion to include income for the period of transit to the combat zone and to remove the limitation on such exclusion for commissioned officers; to the Committee on Ways and Means.

By Mr. KILDEE (for himself and Mr. KIRK):

H.R. 4953. A bill to amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study; to the Committee on Resources.

By Mr. DANIEL E. LUNGREN of California (for himself, Ms. HARMAN, Mr. PEARCE, Mr. THOMPSON of Mississippi, Mr. BOEHLERT, Ms. LORETTA SANCHEZ of California, Mr. MCCAUL of Texas, Mr. DICKS, Mr. SOUDER, Mr. HOYER, Ms. HARRIS, Mr. DEFAZIO, Mr. JINDAL, Ms. JACKSON-LEE of Texas, Mr. SHAYS, Mr. LANGEVIN, Mr. DENT, Ms. NORTON, Mr. SIMMONS, Mr. ETHERIDGE, Ms. GINNY BROWN-WAITE of Florida, Mr. BROWN of South Carolina, Mr. MEEK of Florida, Mrs. BONO, Mr. LARSEN of Washington, Mr. FERGUSON, Mr. RUPPERSBERGER, Mr. GIBBONS, Mr. SMITH of Washington, Mr. PALLONE, Mr. CARDOZA, Mrs. MALONEY, Mrs. NAPOLITANO, Mr. BROWN of Ohio, Mr. SCHIFF, Mr. BERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Ms. KILPATRICK of Michigan, Mr. FORD, Mr. PRICE of North Carolina, Mr. MCDERMOTT, Ms. ROYBAL-ALLARD, Mr. BRADY of Pennsylvania, Mr. BISHOP of Georgia, and Mr. WU):

H.R. 4954. A bill to improve maritime and cargo security through enhanced layered defenses, and for other purposes; to the Committee on Homeland Security.

By Mrs. MCCARTHY:

H.R. 4955. A bill to suspend temporarily the duty on Hydrated Hydroxypropyl Methylcellulose; to the Committee on Ways and Means.

By Mr. MORAN of Kansas (for himself, Mr. MOORE of Kansas, Mr. BACHUS, Mr. ISRAEL, Mr. RAMSTAD, Mr. SCHIFF, Mrs. EMERSON, and Ms. BEAN):

H.R. 4956. A bill to provide for the mandatory revocation of passports of individuals who are more than $5,000 in arrears in child support payments; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania:

H.R. 4957. A bill to direct the Secretary of the Interior to convey the Tylersville division of the Lamar National Fish Hatchery and Fish Technology Center to the State of Pennsylvania; to the Committee on Resources.

By Mr. ROGERS of Alabama (for himself, Mr. MEEK of Florida, Mr. MCCAUL of Texas, and Mr. THOMPSON of Mississippi):

H.R. 4958. A bill to increase the number of trained detection canines of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mr. KING of Iowa, Mr. MCCOTTER, Mr. LATOURETTE, Mr. NEY, Mr. WELDON of Pennsylvania, Mr. HAYWORTH, Mr. MCHUGH, Mr. WAMP, Mr. ROGERS of Michigan, Mr. HOBSON, Mr. HUNTER, and Mr. GARRETT of New Jersey):

H.R. 4959. A bill to impose limitations on investment and certain operations by foreign entities in the United States; to the Committee on Financial Services, and in addition to the Committees on International Relations, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself, Mr. MARKEY, Mr. TOWNS, Mr. VAN HOLLEN, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. BASS, Mr. MCCOTTER, Mr. MCNULTY, Mrs. BLACKBURN, Ms. BORDALLO, Mr. UPTON, Mr. PALLONE, Mr. WEXLER, Mr. JEFFERSON, Mr. GRIJALVA, Mrs. DRAKE, Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WAXMAN, Mrs. JO ANN DAVIS of Virginia, Mr. RADANOVICH, Mrs. BONO, Mr. MCGOVERN, and Mr. OXLEY):

H. Con. Res. 357. Concurrent resolution supporting the goals and ideals of National Cystic Fibrosis Awareness Month; to the Committee on Energy and Commerce.

By Mr. BRADLEY of New Hampshire (for himself and Mr. ALLEN):

H. Res. 722. A resolution expressing the sense of the Congress regarding the importance of oral health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LANTOS (for himself, Mr. PITTS, Mr. TANCREDO, Mr. PAYNE, Mr. RANGEL, Mr. BERMAN, Mr. BURTON of Indiana, Mrs. MALONEY, Mr. MCGOVERN, Mr. MCCOTTER, Ms. LEE, Mr. RYAN of Ohio, Mr. ADERHOLT, Mr.

MCNULTY, Mr. GORDON, Mr. BROWN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. KILDEE, Mr. WAXMAN, Mr. CROWLEY, Ms. NORTON, Mr. RUSH, Ms. WATSON, Mr. CARDOZA, Mr. NEAL of Massachusetts, Mr. OWENS, Mr. ENGEL, Mr. CLAY, Mr. ACKERMAN, Mr. VAN HOLLEN, Mr. VISCLOSKY, Mr. WEXLER, and Mr. CONYERS):

H. Res. 723. A resolution calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection; to the Committee on International Relations.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. CANNON, Mr. SMITH of Texas, Mr. INGLIS of South Carolina, Mr. FEENEY, Mr. SCOTT of Virginia, and Mr. COBLE):

H. Res. 724. A resolution honoring Leonidas Ralph Mecham, Director of the Administrative Office of the United States Courts and Secretary of the Judicial Conference of the United States; to the Committee on the Judiciary.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. OBERSTAR, Mrs. TAUSCHER, Mr. MORAN of Virginia, Mr. GORDON, Mr. KLINE, Mr. GRIJALVA, Ms. BORDALLO, Mr. SCOTT of Georgia, Mr. CUMMINGS, Mr. COSTELLO, Mr. ISRAEL, Mr. GRAVES, Ms. NORTON, Ms. BERKLEY, Mr. KILDEE, Mr. HONDA, Mrs. CHRISTENSEN, Mr. LANTOS, Mr. ABERCROMBIE, Mr. PEARCE, and Mr. PASTOR):

H. Res. 726. A resolution honoring the life and achievements of Charles Edward Taylor and recognizing the essential role of aviation maintenance technicians in ensuring the safety and security of civil and military aircraft, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Mr. ENGEL, Mr. PAYNE, Ms. LEE, Mr. BROWN of Ohio, Mr. MEEKS of New York, Mr. CROWLEY, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. OWENS, Ms. CORRINE BROWN of Florida, Ms. WATSON, Mr. MEEK of Florida, Mr. WEXLER, Mr. SERRANO, Mr. JEFFERSON, Mr. SHERMAN, Ms. VELÁZQUEZ, Mr. HONDA, Mr. BECERRA, Mr. BACA, Mr. BISHOP of Georgia, Mr. REYES, Ms. SOLIS, Ms. JACKSON-LEE of Texas, Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. ACKERMAN, Mr. SCHIFF, Mr. COSTA, Mr. MOLLOHAN, Mr. CLEAVER, Ms. ROYBAL-ALLARD, Mr. KUCINICH, Ms. ESHOO, Mr. FARR, Mr. NADLER, and Ms. CARSON):

H. Res. 727. A resolution congratulating Prime Minister-designate Portia Simpson Miller for becoming the first female Prime Minister-designate of Jamaica; to the Committee on International Relations.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. FEENEY and Mr. BONNER.
H.R. 56: Mr. FATTAH.
H.R. 115: Mr. WU.
H.R. 282: Mr. UDALL of New Mexico, Mrs. SCHMIDT, and Mr. NUSSLE.
H.R. 356: Mr. WELDON of Pennsylvania and Mr. ISTOOK.
H.R. 363: Ms. WASSERMAN SCHULTZ, Mr. EVANS, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 378: Mr. WEXLER.
H.R. 450: Mr. COLE of Oklahoma.
H.R. 503: Mr. EHLERS and Ms. BORDALLO.
H.R. 517: Mr. EVANS.
H.R. 582: Mr. EVANS.
H.R. 586: Mr. GORDON.
H.R. 591: Ms. MCKINNEY.
H.R. 602: Mr. TAYLOR of North Carolina and Mrs. MYRICK.
H.R. 699: Mr. WILSON of South Carolina.
H.R. 807: Ms. LINDA T. SÁNCHEZ of California.
H.R. 824: Mr. RYAN of Ohio, Mr. MILLER of Florida, and Mr. AL GREEN of Texas.
H.R. 838: Mr. ALLEN.
H.R. 865: Mr. CLAY.
H.R. 874: Mr. PICKERING and Mr. ISSA.
H.R. 994: Mr. HONDA, Mr. OTTER, and Mr. GREEN of Wisconsin.
H.R. 1000: Mr. LATOURETTE, Mr. PRICE of North Carolina, Mr. FORTUÑO, and Mr. RAHALL.
H.R. 1059: Mr. DOYLE.
H.R. 1120: Mrs. MALONEY.
H.R. 1227: Mr. HALL.
H.R. 1241: Mrs. JOHNSON of Connecticut, Mr. GILLMOR, and Mr. SANDERS.
H.R. 1290: Ms. DEGETTE.
H.R. 1375: Mr. VAN HOLLEN.
H.R. 1426: Mr. CASTLE, Ms. CARSON, and Mr. TOWNS.
H.R. 1432: Mr. BARROW, Mr. MCNULTY, Mr. BISHOP of Georgia, Mr. CUMMINGS, Mr. BERMAN, Mr. AL GREEN of Texas, Ms. CARSON, Mr. NEAL of Massachusetts, Mr. MCDERMOTT, and Mr. WEXLER.
H.R. 1433: Mr. LEWIS of Georgia, Mr. KUCINICH, Mr. MCNULTY, Mr. BISHOP of Georgia, Mr. GONZALEZ, Mr. AL GREEN of Texas, Ms. CARSON, Mr. MCDERMOTT, Mr. WEXLER, and Mr. CUMMINGS.
H.R. 1434: Mr. PAYNE, Mr. ACKERMAN, and Mr. MCNULTY.
H.R. 1445: Mr. BERMAN.
H.R. 1578: Mr. AL GREEN of Texas and Mr. EMANUEL.
H.R. 1603: Mrs. MUSGRAVE.
H.R. 1621: Mr. LAHOOD.
H.R. 1823: Mr. KUCINICH.
H.R. 1951: Mr. UDALL of New Mexico, Ms. MCKINNEY, and Mr. LEWIS of California.
H.R. 2047: Mr. KIND.
H.R. 2048: Ms. ROYBAL-ALLARD.
H.R. 2353: Mr. FRANKS of Arizona.
H.R. 2357: Mr. COLE of Oklahoma.
H.R. 2421: Mr. BLUNT.
H.R. 2561: Mr. MORAN of Kansas.
H.R. 2684: Mr. MILLER of North Carolina.
H.R. 2939: Ms. ROYBAL-ALLARD.
H.R. 2963: Mr. DOGGETT.
H.R. 3142: Ms. HARMAN and Ms. MCKINNEY.
H.R. 3156: Mr. VAN HOLLEN.
H.R. 3196: Mrs. LOWEY.
H.R. 3267: Mr. WEXLER and Mr. DOYLE.
H.R. 3318: Mr. JEFFERSON.
H.R. 3352: Mr. BONILLA, Mr. EMANUEL, Mr. MANZULLO, and Mr. RENZI.
H.R. 3361: Mrs. MILLER of Michigan.
H.R. 3401: Mr. TOWNS.
H.R. 3476: Mr. EMANUEL and Mr. CONYERS.
H.R. 3541: Ms. WATERS.
H.R. 3638: Mr. KING of New York.
H.R. 3658: Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. GRIJALVA, and Mrs. CHRISTENSEN.
H.R. 3715: Mr. MICHAUD.
H.R. 3854: Ms. WATERS.
H.R. 3857: Mr. LEWIS of Kentucky.
H.R. 3858: Mr. WELDON of Pennsylvania.
H.R. 4085: Mr. EVANS.
H.R. 4197: Mrs. NAPOLITANO and Mr. ROTHMAN.
H.R. 4298: Mr. JENKINS and Mr. RAHALL.
H.R. 4341: Mr. DOOLITTLE, Mr. KUHL of New York, Mr. PLATTS, and Mr. CRAMER.
H.R. 4349: Ms. HARMAN.
H.R. 4384: Mr. SIMMONS.
H.R. 4423: Mr. RANGEL, Mr. BARROW, and Ms. MCKINNEY.
H.R. 4434: Mr. MCINTYRE.
H.R. 4542: Mr. DOGGETT.
H.R. 4561: Mr. CARTER and Mr. SAM JOHNSON of Texas.
H.R. 4573: Mrs. LOWEY, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. TERRY, and Mr. FORTUÑO.
H.R. 4629: Mr. WU and Mr. HASTINGS of Florida.
H.R. 4681: Ms. WASSERMAN SCHULTZ, Mr. WEXLER, Mrs. MYRICK, Mr. GOHMERT, Mr. SHADEGG, Mr. LARSEN of Washington, Mr. BONILLA, Mr. AKIN, Mr. WELDON of Florida, Mr. RENZI, Mr. OWENS, Mr. MICA, and Mr. NUSSLE.
H.R. 4705: Ms. JACKSON-LEE of Texas.
H.R. 4710: Mr. SCHIFF and Mr. WALSH.
H.R. 4736: Mr. MCNULTY, Mr. BERMAN, Mr. DAVIS of Illinois, and Mr. SANDERS.
H.R. 4751: Mr. COLE OF OKLAHOMA AND MS. MCKINNEY.
H.R. 4755: Mr. MOORE OF KANSAS, Mr. WELDON of Pennsylvania, Mr. ABERCROMBIE, Mr. THOMPSON of Mississippi, Mr. SMITH of Washington, Mr. BISHOP of Georgia, Mr. CHANDLER, Ms. LINDA T. SÁNCHEZ of California, Mr. PAUL, and Ms. HERSETH.
H.R. 4756: Mr. FORTENBERRY.
H.R. 4761: Mr. OTTER.
H.R. 4769: Mr. JEFFERSON, Mr. CLEAVER, Mr. GINGREY, and Mr. LYNCH.
H.R. 4772: Mr. HERGER and Mr. SMITH of Texas.
H.R. 4774: Mr. KINGSTON and Ms. SCHAKOWSKY.
H.R. 4777: Mr. CAMP of Michigan, Mr. EDWARDS, Mr. ETHERIDGE, Mr. PETERSON of Pennsylvania, Mr. PRICE of North Carolina, Mr. SESSIONS, Mr. MARCHANT, Mr. DAVIS of Tennessee, Mr. CARDOZA, Mr. CHANDLER, and Mr. MCCAUL of Texas.
H.R. 4790: Mr. FOSSELLA, Mr. COLE of Oklahoma, and Mr. LAHOOD.
H.R. 4796: Mr. MOORE of Kansas.
H.R. 4826: Mr. HONDA.
H.R. 4830: Ms. GINNY BROWN-WAITE of Florida and Mr. CARDOZA.
H.R. 4843: Mr. REYES and Ms. GINNY BROWN-WAITE of Florida.
H.R. 4859: Mr. BISHOP of Utah and Mr. JEFFERSON.
H.R. 4860: Mr. WOLF, Mr. GORDON, Mr. REYES, and Mr. SANDERS.
H.R. 4861: Mr. DAVIS of Tennessee.
H.R. 4865: Mr. ENGLISH of Pennsylvania, Mr. BISHOP of Utah, Mr. OTTER, and Mr. GARRETT of New Jersey.
H.R. 4873: Mr. MICHAUD.
H.R. 4880: Mr. FERGUSON, Mr. CUMMINGS, and Mr. DEFAZIO.
H.R. 4881: Mr. KUHL of New York and Mr. BISHOP of Georgia.
H.R. 4882: Mr. MARKEY.
H.R. 4890: Mr. DENT, Mrs. DRAKE, Mrs. JO ANN DAVIS of Virginia, Mr. THORNBERRY, Mr. RADANOVICH, Mr. PEARCE, Mr. WELDON of Florida, and Mr. SAM JOHNSON of Texas.
H.R. 4899: Ms. CARSON, Ms. MILLENDER-MCDONALD, Mr. GRIJALVA, Mr. AL GREEN of Texas, Ms. LEE, and Mr. LARSON of Connecticut.
H.R. 4900: Mr. BERMAN.
H.R. 4902: Mr. MEEKS of New York, Mr. FALEOMAVAEGA, Mr. BURTON of Indiana, Mr. BISHOP of Georgia, and Mr. CLAY.
H.R. 4903: Mr. BLUMENAUER.
H.R. 4912: Mr. HINOJOSA.
H.J. Res. 53: Mr. GILLMOR.
H. Con. Res. 90: Mr. SMITH of Washington, Mrs. MCCARTHY, and Ms. NORTON.
H. Con. Res. 235: Mr. DEFAZIO.
H. Con. Res. 318: Mr. PAYNE.
H. Con. Res. 319: Mr. GOODLATTE.
H. Con. Res. 320: Mr. WAMP, Mr. SAXTON, Mr. EDWARDS, Mr. SHIMKUS, Mr. HUNTER, Mrs. BIGGERT, Mr. KING of Iowa, Mr. DANIEL

E. LUNGREN of California, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, and Mrs. JO ANN DAVIS of Virginia.

H. Con. Res. 338: Mr. BERMAN, Mr. FALEOMAVAEGA, Mr. MCCAUL of Texas, Mr. MACK, Ms. WATSON, Mr. MARIO DIAZ-BALART of Florida, Mr. CARNAHAN, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Con. Res. 346: Mr. SIMMONS, Mr. MARIO DIAZ-BALART of Florida, and Mr. LUCAS.

H. Con. Res. 353: Mr. BERMAN.

H. Con. Res. 354: Mr. CAMPBELL of California, Mr. STEARNS, and Mrs. DRAKE.

H. Res. 415: Ms. BORDALLO.

H. Res. 608: Mr. BERMAN, Mr. WOLF, Mrs. SCHMIDT, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 635: Mr. WU and Ms. MCCOLLUM of Minnesota.

H. Res. 658: Ms. MCKINNEY.

H. Res. 662: Mr. OTTER.

H. Res. 675: Ms. WATERS, Mr. MICHAUD, Ms. SLAUGHTER, and Mr. PRICE of North Carolina.

H. Res. 685: Mr. HINCHEY.

H. Res. 691: Mr. KUCINICH, Mr. GORDON, and Mr. CAPUANO.

H. Res. 698: Mrs. DRAKE.

H. Res. 700: Mr. MANZULLO, Mr. MCNULTY, Ms. BERKLEY, Mr. BROWN of South Carolina, Ms. JACKSON-LEE of Texas, Mr. BROWN of Ohio, Mr. BURTON of Indiana, Mr. DAVIS of Alabama, Mr. GENE GREEN of Texas, Mr. MCCOTTER, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 707: Mr. KUHL of New York and Mr. ENGLISH of Pennsylvania.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4857: Mr. DICKS.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4939

OFFERED BY: MR. SOUDER

AMENDMENT NO. 1: In the item relating to ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', after the dollar amount, insert the following: ''(reduced by $25,000,000)''.

In the item relating to ''INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT'', after the dollar amount, insert the following: ''(increased by $25,000,000)''.

H.R. 4939

OFFERED BY: MR. SALAZAR

AMENDMENT NO. 2: In chapter 5 of title I, after the paragraph relating to ''MILITARY CONSTRUCTION, AIR FORCE'', insert the following:

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for ''General Operating Expenses'', $70,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ''Medical Services'', $560,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

H.R. 4939

OFFERED BY: MR. HINOJOSA

AMENDMENT NO. 3: In the item relating to ''DIPLOMATIC AND CONSULAR AFFAIRS'', after ''United States Institute of Peace'', insert '': *Provided further*, That of the amount made available under this heading, $10,000,000 shall be available for the United States Section of the International Boundary Water Commission, United States and Mexico''.

H.R. 4939

OFFERED BY: MR. HINOJOSA

AMENDMENT NO. 4: At the end of title III (before the short title), add the following new section:

SEC. 30____. The Secretary of Agriculture shall use $50,000,000 of funds of the Commodity Credit Corporation to replenish the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to make payments with respect to emergency disaster assistance for agricultural producers: *Provided*, That the amounts provided under this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

H.R. 4939

OFFERED BY: MR. HINOJOSA

AMENDMENT NO. 5: At the end of chapter 1 of title II, add the following:

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for ''Emergency Watershed Protection Program'' to repair damages to the waterways and watersheds resulting from natural disasters, $50,000,000, to remain available until expended: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

H.R. 4939

OFFERED BY: MR. JEFFERSON

AMENDMENT NO. 6: In chapter 4 of title II, in the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—DISASTER RELIEF'', after the aggregate dollar amount, insert the following: ''(reduced by $2,000,000,000)''.

In chapter 8 of title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND—(INCLUDING TRANSFER OF FUNDS)'', after the aggregate dollar amount, insert the following: ''(increased by $2,000,000,000)''.

H.R. 4939

OFFERED BY: MR. JEFFERSON

AMENDMENT NO. 7: Page 72, line 18, after the dollar amount insert the following: ''(increased by $1,900,000,000)''.

H.R. 4939

OFFERED BY: MR. DOGGETT

AMENDMENT NO. 8: Page 35, line 20, after the dollar amount, insert the following: ''(increased by $7,800,000)''.

H.R. 4939

OFFERED BY: MR. PAUL

AMENDMENT NO. 9: Page 76, after line 20, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. (a) For recovery of the State of Texas from the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $546,100,000, to remain available until expended, to be allocated and administered by the Secretary of the Treasury and used only for the State of Texas, as follows:

(1) $200,000,000, for housing assistance under programs of the Departments of Housing and Urban Development and Agriculture for residents of the State of Texas and for residents of other States affected by the hurricanes who are temporarily residing in Texas and for community development block grant assistance under title I of the Housing and Community Development Act of 1974.

(2) $100,000,000, for costs of uncompensated health care for victims of the hurricanes and evacuees, for long-term care costs of evacuees remaining in Texas, and for mental health care costs of persons affected by the hurricanes.

(3) $100,000,000, for reimbursement of costs associated with providing educational services to students who are in Texas as a result of Hurricane Katrina and for repairs to public and higher education facilities damaged by Hurricane Rita.

(4) $46,000,000, for costs of repairs to bridges, roadways, ports, and channels damaged by Hurricane Rita.

(5) $59,000,000, for the Corps of Engineers for maintenance costs relating to erosion, waterway dredging, and other related services.

(6) $50,000,000 for costs of debris removal that are not reimbursable by the Federal Emergency Management Agency, for assistance to agricultural areas affected by Hurricane Rita (including timber- and rice-producing areas), and for costs of other unreimbursed repairs to rural and agricultural infrastructure resulting from Hurricane Rita.

(b) The amounts otherwise provided in title I for the following accounts are hereby reduced by the following amounts:

(1) ''DEPARTMENT OF DEFENSE—OPERATION AND MAINTENANCE—OPERATION AND MAINTENANCE, DEFENSE-WIDE'', amounts under paragraph (3) for payments to reimburse certain countries for logistical, military, and other support provided or to be provided, to United States military operations, by $900,000,000.

(2) ''BILATERAL ECONOMIC ASSISTANCE—DEPARTMENT OF STATE—DEMOCRACY FUND'', by $10,000,000.

(3) ''MILITARY ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—PEACEKEEPING OPERATIONS'', by $100,000,000.

(4) ''RELATED AGENCY—BROADCASTING BOARD OF GOVERNORS—INTERNATIONAL BROADCASTING OPERATIONS'', by $7,600,000.

(5) ''RELATED AGENCY—BROADCASTING BOARD OF GOVERNORS—BROADCASTING CAPITAL IMPROVEMENTS'', by $28,500,000.

(c) The Secretary of the Treasury shall consider the $500,000,000 by which the aggregate amount of reductions under subsection (b) exceed the aggregate amount made available under subsection (a) as credit against the Federal deficit for fiscal year 2006.

(d) The amount provided under subsection (a) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

H.R. 4939

OFFERED BY: MR. NADLER

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

**SEC. ____. REQUIREMENTS RELATING TO ENTRY OF OCEAN SHIPPING CONTAINERS INTO THE UNITED STATES.**

(a) REQUIREMENTS.—Section 70116 of title 46, United States Code, is amended by adding at the end the following new subsection:

''(c) REQUIREMENTS RELATING TO ENTRY OF OCEAN SHIPPING CONTAINERS.—

''(1) IN GENERAL.—An ocean shipping container may enter the United States, either directly or via a foreign port, only if—

''(A) the container is scanned with equipment that meets the standards established pursuant to paragraph (2)(A) and a copy of the scan is provided to the Secretary, and

''(B) the container is secured with a seal that meets the standards established pursuant to paragraph (2)(B),

before the container is loaded on the vessel for shipment to the United States.

''(2) STANDARDS FOR SCANNING EQUIPMENT AND SEALS.—

''(A) SCANNING EQUIPMENT.—The Secretary shall establish standards for scanning equipment required to be used under paragraph (1)(A) to ensure that such equipment uses the best-available technology, including technology to scan a container for radiation and density and, if appropriate, for atomic elements.

''(B) SEALS.—The Secretary shall establish standards for seals required to be used under paragraph (1)(B) to ensure that such seals use the best-available technology, including technology to—

''(i) detect any breach into a container;

''(ii) identify the time and place of such breach;

''(iii) notify the Secretary of such breach before the container enters the Exclusive Economic Zone of the United States; and

''(iv) track the time and location of the container during transit to the United States, including by truck, rail, or vessel.

''(C) REVIEW AND REVISION.—The Secretary shall review and, if necessary, revise the standards established pursuant to subparagraphs (A) and (B) not less than once every two years.

''(D) DEFINITION.—In subparagraph (B), the term 'Exclusive Economic Zone of the United States' has the meaning given the term 'Exclusive Economic Zone' in section 2101(10a) of this title.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, such sums as may be necessary for fiscal year 2007 and each subsequent fiscal year.

(c) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—

(A) INTERIM FINAL RULE.—The Secretary of Homeland Security shall issue an interim final rule as a temporary regulation to implement section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, not later than 90 days after the date of the enactment of this section, without regard to the provisions of chapter 5 of title 5, United States Code.

(B) FINAL RULE.—The Secretary shall issue a final rule as a permanent regulation to implement section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, not later than one year after the date of the enactment of this section, in accordance with the provisions of chapter 5 of title 5, United States Code. The final rule issued pursuant to that rulemaking may supersede the interim final rule issued pursuant to subparagraph (A).

(2) EFFECTIVE DATE.—The requirements of section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, apply with respect to any ocean shipping container entering the United States, either directly or via a foreign port, beginning one year after the date of the enactment of this Act.

H.R. 4939

OFFERED BY: MR. NEUGEBAUER

AMENDMENT NO. 11: At the end of title II, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

ELIMINATION OF FUNDING

SEC. 2901. Each amount appropriated or otherwise made available by this title (other than for ''Office of Inspector General'' in chapter 4 or for ''Department of Justice'' in chapter 7) is hereby reduced to $0.

H.R. 4939

OFFERED BY: MR. NEUGEBAUER

AMENDMENT NO. 12: At the end of title II, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

ELIMINATION OF FUNDING

SEC. 2901. Each amount appropriated or otherwise made available by this title is hereby reduced to $0.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, TUESDAY, MARCH 14, 2006 No. 32

# Senate

The Senate met at 9 a.m. and was called to order by the Honorable MEL MARTINEZ, a Senator from the State of Florida.

PRAYER

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

Let us pray.

Lord of Hosts, thank You for being with us. Speak plainly to Senators today, sensitizing them to the needs of our Nation and world. Make them bold to do Your will at a time when evil often seems to have the upper hand. Give our lawmakers the insights they need to set their priorities by seeking to please You. Empower them with the courage to be the heart and hands of truth and righteousness.

Deliver us all from the mirage that there can be safety without You. May what we do here today bring joy to You, our source of hope for years to come.

Today, be especially close to Senator INOUYE during this time of grief. We pray in Your holy Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable MEL MARTINEZ led the Pledge of Allegiance, as follows:

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

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, March 14, 2006.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MEL MARTINEZ, a Senator from the State of Florida, to perform the duties of the Chair.

TED STEVENS,
*President pro tempore.*

Mr. MARTINEZ thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. FRIST. Mr. President, today we are immediately resuming debate on Senate Concurrent Resolution 83, the budget resolution. We start this morning with 40 hours remaining under the 50-hour debate limitation. Yesterday, Senators GREGG and CONRAD set up an order of amendments to be debated throughout the morning and afternoon. We now have six amendments lined up for consideration with each amendment debated for up to an hour. Votes on those amendments will occur in sequence beginning about 3 o'clock today.

Also, today are the weekly policy meetings. Normally, we would recess for those meetings, but we will need to allow debate to continue on proposed amendments occurring at that time. We will need to use up every other day effectively until the end of the week in order to finish the budget as well as the other item we will address this week, the debt limit extension. Both of those items will be completed this week. Therefore, if necessary, we will have votes throughout each day and into the evening.

On Wednesday, at 2, we will have a joint meeting with the House to hear an address by the President of Liberia. Senators should gather in the Chamber at 1:30 in order to depart at 1:40 to the House of Representatives.

## HALABJA ANNIVERSARY

Mr. FRIST. Mr. President, briefly, I wish to speak to another issue, an issue that relates to an anniversary that will occur on March 16. On March 16, 18 years ago, Saddam Hussein launched one of the most brutal and indiscriminate attacks against his own people. On that day, a group of eight Iraqi aircraft began dropping chemical munitions on the town of Halabja in northern Iraq. According to Kurdish commanders on the scene, the planes made multiple passes before their gruesome task was complete.

The planes would drop chemical munitions, including mustard agent and nerve gas, for 45 minutes. After they had gone, another group would come 15 minutes later to continue the assault with drop after drop after drop. They concentrated their attack on the city and the roads leading out to safety.

I had the opportunity to visit with a number of the Kurdish physicians about 2 years ago who described in detail to me what they saw and what they treated following these gruesome attacks. Many of the victims were drenched in liquid mustard gas, as well as these nerve agents, and others were breathing this toxic vapor. The physicians described to me the fact that this mustard gas and the nerve agents were segmented in parts of little hotels, where one week one wing would get a mustard gas, another a nerve agent, in order that the Saddam Hussein people would see which of these would be the most deadly, which would cause the most suffering.

After the onslaught, Saddam sent soldiers in their protective gear to study the impact in these wings of these hotels and throughout these communities. They wanted to see how effective and which agent would be most effective to be used in the future. The soldiers actually divided the city into

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



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grids, determining the number and location of the dead and the extent of injuries inflicted on this defenseless population. More than 5,000 people were killed and another 10,000 were injured.

To see the images of the heaps of lifeless bodies and mothers still clutching their babies is to see a waking nightmare.

Eighteen years later, the people of Halabja are still suffering the effects. Physicians describe to me cancer and birth defects, stillborns and miscarriages. For the people of Halabja, the nightmare is still not over.

Nor did Saddam Hussein limit his use of weapons of mass destruction to just Halabja. He used these weapons of mass destruction to destroy scores of Kurdish towns and villages. These gruesome attacks were a part of a year-long campaign which resulted in the deaths and disappearances of more than 182,000 Iraqi Kurds.

These attacks bear on me heavily, as a Senator from Tennessee, because many of the Kurds migrated to Tennessee, especially the middle Tennessee area. Many live in Nashville. In fact, the other day as I was going through the airport, 20 or 30 of the Kurdish people came up to express to me their appreciation to the United States in receiving them and in Tennessee, in particular, for receiving them so well, so they could live lives that could move toward freedom and prosperity. Some of the people I now represent have friends and family who suffered at the hands of Saddam Hussein. He killed them. He tortured them. He oppressed the Iraqi Kurds for decades.

During the 1990s, the United States helped Iraq's Kurds achieve some degree of autonomy. Last year, we helped them achieve the right to vote for a Constitution and for a new Iraqi Government. The Kurds of northern Iraq knew for years what many Americans have been very slow to realize. Saddam and his chemical weapons were a threat not only to the Iraqi people but to the region, to our friends and our allies.

Saddam Hussein and his cohorts are now behind bars and standing trial for their crimes. Unlike the victims of his regime, they are being afforded the opportunity to defend themselves. The Iraqi people are committed to seeing justice done, they are bravely building a new order based on the rule of law and freedom. It has been a difficult journey, but they are working hard to reconcile their political differences and establish a government of national unity.

2005 was a year of progress. The Iraqis held three national elections. They approved a permanent Constitution. And thousands of young Iraqi citizens exhibited tremendous courage by joining the Iraqi security forces. They accomplished all of this in the face of vicious terrorist violence. The attack on the Golden Mosque in Samarra a few weeks ago was another cruel and craven attempt to ignite a civil war.

Iraq's political, ethnic, and religious leaders deserve credit for appealing for calm in working to diffuse the violence. They recognize that every Iraqi has a stake in their new democracy and that a free democratic and prosperous Iraq is in the best interests of all.

Their task now is to swiftly forge a national unity government so that leaders of Iraq's diverse population have the opportunity to peacefully appropriate the interests of their constituents. I am confident the Iraqi people will work to include all of Iraq's ethnic and religious communities in the democratic process. Indeed, they have no other choice.

Iraq's political leaders must come together and continue to work for national unity so that the Iraqi people can live in the freedom they deserve and so that tragedies such as Halabja remain irrevocably in the past. The fight for Iraq is far from over. Every day ruthless criminals are trying to smash all of the progress that has been made, but they will not succeed. Iraq has been set on a historic path.

This week, as we look back, we also press forward. With the continued courage and determination of the Iraqi people, Iraq will emerge a beacon of freedom and prosperity in the heart of the Middle East.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

## RESERVATION OF LEADER TIME

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

## CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 83) setting forth the congressional budget for the United States Government for fiscal year 2007, and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

The ACTING PRESIDENT pro tempore. Under the previous order, there are 40 hours equally divided remaining for debate.

Mr. GREGG. I ask unanimous consent the time consumed since 9 o'clock be credited to the budget time and the budget time be reduced by that amount of time and that it be allocated to our side.

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

Mr. GREGG. Mr. President, I understand Senator FEINGOLD will speak to the amendment offered by himself and Senator CONRAD and after Senator FEINGOLD finishes speaking, I ask we go into a quorum call with the time equally divided as was ordered.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Senator from New Hampshire. I am very pleased to join the Senator from North Dakota in the pay-go amendment, which I understand he will be offering soon.

There is no Senator more dedicated to a fiscally responsible Federal budget and to restoring sound budget rules than Senator CONRAD. He is an acknowledged expert on the budget and the rules that govern its consideration. One might say he is the ''Robert C. Byrd'' of the budget.

You do not have to be a Kent Conrad to understand the pay-go rule. Our amendment is the same amendment one or the other of us have offered since the original pay-as-you-go rule expired a few years ago. It simply reinstates the pay-as-you-go rule that had been such an effective restraint on the fiscal appetites of Congress and the White House.

Over the past 5 years, we have seen a dramatic deterioration in the Government's ability to perform one of its most fundamental jobs, and that is balancing the Nation's fiscal books. In January of 2001, the Congressional Budget Office projected, in the 10 years thereafter, the Government would run a unified budget surplus of more than $5 trillion. But little more than 5 years later, we face immense deficits and backbreaking debt.

This must stop. Running deficits causes the Government to use the surpluses of the Social Security trust fund for other Government purposes, rather than to pay down the debt and help our Nation prepare for the coming retirement of the baby boom generation.

Every dollar we add to the Federal debt is another dollar that we are forcing our children to pay back in higher taxes or fewer Government benefits. When we choose to spend on current consumption—through appropriated accounts or mandatory spending or tax cuts—without paying for that spending, we are robbing our children of the opportunity to have their own choices.

When we spend on our wants, by cutting taxes or through Government programs, without paying for those decisions, we are saddling our children and even our grandchildren with debts they must pay from their tax dollars and their hard work. That is not right.

That is why I am joining Senator CONRAD in his amendment to fully reinstate the pay-go rule. We need a strong budget process. We need to exert fiscal discipline.

When the pay-go rule was in effect, that tough fiscal discipline actually

governed the budget process. Under the current approach, it is actually the other way around: the annual budget resolution determines how much fiscal discipline we are willing to impose on ourselves.

Obviously, it is not surprising to know that simply has not worked. When Congress decides it would be nice to create a new entitlement or enact new tax cuts and then adjusts its budget rules to permit those policies, we are inviting a disastrous result. And actually that is what we have seen happen—a disastrous result in terms of the fiscal health of our country.

I have tried in the past to contrast this approach to going on a diet. If you want to lose weight, you set the number of total calories you are allowed to consume first, and then what you are supposed to do, I understand, is to make the meals fit under that cap—not the other way around.

Imagine trying to lose weight by deciding what you want to eat first and then setting a calorie limit to accommodate all of your cravings. If you want a few extra beers, fine, just dial up the limit on your calorie intake. If you want some fudge brownies, that is fine, too, just raise the calorie limit accordingly.

It may taste pretty good at the time, but it is awfully sure you will end up gaining weight, such as the Nation is racking up debt. Because this ill-advised diet is exactly how the current, mutated version of pay-go works—and we have seen the results—the results are the debt we are leaving our children and grandchildren, and that debt continues to balloon and balloon.

In the case of the budget resolution before us, Members are permitted to indulge themselves in tax cut and mandatory spending policies—that are normally restrained by pay-go—to the tune of an estimated 10-year cost of $270 billion without having to find offsetting savings.

We need to return to the wise restraints under which Congress functioned during the 1990s and which were instrumental in balancing the Federal budget. That is precisely what this amendment the Senator from North Dakota and I are offering would do.

Many of us have lived under this rule, and we know how effective it was. If this budget does nothing else, it should reinstate the old pay-go rule. If we do that, maybe we can begin to turn these annual budgets around and stop racking up these deficits and adding to the already enormous Federal debt.

I urge my colleagues to support the commonsense, time-tested pay-go amendment by my colleague from North Dakota.

Mr. President, of course, that time I used was, as I understand, to come off the budget resolution; is that correct?

The ACTING PRESIDENT pro tempore. That is the Chair's understanding.

Mr. FEINGOLD. I thank the Presiding Officer.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, what I want to do is to follow up today on the comments by Senator FEINGOLD, who has been talking about pay-go as a tool to begin reducing our budget deficit. As I do that, though, I want to say there are a lot of things we can do to reduce our budget deficit.

First of all, the fact is, the budget deficit last year was over $300 billion; this one we expect to be over $400 billion. That is on a cash basis of accounting. David Walker, the Comptroller General of our country, tells us if we were to use an accrual basis of accounting, which we require by law our businesses, our corporations to use, our budget deficit for the current year would be over $700 billion. But we operate under a cash basis of accounting, so we are told it is going to be over $400 billion.

As we look forward, down the road, by monkeying with the rules, by making some misassumptions, we can pretend the deficit is going to get smaller over the next several years. We can pretend, for example, we are not going to be spending more money in Iraq or Afghanistan, and we can pretend we are not going to fix the alternative minimum tax. We can pretend a wide variety of things. But the truth is, as the baby boomers get ready to retire and we play this game of pretend, the budget deficit does not get any smaller.

I think we are on a road to ruin. With the notion of $400 billion budget deficits and $700 billion trade deficits for as far as the eye can see, as the baby boomers get ready to retire, I do not see a whole lot of likelihood things are going to get better unless we do things differently in our Nation's capital. I am tired of hearing people just blame the Senate or just blame the House or just blame the administration. We are all in this together. If we are going to get out of this mess, we are going to get out of it together.

Let me mention a couple things before I talk about pay-go that we ought to be doing. The Internal Revenue Service reported last month that the tax gap for calendar year 2005 was about $290 billion. What they mean by that is there was about $290 billion—this is the net number—$290 billion that was owed in taxes that were not collected by the Federal Government.

In a few minutes, I am leaving and going to a hearing of the Governmental Affairs Committee. We will be having a hearing on contractors, how we are doing with respect to making sure that contractors we retain to do work for the Department of Defense or for civilian agencies; that before we start paying them the money they are charging for the work they are doing, we are taking out of that payment the taxes they owe and have not paid. We are talking about literally billions—with a ''B''—billions of dollars that are going uncollected, going to contractors we retain.

The President has proposed in his own budget some things we can do differently, some additional moneys for the IRS, to enable them to collect taxes that are owed. For every extra $1 we provide to the IRS, they will probably collect $7 or $8 that is not being collected that is owed. Senator BAYH, from Indiana, has a proposal that would probably enable us to collect another $15 billion a year to cut the tax gap further. There are other ideas we need to consider.

But before we go raising taxes—and somewhere down the road we are going to have to—but before we raise taxes, we simply need to do a better job of collecting the taxes that are owed that are not being collected.

Let me also mention improper payments. We find, on the same committee I mentioned before, the Committee on Homeland Security and Governmental Affairs—one of the subcommittees that Senator COBURN and I serve on has been working on improper payments. What do I mean by an ''improper payment''? It is a payment the Federal agency makes that is wrong. It is either too much or too little. As it turns out, there are a lot more improper payments that are too much than too little. Overall, the net number for improper payments is close to $50 billion a year. That does not include all the agencies.

Another thing we can do a whole lot better on is with respect to oversight. I think there is something to be said for divided Government, where you do not have one party in charge of everything, whether it is Democrats or Republicans, because right now we do not do a very good job of oversight. The Democrats do not control the committees, do not control subcommittees. For the most part, we have not done the job we need to do on oversight of this Republican administration. I do not say that in a partisan way. It is the fact. If the shoe was on the other foot and the Democrats were running everything—the House, the Senate, and the White House—we might be guilty of the same kind of thing.

But there are moneys we are spending in the Department of Defense—and some of it is in Iraq and some of it is in other places—that is shameful in the way we are misallocating it. And even when it is pointed out by whistleblowers, we still go ahead and pay the money. It is crazy. We are doing the same kind of thing with some of our domestic agencies as well. We have begun putting a spotlight on this kind of behavior in order to reduce it, and I think it is actually starting to have an effect, but we need to keep it up.

The President has proposed something called expedited recision powers. It is also called a line-item veto. It is another thing we are going to be probably debating here: whether it makes any sense to help reduce the budget deficit. We actually passed—in fact, I authored, when I was in the House of Representatives, gosh, almost 20 years ago, at least 15 years ago—expedited line-item veto power for the President. I called it a sort of 2-year test drive on line-item veto powers, to see if the President would abuse the power.

The Congress could override the line-item veto with a simple majority of either the House or the Senate. It was a power that would last for 2 years. If the President abused it, it would not be renewed. If the President did not abuse it and it was actually helpful, then it could be renewed beyond that 2 years. I think that is probably a better approach, if we are going to try something such as this, than what the President has suggested. I think his suggestion is wrought with the temptation for abuse by the executive branch.

That brings us to pay-go. Some of you have heard me quote Denis Healey, former chancellor of the Exchequer, many times—the ''theory of holes.'' What is the ''theory of holes''? The Senator from North Dakota has heard me say this more than a few times. He has probably used this line a time or two as well: When you find yourself in a hole, stop digging. We are in a hole. It is time to stop digging.

Whenever any of us come to the floor and we say we want to cut taxes, even though we know it is going to increase the deficit, we ought to have an offset for it. When any of us come to the floor and say we want to increase spending on our favorite program, however meritorious, we ought to come with an offset. We ought to come up with a way to have no effect on the budget deficit, which is already huge. And we can do it by either cutting spending somewhere else or we can do it with respect to raising some revenues somewhere else.

But these pages in front of me, I do not know how old you guys and gals are—probably 15, 16 years old—you are juniors in high school. Someday somebody is going to have to pay the debt. Someday these chickens are going to come home to roost. They probably are not going to come home on my generation. They are probably going to come home on your generation. You guys and gals are the same age as my own children. It is not fair. It is not fair to you.

We should simply decide to set aside some of the rancor that goes on around here, and with Democrats who have good ideas, and Republicans who have good ideas, and the White House that has some good ideas, take that collection of ideas, which includes, as far as I am concerned, looking at entitlement programs. I am never interested in savaging entitlement programs, but they should not be off limits either.

If some of them can be means tested, we should consider doing that. We are going to have to do some things we as Democrats don't want to do and some things Republicans and the White House don't want to do if we are going to make serious progress. We need to make serious progress because we have a serious problem. One way we can start is by adopting pay as you go. It had a great road test for many years. We ought to put it in place today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

AMENDMENT NO. 3013

Mr. CONRAD. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. WYDEN, Mr. OBAMA, Mr. BAUCUS, Mr. HARKIN, Mr. KERRY, Mr. SALAZAR, Mrs. CLINTON, Ms. MIKULSKI, Mr. CARPER, Mr. BYRD, Mr. KOHL, and Mr. CHAFEE, proposes an amendment numbered 3013.

Mr. CONRAD. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To fully reinstate the pay-as-you-go requirement through 2011)

At the appropriate place, insert the following:

**SEC. ___. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit or cause an on-budget deficit for any 1 of the 3 applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term ''applicable time period'' means any 1 of the 3 following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the 5 fiscal years following the first 5 fiscal years covered in the most recently adopted concurrent resolution on the budget.

(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct-spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this section shall—

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the on-budget deficit or causes an on-budget deficit when taken individually, it must also increase the on-budget deficit or cause an on-budget deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that direct spending or revenue effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of ⅗ of the Members, duly chosen and sworn.

(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(e) SUNSET.—This section shall expire on September 30, 2011.

Mr. CONRAD. The amendment I have sent to the desk is the pay-go amendment. In many ways I believe this is the most important amendment to be considered today. This amendment would reestablish the budget discipline that worked so well in previous years, a rule that has been allowed to lapse by our colleagues on the other side of the aisle.

Here is where we are. The debt of our country is skyrocketing. At the end of the first year of this Presidency, the debt stood at $5.8 trillion. That year the President told us if we adopted his fiscal plan, he would have maximum paydown of the debt. In fact, he said if we adopted his strategy, we would virtually eliminate the debt. The President was wrong. The debt was not paid down. The debt was certainly not virtually eliminated. Instead, the debt has skyrocketed. At the end of this year, they now tell us the debt will be $8.6 trillion. And if the budget before us is adopted, by 2011 the debt will be $11.8 trillion. It will have doubled on this President's watch. All of this is before the baby boomers retire. We are on an unsustainable course, and it must be changed. We need to do it as soon as we can.

On the question of pay-go, that simply says if you want more spending on mandatory programs, you have to pay for it. If you want to have more tax cuts, you have to pay for them, or you

have to get a supermajority vote in the Senate. That is the pay-go discipline. It says, yes, you can have more tax cuts, but you have to pay for them; you can have more spending on mandatory programs, such as Medicare and Social Security, but you have to pay for them. That is what pay-go is about.

Here is what Chairman Greenspan said:

> All I'm saying is my general rule is I like to see the tax burden as low as possible. And in that context, I would like to see tax cuts continued. But, as I indicated earlier, that has got to be, in my judgment, in the context of a pay-go resolution.

We have not only heard that advice from the Chairman of the Federal Reserve, but from the respected Concord Coalition, a bipartisan group that says deficits do matter, that the buildup of debt is unsustainable, and said this about pay-go:

> Exempting tax cuts from pay-go does nothing to promote fiscal discipline. It would neither control spending nor shrink the deficit. All it would do is exempt any tax legislation from fiscal scrutiny, regardless of the circumstances. Such an enormous and unnecessary loophole would not be wise policy given that deficits are back for as far as the eye can see. Since spending and tax decisions both have consequences for the budget, there is no good reason to exempt either from enforcement rules.

I believe they have it exactly right. Our friends, having adopted an enormous loophole, say: You can have all the increased spending you want, all the increased tax cuts you want, as long as they are in the budget resolution. If they are in the budget resolution, they are exempt from pay-go.

Here is what has happened as a result. This chart goes back to 1990. We had a strong pay-go rule in effect from 1991 until 2002. We climbed out of the deficit ditch during those years. In fact, we actually went into surplus. In fact, we went into surplus to such an extent we stopped raiding Social Security trust funds to pay other bills.

Then our colleagues on the other side got control of the White House and both Houses of Congress, and they ended the pay-go rule. Look what has happened. Surpluses were eliminated. We have plunged back into deficit, bigger deficits than we had even back here.

That is what has happened without the discipline of pay-go. What we are saying today is, let's reinstitute the discipline of pay-go. Let's do it now.

This chart shows how we would eliminate the loophole that currently exists. The current loophole put in place by our colleagues on the other side exempts all tax cuts and mandatory spending increases assumed in any budget resolution, no matter how much they increase deficits. What we are offering today is the budget discipline, the pay-go rule that worked so effectively in the past. It says all mandatory spending and tax cuts that increase deficits must be paid for or require a supermajority, 60 votes, in the Senate. That is what we ought to do.

This is what has happened in terms of deficit increases when we had the budget pay-go loophole that is currently in effect. In 2006, $12.5 billion allowed under the Senate GOP budget with their pay-go loophole. In 2007, $36 billion of additional deficit allowed. In 2007 to 2011, almost $214 billion is going to be permitted, if we don't shut it down.

I hope my colleagues will adopt the pay-go rule, the budget discipline that has worked so well in the past. It is critically important that we do that. This is our opportunity. For those who say they are fiscally responsible, here is your chance. You are going to be able to prove with one vote whether you are serious about doing something about these runaway debts and runaway deficits or whether it is all talk. This is going to be the chance. This will be a vote that tests whether Members are willing to stand up and take a tough vote and reimpose the budget discipline that has worked so well in the past.

I ask what the time situation is.

The ACTING PRESIDENT pro tempore. The Senator has consumed 7½ minutes on the amendment.

Mr. CONRAD. I thank the Chair.

If there are others who want to speak on pay-go, this is an opportunity. We have hopefully a few minutes left on this amendment before we go to the next one. We have been taking time so far this morning off the resolution. Perhaps when the chairman returns, we can make an arrangement to take additional time off the amendment as well so we can keep on our schedule.

With that, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. Mr. President, I ask unanimous consent that the 5 minutes Senator FEINGOLD used be attributed to the amendment and taken off the amendment time.

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

Mr. CONRAD. If the Chair could inform me how much time is left on our side on the amendment?

The ACTING PRESIDENT pro tempore. There is 15 minutes remaining.

Mr. CONRAD. And how much time remains on the other side on the amendment?

The ACTING PRESIDENT pro tempore. There is 28 minutes.

Mr. CONRAD. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I rise to speak to the pay-go amendment. Pay-go is a term that has sort of taken on a motherhoodlike atmosphere around here. There are some terms which occur in the legislative process or in the political arena that become perceptionwise different than what they are in substance. The perception becomes the issue versus the substance.

Pay-go has taken on that sort of status because it sounds like something that makes sense. But to be honest, what pay-go is is a tax increase. It is that simple. The way this amendment is structured, it guarantees a tax increase. Rather than saying they are for tax increases, they are saying they are for pay-go. In fact, the last chart the Senator referred to which showed very large numbers in this bill which he didn't call taxes were just that—taxes.

If you want to adjust those numbers, you are going to have to raise taxes by the $214 billion he cited in that chart. So pay-go is a stalking horse for a tax increase. It is really that simple. It is also technically not an appropriate approach, and this is why.

CBO scores things around here, and CBO basically drives the decisions of the budget process because what the Congressional Budget Office says is what the baseline is; in other words, how much a program will cost in the outyears, how much tax revenue will occur in the outyears as a result of a tax proposal. But CBO uses different standards for different groups of spending and taxes. For discretionary spending, they have one set of standards. For entitlement spending, they have another set of standards. For tax revenues and tax cuts, they have another set of standards.

So when you create this pay-go language, which the Democratic side is offering, you are creating a one-size-fits-all and applying it to different accounting systems, and it produces perverse effects. The most perverse effect is it basically means you have to raise taxes, but you will never actually impact entitlement spending.

Why is that? Because under the way CBO works, they say entitlement programs never end. It is amazing. You can have an entitlement which had an authorization life of, say, 10 years, but CBO would score it as if it went on forever, never sunsets, never is perceived by CBO as having to be reduced or in any way adjusted. That is the decision they have made in scoring entitlements.

On the tax side, however, they take the exact opposite approach. If you have a tax cut which is authorized for 5 years or 10 years, at the end of the 5 years or 10 years, they presume that tax cut is followed by a tax increase and, as a result, they presume there has to be more income coming in because taxes will go up.

The practical effect of that is that this pay-go proposal will never actually be applied to an entitlement that already exists, but it will always be applied to a tax cut that already exists,

which results in tax cuts being significantly prejudiced by this approach because it is a one-size-fits-all approach.

If CBO were to change its scoring mechanisms and say that entitlements didn't go on forever, then it would be logical to have this type of an approach—potentially logical—because then you would actually have to pay for entitlements and you would have to pay for tax cuts. But under this proposal, that is not the case. Under this proposal, only tax cuts would have to be adjusted and paid for and would be affected by pay-go, and it would essentially be, therefore, a tax increase mechanism. So when our colleagues vote for this, they are voting for tax increases. It is that simple.

Another problem with this technical problem is it again goes to CBO scoring. For example, under the CBO scoring, CBO uses capital gains as a revenue loser. It does not score capital gains for the dynamic effect it has on the economy. When we cut capital gains rates—it has been proven every time we have done it—we generate revenue. Why is that? It is called human nature, and human nature usually overwhelms accountants. They just sometimes cannot handle the concept of human nature, but human nature goes to work when you cut the capital gains rates because when somebody owns an asset and has owned it for a while, it is an asset which they know if they sell they are going to have to pay 30 percent taxes on. Then we cut the tax rate on that asset to 15 percent, if they sell it, and there is an incentive for them to sell that asset and to reinvest those dollars in something that is probably more productive. But if the tax rate stays at 30 percent, there is no incentive for them to go out and make that sale because they recognize they are going to pay a very high level of taxes on it. So assets get locked up. Stocks that might be sold get locked up, investments in real estate that might be converted get locked up, small businesses that might be converted get locked up, and farms that might be sold get locked up because the incentive to sell is reduced by the high level of taxes.

So when we cut capital gains rates, which is what we have done, we create this huge infusion of economic activity. People start to sell assets which they wouldn't otherwise have sold, and that generates income to the Federal Government because taxes are being paid that would not have been paid before and there would be no tax revenue coming in because people would sit on these assets. We generate a tax event.

More important, the money which was invested in that asset is reinvested and, by human nature, it is reinvested in something that, to the person doing the investing, is going to be more productive. By creating more productive investments, we end up creating more economic activity, more jobs—many more jobs—and, as a result, once again, we generate more revenue to the Federal Government.

A capital gains cut actually generates a lot of revenue. We see on this chart that CBO—the blue line—simply is not willing to score that type of economic activity, the real economic activity, the actual economic activity generated from capital gains cuts. We have had a huge infusion of revenues into the Federal Treasury as a result of the capital gains tax, huge—$60 billion, $75 billion, $81 billion.

What happens is CBO uses these artificially low numbers to score that capital gains cut even though capital gains is paying for itself. If they used the accurate numbers, then pay-go wouldn't even apply to a capital gains cut because capital gains would pay for itself. It would pay for itself because it would generate so much revenue. But CBO scores it as a loser, even though it is a winner, so a capital gains cut is subject to the perverse approach under the CBO scoring rules of having to pay twice if you have pay-go in place. First, it would pay because it would generate the revenue to cover the cost of the cut, which CBO claims is a cost—it is not a cost; it is actually a revenue winner—and then it would have to pay on the presumption it was going to cost money, when, in fact, it is not going to cost money, and then you have to find revenues to cover it.

There is a perverse accounting mechanism working here if we put pay-go in place relative to items such as capital gains reductions. That is a technical reason this proposal does not work.

The bottom line of this proposal is simple: It is a tax increase. The basic engine of this proposal, the basic effect of this proposal would be the engine to drive tax increases.

There is a fundamental disagreement between the two parties as to whether we should have tax increases driven by an accounting mechanism or whether we should have them driven by policy. It may be we should do some tax increases around here in certain areas. The Senator from North Dakota has pointed out some loopholes that should be closed, and I am for that. And he has suggested we should collect more taxes that are owed. I am for that, too. But I don't think we should use an accounting mechanism to basically repeal the capital gains rate and the dividends rate, which is the purpose of this amendment.

This amendment is targeted to two tax cuts: dividends and capital gains. And then later on, when the rates adjust, when the rate adjustment comes to an end, it will be targeted on rates. It is like a laser beam aimed at those two issues. If it were to be in place today, it is unlikely we would have a capital gains rate or dividend rate at the present levels.

The result, in my opinion, would be to chill the economic recovery because I think a huge part of our economic recovery has been these numbers right here, capital gains activity: people realizing their gains, selling an asset, and reinvesting it in something more productive, which creates economic activity, jobs, and revenue.

There is a fundamental disagreement here. This is a stalking horse for a tax increase, in my opinion. It is doing it through a technical vehicle, but it is clearly going to have that result. If we were to put a major new entitlement on the books, it would actually impact that, I give it credit for that. But we already have on the books a pay-go which affects new entitlements—new entitlements. I would love to have a pay-go that affects existing entitlements, and if they want to redraft the amendment to do that, I would be happy to take a look at that.

The practical effect of this amendment is singular in purpose: It will force a tax increase.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I could not disagree more. I could not disagree more. Pay-go doesn't require a tax increase. This is just not true. What does pay-go say? Pay-go says if you want to have new mandatory spending, you have to pay for it. If you want to have new tax cuts—new tax cuts—you have to pay for them. That is what pay-go says. Nowhere does it say anything about increasing taxes. The chairman is just wrong; it doesn't say that. It doesn't require that.

It does say if you want new mandatory programs, such as the new prescription drug benefit that was passed—if we had pay-go in effect at the time the new prescription drug program was offered, we would have had to pay for it either through increased revenue or from cuts elsewhere. That is what pay-go says. It doesn't say there has to be a tax increase. That is just a red herring argument. Frankly, I am surprised the chairman makes it.

Here is what the chairman used to say about pay-go not so very long ago. In 2002, the chairman, who now argues against pay-go, said this:

> The second budget discipline, which is pay-go, essentially says if you are going to add a new entitlement program or you are going to cut taxes during a period, especially of deficits, you must offset that event so that it becomes a budget-neutral event that also lapses.

That is what the chairman said in 2002 when he was an advocate for pay-go. He went on to say:

> . . . If we do not do this, if we do not put back in place caps and pay-go mechanisms, we will have no budget discipline in this Congress, and, as a result, we will dramatically aggravate the deficit which, of course, impacts a lot of important issues, but especially impacts Social Security.

That was the chairman 4 years ago, and he was absolutely right in his support of pay-go then and in his recognition that pay-go was essential to budget discipline. He was right. He wasn't talking about requiring a tax increase then. This is a new argument which has been concocted to try to derail putting back the budget discipline which is absolutely needed.

Pay-go doesn't require anything unless you try to increase mandatory spending, in which case you have to pay for it or get a supermajority vote. It doesn't do anything to taxes unless you try to cut taxes without paying for it. That is what pay-go does. There is no requirement of a tax increase here; there is a requirement we start paying for programs.

When—when, I ask—are we going to start paying for things around here instead of just increasing the spending, cutting the taxes, and running up the debt? Because that is what we are doing. Since pay-go lapsed, the deficits and the debt have exploded. This is an opportunity to begin the process to rein in the growth of deficits and debt. That is what pay-go is about, and that is why it should be supported today.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, let me briefly respond to the Senator from North Dakota. I was right then, and I am right now. Times change and dynamics of what is happening around here change substantively.

The only thing that will be impacted by this pay-go amendment, if it is adopted, is tax increases. That is it, because there isn't a major new entitlement being proposed. In fact, as I mentioned before, the way the scoring occurs around here, all the entitlements will continue.

These are the entitlements that are exempt: Food Stamp Program, TANF, Commodity Credit Corporation, veterans compensation, child care, State children's health, rehabilitation services, ground transportation, Federal unemployment insurance, child nutrition, and the list goes on of entitlement accounts exempt from the Senator's pay-go and pay-go generally. There is a pay-go in the bill.

What isn't exempt is the fact if this were in place today, capital gains and dividends would be subject to it. And that is totally inconsistent because capital gains, as I pointed out—what happened to my chart? Somebody took it down, I guess as a courtesy to the Senator from North Dakota because this is such a devastating chart and he didn't want it to undermine his arguments.

As this chart points out definitively, the money is in the bank, or at least it is in the Federal Treasury until we spend it. We are generating huge amounts of revenues from capital gains. Under this pay-go amendment, were it in place, you would have to pay for capital gains because CBO does not score it relative to what it actually does.

The next event to which this is going to apply is the death tax, if pay-go is in place. That is the only thing it will impact in this budget window over the next 5 years because the only thing that is planned in this next 5 years will be the death tax and the rates, and it will be used as the club to generate tax increases. That is all it is for in the context of today.

You look over this 5-year window of what this budget says, you take this pay-go language and lay it over that 5-year window, and the only thing it will impact is taxes, and it will basically be used as a lever, as a club, to raise taxes. It shouldn't be called pay-go, it should be called tax-go. The Senator from North Dakota made this case for us when he held up his chart that showed all these bars—and he didn't identify what they were—of numbers that this budget allegedly doesn't cover that are losses of revenue, according to the Senator from North Dakota, because we have cut taxes. He didn't actually say they were loss of revenue from tax cuts, he used some other term for it. I don't know what the term was, but he had one bar that was $216 billion. Well, that is death taxes, rate cuts, dividends and interest, for the most part.

There might also be some R&D tax credits in there and some State and local deductibility. So it is ironic, to say the least, that they would claim that this is a balanced approach.

Another ironic thing is we have heard the Senator from North Dakota and other Members come to the floor and say the AMT is an outrage, the alternative minimum tax. Well, I haven't heard them suggest how they are going to pay for fixing the AMT, but under their amendment, they would have to, and that is an $800 billion hole. I happen to think we should fix the AMT, and we should fix it in the context of revenue neutrality. But I don't see any amendments floating around here, and I haven't seen any amendments floating around here to accomplish that.

So I don't see how you can argue anything other than the fact that this proposal, as it is presented, has one fundamental impact: and that will be that over the next 5 years any attempt to extend any tax cut will be put to a 60-vote point of order and will be, therefore, pressure to raise taxes. It will be pressure to raise taxes to do that extension. It will have no impact on anything else because there are no new entitlement programs planned in this bill. And because CBO scores all entitlements that already exist as going on forever, they won't be hit by this proposal.

So as I said earlier, it is a one-size-fits-all proposal that disadvantages tax cuts. The irony is the tax cuts that pay for themselves, such as capital gains and dividends cuts, which generate economic activity, which generate income, will end up having to be paid for twice. That really doesn't make any sense, and it will be driven by an accounting mechanism. I don't think policy should be driven by an accounting mechanism when it is so unfairly applied where it basically impacts tax policy one way and entitlement policy another way. I would rather see something that was fair. But, in any event, I don't support this because it is a tax increase mechanism.

Mr. CONRAD. Mr. President, the chairman keeps repeating himself: this is a tax increase. You can use the words, you can repeat it 100 times, it doesn't make it true. It is not a tax increase. Pay-go very simply says: if you want to increase or create a new mandatory spending program, you have to pay for it. You don't have to pay for it with a tax increase, you can pay for it by cutting other spending. If you want to have more tax cuts, you can have them, but you have to pay for them, either through cutting spending or raising other taxes. That is what pay-go says. That is what pay-go does. It restores a budget discipline that is desperately needed.

The chairman says they have pay-go. They have a figment of pay-go because their pay-go exempts all tax cuts and mandatory spending increases that are assumed in any budget resolution, no matter how much they increase the deficit. The record is very clear. What has happened with weakened pay-go? What has happened?

Let's go back. Pay-go was put in place right here, and we climbed out of the deficit ditch and we actually achieved budget surpluses. When it was weakened, here is what happened: surpluses were eliminated, we plunged back into deficit, and the debt is skyrocketing.

That is the choice before the body. Do we really want to continue on this path of running up the debt of the country to record levels? That is the course we are on.

I would again remind my colleague of what he said in previous years. Back in 2002 the distinguished chairman, in floor debate, said this about pay-go:

> The second budget discipline, which is pay-go, essentially says if you are going to add a new entitlement program, or you are going to cut taxes during a period, especially of deficits, you must offset that event so that it becomes a budget-neutral event.

He went on to say:

> If we do not do this, if we do not put back in place caps and pay-go mechanisms, we will have no budget discipline in this Congress.

He was right then. He continued:

> And, as a result, we will dramatically aggravate the deficit which, of course, impacts a lot of important issues, but especially impacts Social Security.

The chairman argues on one tax type alone. He argues on capital gains. Let me say that CBO has reviewed that question, and they wrote a letter to the chairman of the Finance Committee that said this:

> After examining the historical record, including that for 2004, we cannot conclude that the unexplained increase in capital gains tax revenue is attributable to the change in capital gains tax rates.

This is after their careful analysis. I would acknowledge the chairman's chart that shows increased capital gains tax receipts higher than previously projected. CBO has studied

this, and they say they can't attribute that to the lower rates. I think most people would say the increased revenue is initially, in part, an effect of lower capital gains rates. But over time, a capital gains tax reduction loses revenue, not gains it. In other words, you get an initial bump, but after that you start losing it.

On the larger question of whether tax cuts pay for themselves, we don't have to have a theoretical discussion. We have what has happened in the real world.

In 2000, we collected over $2 trillion in revenue. Then we had the big tax cuts of 2001, and our Republican colleagues and the President all assured us: Don't worry, that will generate more revenue.

Well, guess what. It didn't. That is the problem with their argument. It didn't work. It failed, and it failed miserably.

In 2001, we had almost $2 trillion in revenue, big tax cuts, and the revenue went down; in 2002, less revenue than 2001; in 2003, less revenue than in 2001; in 2004, less revenue than in 2001. We didn't get back to the revenue base we had in 2000 until 2005. In real terms, we are nowhere close to the revenue base we had in 2000. We are nowhere close because this ideological argument failed in the real world. That is a fact. It failed. It didn't work.

One of the reasons we have runaway deficits and debts is our colleagues have just been wrong. They bet the farm on a concept that didn't work in the real world. Now the question is, Do we do something to reestablish budget discipline, or don't we? I hope we will.

I yield the floor.

Mr. GREGG. Mr. President, how much time is left on this amendment?

The PRESIDING OFFICER (Mr. DEMINT). The Senator from North Dakota has 5 minutes. The Senator from New Hampshire has 11 minutes.

Mr. GREGG. Mr. President, let me simply respond to some of the things the Senator said.

We haven't seen a budget plan from the Democratic side of the aisle for the last 2 years. In fact, even when they were in control of the Senate, we didn't get a budget across the floor from the other side of the aisle. I think one of the reasons is because they would have to openly admit to the fact that what they are basically saying, in language which is not specific but which is clear, is that they are going to raise taxes, that they want to raise taxes, and pay-go is just a stalking horse to accomplish that. It is that simple. The facts are very clear.

If you take this pay-go language and you template it over this budget, there are no entitlements that are going to be impacted. None. But there are taxes that are going to be impacted: specifically, capital gains, dividends—if they aren't addressed in this reconciliation package that is still being worked on—and the death tax.

I think most people in this country know that when their rates go up, they are getting a tax increase. And the effect of the pay-go language will be that if you get to the time when the rates have to be extended, the pay-go language will either force them to go up or force taxes to be raised somewhere else. It will be basically a major club used for the purpose of defeating the maintenance of things like the capital gains rate, dividend and interest rate, the dividend rate, and the death tax. That is the purpose, and it couldn't be any clearer from the facts.

I wish the Senator would present a budget because I think if he did, you would see that. Clearly, he hasn't addressed how they are going to do AMT. That amendment has been offered from their side. It was in committee, and it is, I presume, going to be offered again before we finish. Are they going to offset that with tax increases, that almost $1 trillion tax event? If they are going to stick to their language, they should. I don't think they will. So there is a different standard.

The point is obvious. This language, as it is presently structured, because of the facts that we have before us, which is a 5-year budget which has no new entitlements in it, and because CBO scores entitlements as going on forever and therefore they are never impacted by this pay-go language, this pay-go language will not affect the spending side of the ledger at all. But it will affect the tax side of the ledger. And when the death tax needs to be extended, this pay-go language will require a tax increase. When rates need to be extended, this pay-go language will require a tax increase. When dividends and interest, dividends and capital gains, should they not be extended in this reconciliation agreement need to be extended, this pay-go will require a tax increase, and that is the purpose of this.

This concept that CBO writes us back and says: Well, we can't really figure out that the capital gains cut generated capital gains income, that is one of the problems here. The CBO is taking a very strict green-eyeshade approach to budgeting. The way they build their baseline, they use four or five different major assumption groups. The assumption group they use for entitlement, the assumption group they use for taxes is entirely opposite and unfair and disproportionately impacts the capacity to do anything on the tax side of the ledger around here. And this amendment, if it were agreed to, would lock in that unfairness.

Clearly, capital gains generate revenue. Now, maybe the Senator from North Dakota wants to repeal the capital gains rate. He is saying in the outyears they don't generate revenue, they lose revenue. I happen to think they create a great deal of capital activity and investment and people are willing to take risks because they have a tax rate that is reasonable.

In the industrialized world, in major industrialized countries, we still have one of the highest rates of taxation on capital there is. Most industrial nations don't even tax capital formation because they recognize it creates jobs. We do, and the rate we have is reasonable, in my opinion. But if the Senator from North Dakota wants to raise it because he thinks in the outyears it is a revenue loser—fine. Say so. Offer a budget that does that. I would be happy to debate that rather than move under the terminology that is misleading, this motherhood terminology of pay-go, which is nothing more than ''tax-go'' in the way it will be applied to this bill and to the next 5 years. Obviously I oppose this amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, again the chairman repeats over and over that this requires a tax increase. He is wrong. No colleague should be fooled by that rhetoric. It requires new mandatory spending to be paid for. You can pay for things one of two ways: You could do it with a tax increase. You could also do it by spending cuts.

The same is true of new tax reductions. Under pay-go, you have to pay for them. You could pay for them with tax increases elsewhere, but you could pay for them by reducing spending elsewhere. The chairman seems to have forgotten that is the way pay-go works.

What the chairman is saying is he doesn't want to worry about increases in the deficit and debt. What the chairman is saying is he wants to continue this pattern because this is what has happened under his fiscal plan. The debt is skyrocketing: $5.8 trillion at the end of 2001, $8.6 trillion at the end of this year, headed toward $11.8 trillion if this budget is adopted.

What the chairman is saying is he doesn't want to worry about paying for tax cuts or more spending. He wants to continue to charge up the credit card. He wants to continue sending this debt to our kids and our grandkids. He wants to be free to take the easy political course, that is saying we can have new spending, such as the new prescription drug plan, and not pay for it; that we can have more tax cuts even though we are deep in deficit and not pay for them. That is the position he is taking. If we want to be clear here, that is what this debate is about. Do you want to stay on this reckless course of running up the debt? And the chairman says, not only with his speech here today and his position on pay-go here today, but with his budget, that he wants to run up the debt. He wants to take no responsibility to either reduce spending or to pay for more tax cuts. Instead, he prefers to send the bill to our kids and our grandkids. Let the foreigners continue to loan us the money so they can buy up U.S. assets. That is his position.

I think that is a reckless position. I think that is a position that weakens America. I think that is a position that makes us more vulnerable. I take the chairman back to the position he took

previously on pay-go. At that point he was right. In 2002, he argued for pay-go and he said then:

> . . . if we do not do this, if we do not put back in place caps and pay-go mechanisms, we will have no budget discipline in this Congress and, as a result, we will dramatically aggravate the deficit which, of course, impacts a lot of important issues but especially impacts Social Security.

That is what he said then. He was right then and it is the right position now. If you don't have this budget discipline, you are going to continue on this path and this course of running up the debt. That is what the chairman's budget does. It is precisely what we should not do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the Senator from North Dakota telling us what I am saying. I do wish the Senator from North Dakota had brought forward a budget so we could see what he is saying and what their side thinks they should do. Right now their budget is a blank piece of paper as an overall document, and it has been for the last few years. But if we look at what they did in committee, I think you can get an idea. They proposed amendments which would have increased discretionary spending by almost $19 billion and mandatory spending by $127 billion. That is a lot of new spending. And they raised taxes by about $130 billion. That is a lot of new taxes. So there is no discipline on their side of the aisle relative to controlling the rate of growth of this Government. In fact, just the opposite. They want to expand the rate of growth significantly and they want to raise taxes on the American people to accomplish that. That has always been their position and we are going to see amendment after amendment offered to this budget which will essentially increase spending.

We have already got a few in line here. I think Senator KENNEDY is going to offer one for $6.5 billion as the next amendment, or one of the coming amendments here. There are others coming down the pike. They are all going to be paid for by raising taxes.

The position of the other side of the aisle on this, although they manage to keep it a little foggy because they don't put forward their own budget, is pretty clear. They want to increase and grow the size of this Government significantly and they want to raise taxes to do that.

What the pay-go amendment does is raise taxes. You can't deny this. There are only three items of any significance that they are going to impact in this budget. My budget has no new entitlement spending in it so pay-go won't apply to any entitlement spending. It has a lot of entitlement spending presumed in it because entitlement spending is, of course, a big part of the budget. But none of that entitlement spending is affected by pay-go because, as a practical matter, pay-go will be exempting those entitlement accounts.

This reflects what were the amounts of tax increases offered from the Democratic side in committee when we marked this bill up: $133 billion, and the amount of new spending, $127 billion. It puts in stark terms how much new spending was proposed in committee by the Democratic membership, and new taxes.

Now they want to use this vehicle of pay-go to essentially repeal the tax cuts. That is what they are trying to do. The only items, as I mentioned, that are going to be impacted by this pay-go language will be the extension of the tax cuts. What tax cuts will need to be extended in the next 5 years? There are the rates, there are capital gains and dividends, and there is the death tax. Those are the big ones. Also maybe State and local deductibility in that category; I am not sure. That may be extended further than this window. But in any event, those are the big ones.

They are saying to a person whose rates go up: Your rates are either going to go up or taxes are going to have to be raised somewhere else to keep them at their present level. This argument that you are going to cut spending around here, and to raise taxes—I would love to see the other side of the aisle come forward with that proposal. I might be willing to do that and there might be two other people on this side of the aisle who might be willing to do that, but I have not seen a proposal from the other side of the aisle to cut spending anywhere.

The Senator from North Dakota argues that this budget adds enormously to the debt. It adds a lot less to the debt than anything the Senator from North Dakota has presented because he is not willing to freeze nondefense discretionary spending. He has not put forward a budget that reduces debt.

What this budget at least does is put in place discipline on the discretionary side of the ledger. It sets a cap—$873 billion. As long as you have that cap you have something around here to enforce so you can limit spending. It doesn't do as much as I would like to do on the entitlement side, but at least it puts in place a mechanism for us to have a point of order should entitlement spending get out of control—should more than 45 percent of an entitlement account, which is supposed to be an insurance account, end upcoming out of the general treasury—and I understand they are going to try to repeal that point of order. And then they claim they are for budget discipline?

The inconsistency of their position is reflected by the facts on the ground and the facts on the ground are pretty clear. The only thing this pay-go amendment will affect is taxes and it will force tax increases and it will make the extension of the tax cuts much more difficult to accomplish, which will be a tax increase.

If your rates go up, if your tax rates go up, that is a tax increase. I think everybody in America probably understands that. You can call it pay-go if that is the term you want to use. If that is the new term we are going to use around here for raising taxes, we will call it pay-go and I guess that is what they want to say. When you raise taxes around here, we will call it pay-go.

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

The PRESIDING OFFICER. The Senator has 1½ minutes.

Mr. CONRAD. Mr. President, the chairman says we have offered no budget. The chairman well knows the majority has the responsibility to offer a budget. Our responsibility is to critique that budget. We have done so by pointing out that this is the effect of the chairman's budget. It increases the debt every year by over $600 billion. That is the budget that has been offered by the majority. When we were in control, they didn't offer alternative budgets.

Mr. GREGG. That is because you didn't offer a budget.

Mr. CONRAD. They didn't offer alternative budgets.

Mr. GREGG. Will the Senator yield on that point?

Mr. CONRAD. I am afraid I have only got a minute left.

Mr. GREGG. I will give you another minute if you want to yield on that point.

Mr. CONRAD. I will be happy to complete my thought and finish.

Over all the years when we were in control, Republicans did not offer alternative budgets.

With respect to what we did in committee, every amendment we offered was paid for. The Senator is entirely correct. We offered amendments with revenue of $133 billion and with increased spending of $126 billion. So we paid for every amendment. We didn't pay for it with tax increases. We paid for it by closing the tax gap, money that is owed that is not being paid, which the revenue commissioner has said could be collected.

I ask for an additional 30 seconds.

Mr. GREGG. I ask for 30 seconds also.

Mr. CONRAD. Let's take a minute and a half.

Mr. GREGG. Take a minute.

Mr. CONRAD. We ask unanimous consent for a minute apiece.

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

Mr. CONRAD. And we offered to close tax loopholes, these egregious tax loopholes that we have pointed out repeatedly. That is not a tax increase. It is more revenue. It is not a tax rate increase on anyone.

But that gets us back to the fundamental question of, What is the direction we are going to take? Are we going to continue to run up the debt of the country, as the chairman proposes? Or are we going to take a new turn and go back to the budget disciplines that have worked in the past? I urge my colleagues to go back to the budget disciplines we have had in the past. If you

want to spend more money, you have to pay for it. If you want to have more tax reductions, you have to pay for them. It is a simple principle. We have had it in the past. The chairman has endorsed it in the past. It is the right course.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I think the Senator is making my case. Basically, he is admitting the fact that he is proposing to raise taxes by $133 billion. You can't do it the way he is reflecting. You are going to have to do it some other way. In fact, all his offsets raise about $11 billion, according to the Finance Committee. The uncollected taxes there—sure, we would like to get them, but CBO won't score them so we can't use it. The fact is the pay-go language is one way to generate a lot of new revenue because it will essentially say you can't extend the tax cuts and you are going to have to raise taxes dramatically if you do try to extend those tax cuts, so if you want to raise some big-time taxes around here you vote for this pay-go language.

Simply as an aside, I have to say the reason we didn't offer a budget, in response to the Senator, when they were in control of the Senate was because the last year they were in control of the Senate, they didn't offer a budget themselves. They haven't offered a budget now for 6 years, I think—maybe it is 5. We would love to have them offer a budget because then we would see very specifically this philosophy which is reflected in the amendment process, which is one of growing the Federal Government, spending a lot more money and raiseing a lot of taxes to do it.

Mr. President, I understand under the prior order the Senator from Missouri is to be recognized to offer an amendment.

Mr. OBAMA. Mr. President, I speak in favor of the PAYGO amendment introduced by my friend, and ranking member of the Budget Committee, Senator CONRAD. This amendment, of which I am a cosponsor, seeks to fully reinstate the pay-as-you-go requirement for direct spending and revenue legislation in the Senate through 2011.

During the 1990s, the Senate's PAYGO rule worked well to reduce Federal deficits, and the rule is badly needed today. Back then, PAYGO applied equally to increases in mandatory spending and decreases in revenue. It neither forced tax increases nor spending cuts but rather enforced fiscal balance and budget discipline. New spending or tax cuts could only become law if they were offset or found 60 votes in support.

Unfortunately, the original PAYGO rules were abandoned to provide for a series of unfunded tax breaks. Those tax breaks were not paid for by reductions in Federal spending and there was only one way to pay for them—by increasing our deficit to historically high levels and borrowing more and more money. Now we have to pay for those tax breaks plus the cost of borrowing for them.

Instead of reducing the deficit, as some people claim, the fiscal policies of this administration and its allies in Congress will add more than $600 million in debt for each of the next 5 years. This budget does nothing to reduce our deficits and, in fact, makes them worse.

Americans deserve better financial leadership. The people I talk to in Illinois are not fooled by what's going on. Working families understand that the same principles that apply to their family budgets should apply to our national budget as well. They understand that, in this life, you get what you pay for and if you don't pay for it today, it will cost you more tomorrow.

You don't have to be a deficit hawk to be disturbed by the growing gap between revenues and expenses. Americans are willing to share in the hard choices required to get us back on track, as long as they know that everyone is pulling their weight and doing their fair share. That's why it is so important that we reinstate PAYGO in a way that meaningfully enforces the budget discipline that both sides of the aisle need in order to honestly tackle our country's short-term and long-term fiscal challenges.

This is an important amendment at an important time for our country. I am pleased to once again join Senators CONRAD and FEINGOLD on this amendment and to be part of a bipartisan group of cosponsors. I urge my colleagues to vote for fiscal responsibility and for good budget leadership. I urge my colleagues to support this PAYGO amendment.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 3011

Mr. TALENT. Mr. President, I thank the chairman and the ranking member for arranging the debate on this amendment. I call up an amendment we have at the desk, Talent-Lieberman amendment No. 3011.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. TALENT], for himself, Mr. LIEBERMAN, Mr. THUNE and Mr. WARNER, proposes an amendment numbered 3011.

The amendment is as follows:

(Purpose: To increase funding for defense)

On page 9, line 20, increase the amount by $3,000,000,000.

On page 9, line 21, increase the amount by $3,000,000,000.

On page 27, line 23, decrease the amount by $3,000,000,000.

On page 27, line 24, decrease the amount by $3,000,000,000.

Mr. TALENT. I ask unanimous consent to add Senator CARPER as a cosponsor of the amendment.

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

Mr. TALENT. Mr. President, this amendment is a rather simple one. It raises the number in the budget for defense up to what the administration proposed. The budget resolution, as it came out of committee, would have reduced the amount of money requested for national defense by $3 billion. This restores that. It is in my judgment, as I said often on the Senate floor, not all we need to do but it is a first step.

We have to understand context here. The number the President submitted was itself almost $4 billion the President submitted was itself almost $4 billion less than what only a year and half ago the President and the administration said they would need for fiscal 2007.

Under the pressure from the Office of Management and Budget, the Department of Defense has had to reduce its request for the last 2 fiscal years by an amount totaling almost $10 billion and, at the same time, has reduced the amount it said it is going to request for the next 5 years by almost $670 billion—this while we are in a war and this while our responsibilities around the world and even outside the global war on terror have never been greater is a mistake.

I think the first step to correcting that mistake is to pass this bipartisan amendment and restore at least what the President has requested for fiscal 2007.

Let me give some history, some context. We need to go back to the early 1990s and the collapse of the Soviet Union.

At that time, there were concerns about the budget as well and the Government took those concerns out on the national defense. All throughout the 1990s, the Defense budget shrunk. It was the only part of the budget that shrunk. There were some years it shrunk in normal dollars, not even just as against inflation. There was a belief at the time of the collapse of the Soviet Union that we were in an era of peace and we would not need to spend as much on the national defense. Certainly, that was true with regards to certain parts of the national defense. Unfortunately, it turned out not to be true with the Defense budget. I will explain that in a minute.

First, in order to accommodate those shrinking budget there were reductions in the force structure. The number of people we have in the Department was cut across the board by anywhere from a quarter to a third.

The problem with that is we anticipated we would need the men and women in America's military less with the collapse of the Soviet Union, but it turns out that we needed them more. It turned out that history had not ended—it had been frozen during the time of the Cold War, and it thawed out with a vengeance. All the regional and ethnic rivalries that had been submerged in the bipolar nature of the Cold War era came to the surface. We had to deploy our men and women in conventional exercises of one kind or another far more in the 1990s than we

had to do in the Cold War decades in the years before.

What happens when you have fewer people and you use them more? You stress the force, you stress the people, you stress the equipment, you increase the operation and maintenance budgets.

In an era when we thought we would be able to save money on defense, we actually had to spend more, and increasingly the urgent crowded out the important.

Money was put in O&M in order to keep the tip of the spear sharp, if you will, while the rest of the spear rusted.

We took, for many years as a practical matter, a procurement holiday. We did not buy the equipment we needed to buy to recapitalize the platforms, which is what we in the Armed Services Committee call the weapons, the trucks, the support equipment that the men and women in America's military use.

In the 15 years from 1975 to 1990, we typically bought 78 scout and attack helos. In the years from 1991 to 2000, we bought, on average, seven. Whereas, we would buy 2,083, tanks, artillery, and other armored vehicles; we bought, on average, 145. In some cases we acquired about 10 percent of the platforms that we had bought in the 15 years previous to 1990. As a result, the capital equipment that the military is using is old.

Let us talk about some of our aircraft: B–52 bombers are 44 years old; C–130 transports, 33 years old; and KC–135 tankers, 43½ years old. I could give similar statistics for the other parts of the services as well.

The number of ships we have is going down. In the 1980s we aimed at a 600-ship Navy, and we are now below 300. If we continue at the current shipbuilding levels, we will get down to 200 or below. That is not consistent with the national security of the United States.

But what happened? The Bush administration took over, and to their credit, they raised Defense spending above inflation. There were modest increases in the early part of this decade, and part of the hope was we could recapitalize the infrastructure and make up for that procurement holiday. For a lot of reasons, that didn't happen. The operational tempo continued to grow.

We all know about the military employment level in the global war on terror. There has been what we call mission creep in other areas as well. Think about the tsunami that occurred about a year and a half ago. It was American military forces that were the structure through which we delivered that relief.

We have increased the homeland security mission, the international humanitarian relief operation, special operations, ongoing training operations. The operational tempo was at a historic high, and that ate up a lot of the increases.

Personnel costs: We have great men and women in the military. They are very highly skilled people. There is no such thing as a ''grunt'' anymore in America's military. Today, you have highly skilled people, and we owe it to them, and we must pay them accordingly.

Personnel costs are now $17 billion more per year, adjusted for inflation than in 1999. Seventeen billion dollars more comes out of the hide of the rest of the budget.

China is 5 to 10 years ahead of schedule in what we figure would be a rearmament process. I am not saying China needs to become an enemy of the United States. I hope that doesn't happen. I believe it need not happen. But they are clearly attempting to develop a military capability to exclude the United States from the Western Pacific, should she choose to do so. And the thing that is more likely to encourage them in that ambition than anything else is the reality or even the perception of American weakness.

In addition, we now have the new generation of platforms coming on line. Remember, platforms are ships, planes, tanks, trucks, and other kinds of support equipment.

For the generation of platforms that the new generation of servicemen and women are going to be using to replace the old ones, it is essential that we complete the development of these programs and that we buy out the platforms that we have proposed to buy. The DDX destroyer and the Joint Strike Fighter combat systems, which is the heart of America's Army, its F–22, air-to-air superiority fighter, the new aircraft carriers, the submarines which are essential to our national defense strategy both for intelligence and also in the western Pacific, all of these are coming online in the next few years.

Even with the President's submitted proposal, we cannot purchase the required new generation of platforms.

For all of these reasons, I have been urging for months—in fact, my advocacy on this point goes back to 1993, when I was a new Congressman in the House—I have been warning that we needed to spend more on defense.

I need to point out to the Senate that this is an obligation of the United States we cannot escape. It is similar to the basic capital assets of a company. You have to keep it up. It is not optional to allow the military equipment that our men and women use to age and eventually to collapse. We are going to pay this bill. The longer we wait, the bigger the bill will be.

That is one of the reasons why the investments which the President has proposed and which this Congress has provided in the last 5 years have not been enough even to allow us to tread water. We have continued to slip backward because we did not do what we needed to do in the 1990s.

What do we need to do now? There are a number of us on both sides of the aisle who are proposing, first of all, to restore the number the President has proposed.

I would like to see us go above that in this fiscal year, about $3 billion more than what the President has proposed. That is the amount that the Department of Defense said it needed for fiscal 2007 in the fall of 2004. That was the last budget projection we got from the Department of Defense that was unaffected by the stricture of the OMB. I think we need to go to that point. I said that in speeches on the floor of the Senate last fall. A number of us sent a letter to the President urging him to submit a budget at that number. That is about $443 billion apart from the spending on the Department of Energy that is also included in the defense budget.

Then I think we need to take next year for a searching and honest review of what the Defense budget needs to be in the near future.

I am not the only one who has proposed that. There are a number of Senators on both sides of the aisle and the Armed Services Committee who suggest that we need a systematic increase in the Defense budget. It is now about 3.7 or 3.8 percent of the gross domestic product.

Let me emphasize that. I don't want that figure to slip by without people marking it.

We are spending about 3.8 percent of the gross domestic product on national defense. That includes the supplemental, 3.8 percent in a time of war.

Whatever else is causing the deficit—and there are obviously disagreements on the floor of this body, and we just witnessed an eloquent debate highlighting those disagreements—whatever else is causing it, the Department of Defense and military budget is not. That figure is historically very low. It is much lower than the late 1970s when Jimmy Carter was President.

To try to save money on defense, to believe that you are saving money by reducing the Defense budget below the minimum, is a classic example of being pennywise and pound foolish because the bill comes due. We do not have the option of not meeting our responsibilities in the world today.

The reality, the perception but much less the reality of American weakness encourages instability in the world. Instability in the world is antithetical to the kind of security that people need for economic growth. So I can put it on as low a level as possible. If we do not adequately support the national defense, we are certainly going to get ourselves into bigger economic trouble.

American weakness leads to conflict abroad, conflict abroad can lead to war, and war is very bad for the national deficit.

So we need this searching review. We can have that. We can decide where we need to be structurally beginning next year. I think the Armed Services Committee is going to do that.

I want to close on a hopeful note. This is well within our capability. This is a great nation, a strong nation.

If the Government will meet its obligations and do what it is supposed to

do, the people will drive the prosperity of this country. They will produce the wealth on which they depend, on which this Government depends, to sustain those programs that are necessary to protect our security and also help the weak and the helpless among us.

We had a funeral for President Reagan in the recent past. He laid in State. And I thought Members of both parties did a wonderful job eulogizing him.

We should learn the lesson of history that his administration taught us. He understood the importance of American power in the world.

When he became President, we also had gone through a time when the forces had become hollow, when that shaft of the spear, if you will, had rusted. President Reagan dealt with it decisively. He proposed two double-digit increases in the national defense, which the Congress sustained him on. And it was that action which was a key factor in winning the Cold War because the rest of the world saw America's commitment, America's willingness, America's strength, America's confidence in the future and eventually decided that freedom and democracy was the future of the world because we were leading in that direction. We were willing to make the commitment necessary to walk that path.

Let us do the same thing today. This is a bipartisan amendment. Senator LIEBERMAN and I are offering it.

I have been handed a note that Senator GRAHAM wishes to be added as a cosponsor.

I ask unanimous consent that he be added as a cosponsor.

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

Mr. TALENT. We can do this.

Yes, we have to resolve the other problems in the budget that are causing the deficit, but defense is not that area. Defense has given at the office. Now it is time to tend to American security and American needs. For that reason, I offer the amendment. I hope the Senate will sustain it and support our men and women in uniform.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

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

Mr. TALENT. Sure.

Mr. CONRAD. Mr. President, I will not argue with the Senator on the need for this additional defense spending. My own view has been that what the President asks for at a time of war with respect to the defense, we ought to provide. We ought to stand shoulder to shoulder with the President at a time of war with respect to defense expenditures.

What I do want to ask the Senator, how is he funding this increase? Is it correct that the Senator is paying for this increase with cuts in function 920?

Mr. TALENT. The Senator is correct.

Mr. CONRAD. Am I correct, then, in understanding that the Senator would pay for this increase in defense in part by cutting homeland security?

Mr. TALENT. The function 920, as I understand, is essentially the overhead across the board from a number of different agencies. So it comes out of administrative overhead, travel, et cetera, and I believed that funding these essential programs for the military was more important than that. So I challenge the agencies to find that funding to support this amendment.

It is similar to what has happened in the past. We had several amendments last year that took substantial amounts out of function 920 in order to increase programs.

Mr. CONRAD. Mr. President, I say to my colleague, the Senator is correct; function 920 is the other discretionary accounts. So the effect of the Senator's amendment is to ''plus up'' defense, but he does so by cutting homeland security, cutting law enforcement, cutting veterans' benefits, cutting defense itself.

I say to my colleague, there is no new money here. This is taking out of one pot and putting it into the other pot. And one of pots that is being taken from is defense itself, homeland security, law enforcement, and others. My own assessment of cutting these function 920 accounts is that it is kind of robbing Peter to pay Paul. I hope we do not do much of this in the process of writing this budget.

I support the underlying interest of the Senator in restoring the defense money that was cut in the Committee on the Budget by the mark of the Committee on the Budget chairman. However, I alert my colleagues, it is being paid for—are you willing to cut homeland security and law enforcement, veterans, and other defense accounts?

Mr. TALENT. No. I am willing to ask all the agencies to sacrifice travel budgets and expenses in order to fund the national defense.

I say again, this has happened in the past to support other important programs. The Coleman amendment last year, for example, increased CDBG funding by $2 billion with a function 920 offset. I am telling the Senator what he knows. The Senator is an expert on the budget.

So we have gone into administrative overhead in the past, where necessary, to support important programs. I cannot think of anything more important than giving the President at least what he has asked for for national defense. This is a question of whether we will fund the national defense in time of war at the President's request, at least.

Who has the floor, Mr. President?

The PRESIDING OFFICER. The Senator yielded for a question. The Senator from Missouri still has the floor.

Mr. TALENT. Again, I thank the Senator and admire very much the sincerity with which he confronts these budgetary problems.

Perhaps in view of the Senator's question, it would be good for me to emphasize the point I made during the speech. There are certain functions of the Government which, if we do not perform at least at a minimal level, have the opposite effect that people want when they seek to reduce the deficit. This is one of them. These bills must be paid, and the longer we wait to pay them, the more they will cost.

For me, it is deja vu all over again. I said this in the 1990s. We were successful as a Congress in the 1990s in the latter part of the decade in getting more money into the budget above what the Clinton administration requested, but we did not get enough in. So those bills which were not paid have accumulated, with compound interest, at very substantial amounts.

It is true that an increase which is slightly above inflationary rates, which would have been adequate if we had done it in the 1990s, is not adequate anymore. And if we do not do something of the nature I am talking about now—not just with this budget but next year's budget as well—then the bill will grow and grow and grow, and 2 and 3 and 4 years from now, it will be even greater. My friend and the Senator from New Hampshire are going to have an even bigger problem to confront in trying to deal with the budget deficit.

It is not an option to not sustain the national defense. To the extent America is perceived as weak, much less to the extent that America is weak, it promotes instability and conflict in the world. Apart from the threat to human freedom, I will say to those who are concerned about the budget, that is very bad for the deficit. That is really negative for the deficit.

Let us sustain the national defense. I encourage the Senator to continue working with his friend and my friend from New Hampshire to solve these other structural problems in the deficit and would be happy to support some bipartisan resolution. Let us not take it out on defense.

I yield the floor.

Mr. CONRAD. Mr. President, let me say this Senator agrees with the Senator on the need to deal with the fundamental defense needs of the country. I say to the Senator, I know it is his intention to be cutting travel and overhead, but the way function 920 works is these will be across-the-board cuts to the other domestic elements of the budget; that is, homeland security will take a cut. They will decide where it goes. The Committee on the Budget does not decide that. So homeland security, in the programs themselves, may take reductions. That will be up to the Committee on Appropriations. Law enforcement will be cut to pay for this increase in defense. Defense itself may well be cut to pay for this increase in defense. Veterans programs will be cut, or at least the veterans function will be cut.

I want my colleagues to understand how this works. Although I know it is the stated intention to cut overhead and to cut travel, that may well not be

the result here because the way function 920 works, there will be an across-the-board cut to discretionary programs, and those accounts—and this will be a decision by the appropriators, how they spread these reductions—will be the money used to pay for an increase in defense. I find it a troubling approach in terms of the pay for—not the plus-up. The Senator is correct to ask that we provide the funding the President has requested in defense.

Let me say that one of the great concerns I have in these defense accounts going forward—and I say this to my colleague from Missouri, and I think the Senator referenced this—we have these systems which are aging, whether it is our bombers, our fighters, our ships in the Navy, our aircraft carriers. The tanker fleet is more than 40 years old, much of the bomber fleet is more than 40 years old, and many of our naval ships are reaching the end of their useful lives. So how are we going to recapitalize the defense accounts? It will be one of the great challenges of our generation. I don't begrudge for a moment this increase in defense. It will help us take on some of those very substantial challenges we will confront in the future.

We will have to do some thinking outside the box on how we will recapitalize the force going forward. I am told by National Guardsmen that much of the equipment they took to Iraq is never coming back. It is junk. The incredible heat, the combat conditions they have faced—much of this equipment is simply being eaten alive.

Mr. TALENT. Will the Senator yield?

Mr. CONRAD. I am happy to yield.

Mr. TALENT. Given the time available, I did not speak as long as I could on this subject, but the Senator is referring to what the Pentagon calls resetting the force. In other words, after a war, we pay through the supplementals for the equipment that is actually destroyed. But a lot of the equipment is not destroyed; it is either left there or it suffers what a business would call accelerated depreciation. It comes back, but it only has a few years of useful life.

The Senator is correct, we have that bill to deal with, as well.

Mr. CONRAD. I have now talked to officials at the Department of Defense, I have talked to the leaders of the services, at least some of them, about the daunting challenge we face for the future. My own view is we are probably going to have to think outside the box in terms of how we fund recapitalization on the force going forward. It will behoove us to begin thinking how we will take on those challenges.

I personally believe we will need to consider leasing or some other way of spreading costs instead of our current practices of paying for new systems with cash on the barrelhead. I do not believe we are going to be able to recapitalize the force in the way we have in the past.

I thank the Senator for, on the one hand, the proposal on restoring some of the proposed cuts here, but I am concerned about the way it is being paid for. I know the intention is to take it out of overhead. The way 920 works, we really do not know how it will be done. The fact is, the budget resolution controls the numbers that will be given to the Committee on Appropriations, but it does not tell them how to make the reductions. We do not control that. That is controlled in the appropriations process, as the Senator knows. The unintended consequence might be that actually this increase in defense be paid for by reducing homeland security, law enforcement, veterans, and defense itself. Those are decisions which will be made by the appropriators. That is why I wish that instead of paying for it in this way, we paid for it in some other way that assured that it was not just taking out of one pocket and putting it in the other.

With that said, we need to restore this funding. We have a very serious problem going forward. Because of the burgeoning debt of the country and the deficits, defense is going to face very difficult challenges in the future when we try to rebuild these aging systems which are critically important to our national defense.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. TALENT. I think I had half an hour. How much time remains?

The PRESIDING OFFICER. The Senator has 11 minutes.

Mr. TALENT. Mr. President, I will not take the whole 11 minutes. I will do the Senate that favor, anyway.

First of all, the Senator is tremendously knowledgeable about the budget. I respect very much what he is saying. I am pleased he recognizes the importance of the underlying thrust of the amendment. My understanding is the function 920 line has about $11 billion in it, so what I am calling for is a reduction of about a quarter in our overhead expenses, travel expenses. That has been done in the past in order to fund important programs.

We are in agreement that there is a shortfall in defense. Nothing is more important across the board right now than sustaining at least the President's request. I argue, and perhaps will argue further in this process, that we need to do a little more this year, but we should at least do this, and we can do this with a reduction in overhead that occurs all the time in the private sector. I think we should.

Now, the Senator mentioned various efficiencies we can use to make the money go further. I have been a strong supporter of those on the Armed Services Committee. I think there are efficiencies we can gain in terms of leasing and other kinds of measures. I would not want to leave the floor this morning leaving the Senate with the impression that is going to be enough to meet the obligations we have before us for national defense and national security.

Remember, we are talking about the security of our homes, our families, our jobs. Remember what the attack on 9/11 did to the economy. We just saw numbers about how revenues were off in the early part of the decade. Well, that was not unrelated to the fact we were attacked. I am not saying we would not have been attacked had we been stronger throughout the 1990s; I am saying that right now, we are too far out on a margin of risk. The further you go on that margin of risk, the greater instability, the greater the lack of confidence in the world, and that hurts our economy.

I said substantially the same thing a couple years ago when we were debating the highway bill. I was arguing in favor of bonding for infrastructure investment. Investment in defense, like investment in infrastructure, is not an optional expenditure of the Government. We have, if you want to look at it this way, a deficit in the national defense. As bad as the budget deficit is, I would argue the deficit in the national defense is worse because that deficit imperils both the national security and the economic security of the United States.

So we need to make some tough decisions. I agree with the Senator when he says that. We can at least take this decision now. This amendment is offered on a bipartisan basis. And this concern is bipartisan in the Armed Services Committee. When we had what we call our posture hearing, looking at the posture of defense, Senator INHOFE, Senator DAYTON, Senator MCCAIN, Senator LIEBERMAN, and I all raised the issue of whether, going forward, we needed a structural increase in the national defense.

We are not asking for that here. We are not asking for that this year. We want to do a study of this issue. We want to look at it in a searching and bipartisan way and then report back, I hope next year—early next year—to the Senate on what we need to do. But right now, we need at least to give the President what he has asked. I would hope we could find a way to go a little further than that in this budget and give the President what he asked for in the fall of 2004, before the Office of Management and Budget got at the Defense projections. That is why I am offering the amendment.

I very much appreciate the spirit in which the Senator has responded. I hope he can stretch a point and perhaps find a ''yes'' vote for this amendment, and then debate, in as bipartisan a fashion as possible, the other structural issues we are dealing with with the deficit.

I thank the Senate again, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from North Dakota.

Mr. CONRAD. Mr. President, first of all, I wish to say to the Senator, I intend to support his amendment.

Mr. TALENT. I am very grateful.

Mr. CONRAD. Even though I think using section 920 is the wrong way to

go. The Senator indicated he has been informed there is $11 billion in the 920 accounts. I just direct the Senator's attention to page 29 of the concurrent resolution on the budget.

If the Senator would direct his attention there and go down the table to allowances, 920, I think the Senator would see there, in fact, is no money in section 920. In fact, section 920 is $500 million in the hole. There is no $11 billion there. That is the problem we have. There is no $11 billion there. Section 920 is actually $500 million underwater. This will just put it further underwater, which will require an across-the-board cut in these other areas: homeland security among them, law enforcement, veterans benefits, defense. Actually, we do not know what the appropriators will do. So I just say that for the information of my colleagues, who may have some sense that there is money in this account, that there really is not.

Mr. President, is the Senator prepared to yield back his time? Because I would be willing to yield back our time in the interest of trying to get back on schedule.

Mr. TALENT. Mr. President, I am more than happy to yield back.

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

Mr. CONRAD. Mr. President, I am prepared to yield back time on this side as well, so we can go to Senator KENNEDY's amendment and try to get back on schedule as much as we can.

The PRESIDING OFFICER. Without objection, it is so ordered. All time on the pending amendment is yielded back.

Under the previous order, the Senator from Massachusetts is now recognized for the purpose of offering an amendment. Under the agreement, there will be 1 hour of time equally divided.

The Senator from Massachusetts is recognized.

AMENDMENT NO. 3028

Mr. KENNEDY. Mr. President, I send an amendment to the desk on behalf of myself, the Senator from Maine, Ms. COLLINS, and the Senator from New Jersey, Mr. MENENDEZ, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself, Ms. COLLINS, and Mr. MENENDEZ, proposes an amendment numbered 3028.

The amendment is as follows:

(Purpose: To support college access and job training by: (1) restoring program cuts slated for vocational education, TRIO, GEAR UP, Perkins Loans, and other student aid programs; (2) increasing investment in student aid programs, including increasing the maximum Pell Grant to $4,500; and (3) restoring cuts slated for job training programs; paid for by closing $6.3 billion in corporate tax loopholes.)

On page 3, line 13, increase the amount by $1,479,000,000.

On page 3, line 15, increase the amount by $3,988,000,000.

On page 3, line 17, increase the amount by $634,000,000.

On page 3, line 19, increase the amount by $206,000,000.

On page 3, line 21, increase the amount by $19,000,000.

On page 4, line 1, increase the amount by $1,479,000,000.

On page 4, line 2, increase the amount by $3,988,000,000.

On page 4, line 3, increase the amount by $634,000,000.

On page 4, line 4, increase the amount by $206,000,000.

On page 4, line 6, increase the amount by $19,000,000.

On page 4, line 13, increase the amount by $6,326,000,000.

On page 5, line 4, increase the amount by $1,479,000,000.

On page 5, line 6, increase the amount by $3,988,000,000.

On page 5, line 8, increase the amount by $634,000,000.

On page 5, line 10, increase the amount by $206,000,000.

On page 5, line 12, increase the amount by $19,000,000.

On page 18, line 24, increase the amount by $6,326,000,000.

On page 18, line 25, increase the amount by $1,479,000,000.

On page 19, line 4, increase the amount by $3,988,000,000.

On page 19, line 8, increase the amount by $634,000,000.

On page 19, line 12, increase the amount by $206,000,000.

On page 19, line 16, increase the amount by $19,000,000.

On page 53, line 1, increase the amount by $6,326,000,000.

On page 53, line 2, increase the amount by $1,479,000,000.

Mr. KENNEDY. Mr. President, this amendment will provide $6.3 billion to restore the cuts in key student aid programs, vocational education, and job training, and increase investment in those programs by 15 percent. That is the total: $6.3 billion. To pay for these investments, we close tax loopholes, laws that have no purpose, that allow corporate tax evasion. These offset provisions have been passed in the Senate on numerous occasions and have not survived the conference. But they have been voted on and passed. So this amendment effectively pays for itself. That is enormously important.

These two charts indicate where the United States is internationally in the areas of math and science. The chart on the right shows that the United States has fallen behind in mathematics, and this other chart shows that American colleges and universities have fallen behind in the development of professionals in the natural sciences. That is effectively math, science, and engineering. If you look at this chart, it shows that in 1975, the United States was third in the world. If you look at the year 2000, we are 15th in the world. Really, no one disputes these findings and these conclusions.

I once again draw the attention of our Members to three excellent studies. These three excellent studies, which have been done by the National Academy of Sciences, the Academy of Engineering, and the Institute of Medicine, all make the same case as these charts do and make a number of recommendations. We have included a number of the recommendations that these institutions which reviewed our education system have made in order that the United States continue to be a highly innovative economy in the next 15 to 20 years. They make the very strong and powerful case that by being an innovative economy, we are also going to be the strongest economic power in the world and also have the strongest national security.

Education is key to our national security. This is ''Rising Above the Gathering Storm'', the report by the National Academy of Sciences. That report was requested by our former Secretary of Education, Senator LAMAR ALEXANDER, and JEFF BINGAMAN. It is an excellent study and review. I am going to include just selected parts of these reports in my remarks.

And now we have the report from the Council on Competitiveness which has reached effectively the same judgment and decision as the National Academies report. The Council on Competitiveness talks about recommendations organized in three broad categories: education; training; and lifelong skill development, the continuation of training. That is exactly what our amendment addresses.

And then, finally, the National Association of Manufacturers—not known to be a particular Democratic organization—talks about the importance—again, these are studies that were completed in 2005—the importance of emphasizing science and math technology, including enhancing our education, career training, and continuing education and training programs.

These are exactly the programs included in our particular amendment that the Senator from Maine and I offer with the Senator from New Jersey. It is in response to the challenge we are facing internationally. We offset that by closing tax loopholes.

First let's talk about Pell grants. In this amendment, we have increased the maximum Pell grant to $4,500. As you can see, this has been frozen at $4,050 over the period of the last 4 to 5 years. There will be those who will say: Well, we have increased the total amount of funding because there are more children who are receiving the Pell grants. But the reason there are more students receiving Pell grants is because there are more students in need.

This amendment will increase immediately the Pell maximum up to $4,500. This is not enormously inconsistent with what the President has said. In his last two Presidential campaigns, he has indicated that he favored the $4,500 maximum. The cost for this will be $1.8 billion. So this is the increase in the Pell Grant Program.

The second aspect of this amendment is to open up access to educational opportunity by investing in the TRIO Program, the GEAR UP program, and the LEAP program. This amendment provides the additional help and assistance for those programs.

Let me show who is affected by these programs. Nearly 1.5 million students benefit from the tutoring, the counseling, and other services provided by the Gear Up programs in over 1,700 schools. This program keeps students interested in school and prepares them to attend college. It has been enormously successful in opening up opportunities for helping young children, many from disadvantaged communities, into the colleges and universities across our country.

The amendment also addresses the TRIO Talent Search and Upward Bound Programs, special programs to recognize talented young people who perhaps might not have had the range of courses in their high schools but, nonetheless, have demonstrated a commitment and a desire to enhance their own educational opportunities. The results have been absolutely extraordinary.

If you look at the difference in the success of students in these programs compared to students who don't participate, you will see that nearly 90 percent of the Upward Bound students graduate from high school, compared to only 68 percent of all low-income students.

You will also find that nearly 70 percent of Upward Bound students attend college, compared to only 54 percent of low-income students. And 50 percent of Upward Bound students attend a 4-year college, compared to just 22 percent of low-income students. So this is really about access to higher education. We are basically saying, with these reports, the United States needs every talented person in our country, and these programs help achieve that goal. We are offering an amendment that is going to open up that kind of opportunity for individuals to take advantage of and participate in this effort to maximize our ability to be competitive.

Next, there is an important aspect for us in this amendment, as it will invest in critical career and technical education programs. I have taken the figures from Massachusetts, but this is typical of what is happening around the country. We have a total of 61,000 students in career and technical education in Massachusetts, and about 90 percent of them pass what they call the MCAS test. That is a stringent test that our State has instituted and has been commended on for years as being the gold standard in terms of measuring the academic achievement of students. This is the continuing vocational education programs, and it amounts to $1.3 billion of the amendment.

What this does show is that individuals are gaining the skills they are going to need to compete in this era of globalization. About 90 to 95 percent of those who graduate from career and technical education programs in Massachusetts go on to college or get good jobs. This amendment invests in these programs that are critically important.

We have seen in the chairman's mark on the budget that with regard to discretionary spending in 2000, the chairman's mark includes the President's proposed level of $873 million. You will hear descriptions of how that provides additional opportunities to enhance education for young people. But the fact remains, we need a quantum jump in investing in young people. We need it in the areas I have outlined, and we need it in additional areas. This year the Chinese will be graduating 600,000 engineers, according to one report. India graduates 350,000 engineers. The United States is graduating 72,000 engineers, and half of those are foreign students. We have seen the expansion of research that is taking place in India, where Intel has just hired 2,500 Indian engineers to do some of their most advanced research. IBM is following a similar kind of program. We are talking about outsourcing and offshoring jobs, and we are not talking about blue-collar jobs. We are talking about those who are going to be at the cutting edge of investment.

What we are saying now is that we have to equip every young person with the ability to deal with the challenges of globalization. That means they are going to have to attain these kinds of skills for themselves. This is going to be a continuing learning process, and it has to be a national commitment.

This Nation has responded when it has been educationally challenged. When we had the Industrial Revolution, we developed the public school system. At the end of World War II, we had 10 to 12 million Americans serving in the armed forces who had given 3 to 4 years out of their lives. We had the GI bill. Those Americans came back and they participated in our educational system. What we found is that they repaid $7 for every dollar invested in them. When you are investing in education, the benefits to society are huge. They come back manyfold in terms of our prosperity and our world leadership. This is not a no-sum game. This is a process by which the Nation gains.

Then we were faced with the Sputnik challenge when the Russians sent Sputnik into space. Virtually overnight Republicans and Democrats came together and passed the National Defense Education Act. Many of those students who have gone through the National Defense Education Act Scholarship Program serve in our Defense Department today with great success.

Today we have a similar challenge with globalization. Are we going to say it is business as usual, as this budget says, or are we going to say this is serious business? In a budget that reflects a nation's priorities, are we going to say we are sufficiently concerned about this kind of challenge that we are not going to hold the young people behind by denying them the opportunity to deal with the challenges of global education? That is what the amendment is basically about. That is why we strongly believe in it. It is clearly in the national interest. It is a reflection of what the priorities are for the American people. The American people understand the importance of investing in students and workers. It is key to their prosperity. We cannot have a competitive economy with breakthroughs in innovation unless we have highly skilled, highly trained individuals. If you look over the various scientific magazines you see that in the last twenty years the U.S. share of research articles has declined from 38 percent to 30 percent. Meanwhile, China's share of articles more than doubled. Other countries are investing in their young people, and the United States can't afford to fall behind in this regard. The challenge to the Senate is whether we are going to begin that process of investing in the young people of this Nation or whether we are going to be an also-ran Nation down the line.

I will include in the RECORD the names of the more than 100 groups that support this amendment. I ask unanimous consent to print that in the RECORD.

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

100 GROUPS SUPPORT THE KENNEDY-COLLINS AMENDMENT

Association of Jesuit Colleges and Universities.*

American Association of Community Colleges.*

Coalition of Higher Education Assistance Organizations.*

National Council for Community and Education Partnerships.*

National Association of State Directors of Career and Technical Education.

National Association for College Admission Counseling.

National Women's Law Center.

National Alliance for Partnerships in Equity and its 30 members: American Association of University Women, Washington, D.C.; American School Counselors Association, Alexandria, VA; Barre Technical Center, Barre, VT; Bismarck State College, Bismarck, ND; Burlington Technical Center, Burlington, VT; Cape Cod Community College, W. Barnstabe, MA; Career Communications, Overland, KS; Center for Technology, Essex, Essex Junction, VT; Cisco Systems, Inc., Annapolis, MD; Cold Hollow Career Center, Enosburg Fall, VT; Douglas County School District, Highlands Ranch, CO; Educational Equity Consultants, St. Joseph, MO; Feminist Majority Foundation, Arlington, VA; GrayMill Consulting, Tehachapi, VT; Her Own Words, Madison, WI; MAVCC, Stillwater, OK; Mid-Atlantic Equity Center, Chevy Chase, MD; Minot Public Schools, Minot, ND; Missouri Gender Equity Program, Columbia, MO; National Women's Law Center, Washington, D.C.; Nontraditonal Career Resource Center, New Brunswick, NJ; North Dakota Department of Public Instruction, Bismarck ND; Northeast Community College, Norfolk, NE; Northern New England Tradeswomen, Essex. VT; Patricia A. Hannaford Career Center, Middlebury, VT; Project Lead the Way, Clifton Park, NJ; Randolph Area Vocational Center, Randolph, VT; TALL, The College of New Jersey, Ewing, NJ; Thompson Sohool District, Loveland, CO; Tradeswomen Now and Tomorrow, Chicago, IL; West Virginia Women Work!, Morgantown, WV; Wider Opportunities for Women, Washington. D.C.; Williston State College, Williston, ND; Women Work!, Washington, D.C.

PIRG Higher Education.*
US Student Association.*
The Workforce Alliance.

Student Aid Alliance (66 Members): American Association of Colleges of Nursing; American Association of Colleges of Pharmacy; American Association of Colleges for Teacher Education; American Association of Collegiate Registrars and Admissions Officers; American Association of Community Colleges; American Association for Higher Education; American Association of State Colleges and Universities; American Association of University Professors; American College Personnel Association; American College Testing; American Council on Education; American Dental Education Association; American Federation of Teachers; American Indian Higher Education Consortium; American Jewish Congress; American Psychological Association; American Society for Engineering Education; American Student Association of Community Colleges; APPA: The Association of Higher Education Facilities Officers; Association of Academic Health Centers; Association of Advanced Rabbinical and Talmudic Schools; Association of American Colleges and Universities; Association of American Law Schools; Association of American Medical Colleges; Association of American Universities; Association of Catholic Colleges and Universities; Association of Community College Trustees; Association of Governing Boards of Universities and Colleges; Association of Jesuit Colleges and Universities; Citizen's Scholarship Foundation of America; Coalition of Higher Education Assistance Organizations; College Board; College Parents of America; College and University Personnel Association for Human Resources; Council for Advancement and Support of Education; Council for Christian Colleges and Universities; Council on Government Relations; Council of Graduate Schools; Council for Higher Education Accreditation; Council of Independent Colleges; Council for Opportunity in Education; Educational Testing Service; Hispanic Association of Colleges and Universities; Lutheran Educational Conference of North America; NAFSA: Association of International Educators; National Association for College Admission Counseling; National Association of College and University Business Officers; National Association of College Stores; National Association for Equal Opportunity in Higher Education; National Association of Graduate and Professional Students; National Association of Independent Colleges and Universities; National Association of State Student Grant and Aid Programs; National Association of State Universities and Land-Grant Colleges; National Association of Student Financial Aid Administrators; National Association of Student Personnel Administrators; National College Access Network; National Collegiate Athletic Association; National Council for Community and Education Partnerships; National Council of University Research Administrators; National Education Association; NAWE; Advancing Women in Higher Education; United Negro College Fund; United State Public Interest Research Group; United States Student Association; University Continuing Education Association; and Women's College Coalition.

*Also members of Student Aid Alliance.

Mr. KENNEDY. I withhold the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, this amendment is a classic tax-and-spend amendment of which we have seen a large number coming from the other side during markup. In fact, $133 billion in new taxes and $126 billion in new programs were offered by the other side. That is called growing the Government—dramatically. It is also called putting a lot of burden on people working to pay taxes.

This amendment is a continuation of that approach. The euphemism ''loophole'' is used to try to avoid the fact that what we are proposing is major tax increases to pay for this. If you are going to have a responsible budget, you have some budget discipline. You have set priorities. We have attempted to do that with this budget.

Certainly this Presidency has done a great deal in the area of education. The Senator from Massachusetts says we need a massive effort in the area of education. I would say adding $9 billion just last month into the higher education accounts is a pretty big effort. The Senator from Massachusetts voted against that. It was in the Deficit Reduction Act where we took a big chunk of money and put it into higher education. I believe $4.5 billion went to low-income students who were college bound. There was about $4 billion which went to reduce origination fees for students who want to go to college. Those are big numbers. And $1.9 billion went to people who were taking up special education as their vocation when they got out of college or math/science. There was loan forgiveness for those folks who decided to pursue those disciplines which are in great need. That was a huge infusion, and this administration supported that.

In general, this administration's support for education has been so much more dramatic than the last Democratic administration that it is almost embarrassing, I would think, for members of the other party to come to the floor and claim this administration hasn't done too much in this area when you consider what they have done in comparison to what the Clinton administration did.

This chart reflects that in dollar terms, the type of increases we have seen on an annual basis. You can see that the Clinton increases for title I, for example, were about a third of what this President did. Clinton increases in IDEA special education were about one-seventh of what the President has done. The Pell grants, this President has significantly increased Pell grant funding. The Clinton administration actually reduced it. And the total discretionary funding on an annual basis, this administration has added an annual $3 billion increase; the Clinton administration about half a billion dollars. Those are big numbers, a big commitment to education.

Yes, the President's budget, as it was sent up, in some of those accounts that have grown so dramatically did limit the rate of growth this year. But we actually adjusted that in our bill, and we have put another $1.5 billion into these accounts which is reasonable.

Of course, I have to emphasize that we don't actually control that number. That is controlled by the Appropriations Committee. All we do is control the top number. The Appropriations Committee makes the allocations. We have departed from the guideposts which the President put out there and put in some ideas of our own, but they will all be decided, of course, by the allocations made by Senator COCHRAN, chairman of the Appropriations Committee.

The number commitment which is shown by this chart is dramatic, and it is reflected in the fact that we just did a $9 billion infusion in the higher education accounts over 5 years, which is significant. Every time we have done a Republican budget, the Senator from Massachusetts has, in his own inimitable way, come to the floor and offered an amendment to dramatically increase spending. This year isn't any different. I am not surprised by the amendment. But I do think if you are going to have a disciplined budget, you have to live within the spending restraints with which you are confronted.

We have heard a lot from the other side about the failure to address the issue of debt. The failure to address the size of the Federal Government is what drives debt. If you are going to allow the Federal Government to grow by $6.3 billion, which is what this amendment does, if you are going to raise the cap so that spending is not limited but is suddenly exploded by $6.3 billion, you are going to aggravate the debt. You are going to pay for it with loophole closings, but we all know it is a little difficult to do that. The spending is easy, but the paying for it is hard. As a result, you will end up without any discipline.

This amendment is essentially an attempt to break the caps, to eliminate fiscal discipline, and to do it in account areas in which every account could use more money, but these accounts have not been underfunded. These accounts have been aggressively funded by this administration, especially in comparison with the prior administration. It is hard to argue that on top of these dramatic increases, the $9 billion which we specifically put in for higher education is not a fairly significant commitment—in fact, a very large commitment—to funding higher education. Where this money is going to flow, I am not sure. That will be the decision of the Appropriations Committee. But I am confident that, because year in and year out the Appropriations Committee has supported programs such as TRIO and GEAR UP, those accounts will be funded because we have adequate resources to do it.

I strongly oppose the amendment on the grounds that, A, it breaks the caps and therefore ends fiscal discipline; B, it is a tax-and-spend amendment in the tradition of some of our more liberal colleagues; and, C, it is spending money in accounts where we have already made very strong commitments as a party and as a Government under

this President. Those accounts have received substantial increases and will continue to receive strong support.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Under the time agreement, the Senator from Massachusetts controls 15 additional minutes; the Senator from New Hampshire controls 23 minutes. Who yields time?

Mr. KENNEDY. I yield myself 1 minute and then I yield 10 minutes to the Senator from Maine.

I quickly want to respond to my colleague from New Hampshire. When you say there was $9 billion in aid added last month to higher education, this includes 3.7 billion for a grant program that only helps ten percent of students who need it. Most of this $9 billion helps banks, not students. The $6 billion increase for the Pell grant that I supported and worked on with the Chairman of the HELP Committee was jettisoned completely in the Senate bill. Instead there was no additional grant aid for 90 percent of poor students, and this is at a time when 400,000 students would like to go to college, are ready to attend college, but can't because of cost. Now I will yield to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 10 minutes.

Ms. COLLINS. Mr. President, I am very pleased to join my colleague from Massachusetts in sponsoring this important amendment. I want to recognize that the Senator from New Hampshire is a longtime champion of education programs and, indeed, under President Bush, education programs have received considerable additional spending. But we can and we should do more. There is no greater investment in the future of this country than to invest in the education of our young people. This amendment would restore cuts and increase funding for absolutely critical education and job training programs in this budget.

Let me talk about some of those programs. Let's begin with the Pell Grant Program. Pell grants go to our neediest families. The average income of a family whose student is receiving a Pell grant is only about $16,000 a year. We are proposing to provide a $450 increase in the Pell grant maximum award. That would increase it from $4,050 to $4,500.

The maximum award has not been increased for 4 years, while the cost of higher education has skyrocketed. Let's look at the impact on students.

In 1975, the year I graduated from college, the amount of the maximum Pell grant award was sufficient to cover approximately 80 percent of the average costs of attending a public 4-year institution—80 percent. Today it covers less than 40 percent of those costs. That disparity means that higher education is further and further out of reach for too many low-income students.

Let's talk about the impact of another program. It is the TRIO Programs, the aspirations-raising programs. I know firsthand what a difference these programs make in my home State of Maine where too few families have experience with higher education and, thus, their children find higher education to be something unknown or something they are not sure they can handle.

These aspiration-raising programs give the mentoring assistance, the encouragement, the help that is needed so that talented young people realize that higher education is within their grasp.

The Upward Bound Program is a wonderful program that has changed so many lives. Just yesterday, I talked with a student from the University of Southern Maine who told me that but for the TRIO Programs, he would not today be in college.

The GEAR UP Program has been very successful in my State. I have met with members of the University of Maine at Farmington GEAR UP partnership which partners with the middle school in Dicksfield, ME. Listen to these results and I think it will help convince my colleagues of the need to maintain an increased funding for this important program.

When this middle school first got its GEAR UP grant in 1999, only 37 percent of the graduating high school students went on to postsecondary education—only 37 percent. But last June, the first group of students that had gone through the GEAR UP Program graduated. Mr. President, do you know how many of them went on to higher education? More than 82 percent. What a difference this program has made. It doubled the number of students going on to higher education. It has completely changed the aspirations of students growing up in this small rural community in western Maine.

Another important restoration in the Kennedy-Collins amendment is for vocational education under the Perkins program. Again, I have seen firsthand the incredible results of Federal investments in vocational education. The United Technology Center in Bangor is a wonderful example of a regional technical high school that encourages students to stay in school, to expand their horizons, and to gain new skills.

I visited the United Technology Center twice and, believe me, the Federal funding, the $171,000 that this school receives, is making all the difference in the lives of the students enrolled there. I saw an excitement about learning. I talked to students who told me that the standard high school curriculum didn't reach them. They are learning so much in this vocational education setting, and that Federal investment, again, changes lives.

I hope very much that we will adopt this amendment. The budget is all about setting priorities, and surely—surely—in this country we can make the investments we need to help our neediest students pursue higher education, to help families who may not have the experience of going on to college so they receive the encouragement, mentoring, and support they need, and to help our vocational education programs.

Finally, my State has seen a real loss of manufacturing jobs in the past decade. The workforce investment training programs have been essential in helping displaced workers start new careers and new lives.

I hope we will adopt this amendment. I think it will make a great deal of difference to individual families, to our States, and to our economy.

The PRESIDING OFFICER (Mr. BURR). The Senator from New Hampshire.

Mr. GREGG. Mr. President, I am not sure what budget the Senator from Maine is talking about, but it is not the budget we brought to the floor as a Republican Senate. The budget that was reported out of committee by the Republican membership funds vocational education. The President's may not have, but our does, and there is $1.4 billion in the budget for that program. We actually put in money that would allow the TRIO Program, the GEAR UP Program, the LEAP Program, and the Perkins loan programs to be increased if the committee wants to do that. We added $1.5 billion of additional funding.

What the Senator from Maine and the Senator from Massachusetts are suggesting is that we should blow the caps by $6.3 billion, raise taxes by $6.3 billion, and do that to fund accounts which already have received significant dollars and which are going to continue to receive significant dollars.

As I mentioned, the higher education funding has received a $9 billion infusion just by the passage of the reconciliation bill in February which was voted against by the Senator from Massachusetts.

This budget has a very strong commitment to education, as have budgets that have come before this body, as has this President who has done more for title I, IDEA, and Pell grants by a factor of three, four, five times what the prior administration did and has made a stronger commitment in the education accounts than probably in any other account, with the exception of accounts necessary to fight the war on terrorism that are discretionary.

It does seem to me a bit over the top to say that within the number $873 billion, which is what we are already spending in discretionary money, there is no ability to adequately fund education in light of the track record that we have funded education very well.

I yield 5 minutes to the Senator from New Hampshire, Mr. SUNUNU.

Mr. SUNUNU. Mr. President, I rise in opposition to the amendment. The senior Senator from New Hampshire I think has laid out a very strong case for why this amendment fails to enact the kind of basic fiscal restraint, basic fiscal responsibility that is essential—

essential in this particular time and place in our country's history, but I think essential at any time exercising that financial responsibility on the behalf of the taxpayers.

I wish to talk, though, about the broad failings of this amendment, and I am concerned that we are going to see similar failings in amendment after amendment offered in this debate. This amendment fails on a number of counts.

First, to pick up on the point that was made by the committee chairman, there is a complete failure to recognize the additional funds and resources that are already part of this budget, the additional funds in the education account that have been made available for vocational education, for TRIO, for Perkins, depending on what the priorities and desires and goals of the committees of jurisdiction are.

By offering this amendment, the suggestion is that those resources mean absolutely nothing in this debate, that we cannot possibly get the job done with the allowances made in those areas, and I think that suggests either a lack of leadership within the Congress or the Senate on those particular areas, a lack of confidence in the committees of jurisdiction to do their job, or a lack of homework being done to understand how much has been made available in the last several years and what resources are actually available.

Second, this amendment carries with it a suggestion that under no circumstances should any program in the education accounts ever be eliminated or redirected to better use those resources elsewhere. I think anyone outside of Washington who hears that statement—that no program should ever be eliminated, no funds should ever be redirected—would think that cannot possibly be so; people within Washington, within the beltway, within the Senate cannot possibly think in those terms. But, unfortunately, this amendment makes plain they do think in those terms and, in fact, some legislation now being proposed in this very area creates 10 or 15 new education programs without looking at what exists currently and trying to find a way to better use those dollars.

It is unfortunate because it does those who are in the greatest need of these kinds of programs, support, and services an injustice because we don't want to do the hard work of oversight, of looking at when programs were created and how funding can be better used.

In the case of TRIO, for example, which has been mentioned, it is a worthwhile program, it is a program I have supported, but I have always made clear that I am willing to look at other programs in the Department and redirect funds and redirect resources to make sure a worthwhile effort such as TRIO gets the resources it needs.

So, one, there is no regard made for the resources that are actually in the budget.

Two, there is the suggestion that we couldn't possibly ever modify or eliminate a program to get more resources into the areas targeted by this amendment.

Three, there is the suggestion that we couldn't possibly redirect resources in any other part of the budget to education, that we wouldn't want to touch something politically sensitive such as agricultural subsidies, such as spending subsidies for fossil fuel, oil and gas research and development, which we greatly expanded in the Energy bill that was passed last year. No effort has been made to honestly identify areas that should be a lesser priority than those targeted by this amendment.

Fourth is the assumption that seems all too common, that if we want to spend more money, we should just raise taxes. We can talk about loopholes all we want, but the fact is, it is a tax increase, and they are tax increases that may have been passed in the United States Senate but were not signed into law, were not supported in the other body, and have little or no likelihood of ever making it through. So I think throwing out a tax increase in an effort to make an amendment budget neutral when you know those resources are never going to be delivered is deficit spending, pure and simple. It is wrong, it is not fiscally responsible, and it should be rejected.

Budgets are about setting priorities. We can do a better job, a more honest job of setting priorities. I am always willing to look at redirecting resources, whether it is from within the Department of Education to things that should be a priority, whether it is from other programs to this. If we are not willing to do that, we shouldn't be willing to vote for amendments that blow the budget caps.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Massachusetts has 6 minutes remaining.

Mr. KENNEDY. Mr. President, I yield 4 minutes to the Senator from New Jersey and 1 minute to the Senator from Maine.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 4 minutes.

Mr. MENENDEZ. Mr. President, I rise in support of the Kennedy-Collins-Menendez amendment. It is an amendment that sends an important message to our Nation. Yes, budgets are about values and priorities. We tell our children in this country that education is a fundamental value that is of the highest importance, and then we submit a budget that speaks of much different values than that which, in fact, we hold up to our children.

If this amendment is passed, it says: If you work hard, if you are aiming for a goal, we will help you achieve it. It says no matter the happenstance of where you were born, the station in life into which you were born, we will give you the opportunity to fulfill your God-given potential. That is what this amendment says. It says we are willing to make the investments necessary in our young people to strengthen our country's future.

However, the budget before us does none of those things. I sat as a member of the Budget Committee listening through this process and, I must say, eventually cuts have to come from someplace. The suggestion that everything is in the education budget that we have had in the past is simply not reality. At the end of the day, we are still over $700 million short in higher education than from where we were. It does nothing to increase the maximum Pell grant, and we can see from this chart no matter what we talk about in terms of how we try to portray the numbers, there is one unmistakable fact: In the cost of attendance at a 4-year college institution, at a public college, versus the ability of what you can maximally achieve with a Pell grant, there is a huge gap, and that gap has continued to grow. So what we are telling our young people is, yes, education is a value, a higher education, college education degree is incredibly important for your own fulfillment, for the Nation's success in a global economy, but, sorry, we are just largely not going to help you. You are going to have to do that on your own. You are going to have to borrow and graduate under a mountain of debt. That is not a value that I think Americans share. They want to see the fulfillment of their children's potential realized.

So this does nothing to increase the maximum Pell grant, which will be frozen for the fifth year, and will decrease the actual real dollars in values as it has over the last 4 years. It does nothing to increase work-study grants, which will mean 1,000 fewer students will receive awards next year. It would take away low-cost loans in terms of the underlying budget for nearly a half million low-income students, loans that are forgiven—forgiven—for those who are serving in vital public service sectors such as teachers, nurses, law enforcement, or military officers. It will mean that more than 1.5 million low-income students would lose out on early intervention and college preparation programs that help make sure they are enrolled in and graduate from college.

That is why I am proud to be offering this amendment with my distinguished colleague and a tremendous leader on education, Senator KENNEDY. I am also glad to be joined with Senator COLLINS in this effort. This amendment provides a real opportunity to change the course of events for our Nation and to meet our competitive future.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. COLLINS. Mr. President, the need to more widely invest in education is widely recognized by our Nation's employers. We have seen recent

studies by the National Academy of Sciences warning that our country is losing its edge in math and science education. We have seen employer groups such as the National Association of Manufacturers call for greater investment. We have the opportunity to answer those calls by approving this amendment.

Prior to my election to the Senate, I worked at a college in Maine, and I saw firsthand how vital these Federal programs were. I hope we will adopt the amendment. It will make a difference to our families, our States, and our Nation.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Massachusetts.

Mr. KENNEDY. How much time remains on either side?

The PRESIDING OFFICER. The Senator from Massachusetts has 50 seconds remaining. The Senator from New Hampshire has 15½ minutes remaining.

Mr. GREGG. Mr. President, there is an inconsistency in the argument coming from the other side of the aisle. The Senator from New Jersey and the Senator from Massachusetts argue that we need a significant infusion of funds into higher education funding to assist students going on to college. Yet they both voted—I believe the Senator from New Jersey, in the House at the time, and the Senator from Massachusetts, in the Senate—against the deficit reduction bill which included a $9 billion infusion into higher education. That was a big number.

The argument that Pell grants haven't been increased flies in the face of the fact that we have created a new account which actually allows up to $8,000 of the cost for a low-income individual to go to college, to be reimbursed on the basis of the Pell structure, and as a result those funds which weren't available prior to the deficit reduction bill are available today. That is $8,000 for low-income students who pursue certain types of disciplines that they can get.

In addition, our commitment as a Federal Government since President Bush took office has been dramatic in the area of title I. These are the numbers. They have gone up exponentially—exponentially—under President Bush. Look at what they did under President Clinton. They just crept along. They just crept along. President Bush came into office and we increased them dramatically.

What about the IDEA? IDEA funding, once again, under President Clinton, just crept along. When President Bush came into office they increased dramatically. Massive increases in funding in IDEA, massive increases of money in title I, massive increases of money going into higher education accounts to assist people wanting to go to college. Not enough. Not enough. You have to come here and propose an amendment which breaks the caps and ignores the fact that we put an extra $1.5 billion into these education accounts over what the President requested with our budget and ignore the fact that we fully funded the vocational accounts over what the President requested and say, no, we have to raise taxes by $6.3 billion and raise the caps by $6.3 billion. Tax and spend.

I have to say this President has had a commitment to education which has been unique in the history of this country relative to dollars, relative to philosophy, and relative to results. I take a back seat to no one on funding education in this institution, and I believe we have a record to stand by, and this budget continues that record.

I yield the remainder of our time to the Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank the distinguished chairman of the Budget Committee. First of all, let me try and set up my remarks. I chaired the State Board of Education in the State of Georgia from 1996 to 1998, which is a period of time during the last administration. When I heard some of the speeches this morning about our commitment to education and about this budget, I found myself compelled to come to the floor and maybe add a perspective that might not yet have been heard on some of the comments that were made.

First of all, I commend Senator GREGG and the committee on what they have done. As the Senator said as he left a minute ago, this represents a $1.5 billion increase over the President's budget for education. When this Education bill passes this year in the appropriations act, we will have increased Federal spending on education by 33 percent since the election of President Bush. It is unprecedented in the history of this country, our commitment to elementary and secondary education.

The Senator from Massachusetts made a comment about the Pell grants. He said: Well, you will hear us say that we are really spending more on Pell because there are more students receiving them. And his comment was—and I wrote it down: Well, there are more poor children receiving Pell money. That is why there is more money going out.

There is a phrase that was left out of that. Today, there are more poor children qualifying for higher education, and that is a good thing, not a bad thing. That is why more money has gone out while the level of Pell funding might not have been raised from the $4,050 level.

In fact, this President's commitment to leaving no child behind, seeing to it that students can read and compute math at grade level and can go to high school ready to learn in the sciences and those other areas that are a prerequisite for a postsecondary education, no administration ever in the history of this country has made the commitment this one has.

With regard to the comments on Perkins—and I am a big Perkins person. I will tell you now, I will be on the floor of the Senate when the appropriations bill comes through fighting for Perkins money. But the illusion was created that the President zeroes out Perkins. Perkins is a discretionary program. Perkins was not delineated in last year's budget resolution, but it was fully funded in the appropriations act. So anyone who says this budget cuts out Perkins is making the assumption that of the $1.5 billion in increased funding that we are going to spend in this budget resolution, none of it would be appropriated by this Senate to go to Perkins.

Let me tell you how bad that is in terms of an idea. Last year, the budget read exactly the same way, and this Senate, by a vote of 99 to 0, funded Perkins. So this budget resolution gives a $1.5 billion increase in discretionary spending so that programs such as Perkins, which are not delineated because they are not mandatory in the budget resolution, are funded in the appropriations act.

But let us get to mandatory. IDEA is kind of my special passion. Children with disabilities is something I have worked on all my life. I married a special education teacher. I married a special education teacher 10 years before Public Law 94–142 was passed, which was the Special Education Act that really put in the mandates that today are IDEA. And for years, this Congress and this Nation mandated on our local governments that they spend 40 percent more per FTE, full-time equivalent, on a special needs child than they did on an average child or a nonspecial needs child. Yet we funded none of it. For years we funded none of it.

Under this administration, we have gone from funding what was about 10 percent when the President was elected, to where now we are almost to half of that 40 percent mandate or 20 percent in total of the FTE the Federal Government is funding. In this budget resolution, as a mandatory item, there is inclusion from now through 2011 for that commitment to IDEA and to children with disabilities to increase so that we meet the Federal promise made over 30 years ago, or almost 30 years ago. So we shouldn't play word games.

I will be the first person to tell you that I will be on the floor with the appropriations bill fighting for pieces of that $1.5 billion increase to go to enhanced programs such as Perkins. I believe in our commitment to the less fortunate, whether they be disabled or whether they be in poverty, and I was proud to be one of the coauthors of No Child Left Behind which, in and of itself, is a commitment to our title I children who are free and reduced lunch children and, in fact, our children most in need. But we should not characterize this budget as cutting short a commitment to America's children but, rather, a reaffirmation of a commitment that was made in 2001 and has continued to result in a 33-percent increase in the investment in our children.

One last point. I didn't hear this said, but I know I will hear it said before this debate is over, or certainly before the appropriations bill passes. We do two things in the Congress of the United States. We authorize and we appropriate. A lot of times because of the public misunderstanding of the difference between the two, people will say we are cutting short our commitment to this or to that or the other because we authorized X but we appropriate Y. Well, from defense to education to everything in between, we always have an authorization that is higher than the appropriation. but the appropriations for education are not in this budget resolution. It does not portend a reduction but an increase—in this case, $1.5 billion, and in the case of education, 33 percent in the first 5 years of this President of the United States, the President who declared and this Congress affirmed that we shall leave no child behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. The Senator from Maine, Ms. COLLINS, the Senator from New Jersey, and myself understand that we are facing a worldwide challenge. That is not just what we are saying; that is what the Academy of Sciences is saying, the Academy of Engineering is saying, the Institute of Politics is saying, National Association of Manufacturers, Council of Competitors. You can't do business as usual. The rest of the world is playing for keeps. The question is whether we will or not. When we faced the challenge of Sputnik, America responded and doubled its involvement in education. We are facing a worldwide challenge now, and we believe these investments will make sure we move toward the goal of maintaining the United States as No. 1. Anything else will put us behind.

I believe my time is up.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

The Senator from New Hampshire.

Mr. GREGG. I appreciate the Senator's passion. I just wish he had been there when we voted on the deficit reduction bill and we put $9 billion in student assistance and increased the Pell grant concept $8,000 per student, students with low income to pursue academic careers which are needed in this country so we could be more competitive.

As I have mentioned before, the numbers are pretty staggering, what we put into education accounts, and this budget puts in another $1.5 billion over what the President suggested, although again it is not binding. Nothing we do in this budget is binding in a specific account. The only binding number we have and we should keep is that top line on the issue of how much we are going to spend as a Government. I would say not only is it important to pass along good education to our children, but it is also important to pass along a healthy economy to them and a nation which they can afford to live in. But raising their taxes as this amendment does is not going to make us more competitive or make them have a better lifestyle. It means they end up paying more taxes. Not living within your budgets is not a good idea for government, it is not a good idea certainly for students, and I think this amendment sets a bad precedent. It establishes a precedent of saying, well, we will just blow the cap off with either higher taxes or more debt. It is a very inappropriate approach and certainly unfair to those kids who want to go to college and have a country they can afford to live in and be able to make a decent living in and not have to pay too much in taxes.

This amendment, in my opinion, is excessive, inappropriate, and clearly, as a result of busting the budget, is not constructive to fiscal responsibility and to maintaining fiscal discipline here at the Federal level.

Now I would yield back the remainder of my time. I understand the next amendment will be offered by the Senator from Rhode Island.

The PRESIDING OFFICER. The next amendment is to be offered by the Senator from Rhode Island.

Mr. CONRAD. Mr. President, might I ask my colleague from Rhode Island if we could allow Senator KENNEDY to pay respects to Maggie Inouye for 1 minute? We will extend the time of the Senator appropriately.

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

Mr. KENNEDY. I thank my colleagues.

(The remarks of Mr. KENNEDY are printed in today's RECORD under ''Morning Business.'')

AMENDMENT NO. 3014

Mr. CHAFEE. Mr. President, I call up amendment 3014 which is at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE] proposes an amendment numbered 3014.

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

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

The amendment is as follows:

(Purpose: To increase funding for part B of the Individuals with Disabilities Education Act)

On page 18, line 24, increase the amount by $2,000,000,000.

On page 18, line 25, increase the amount by $40,000,000.

On page 19, line 4, increase the amount by $1,320,000,000.

On page 19, line 8, increase the amount by $600,000,000.

On page 19, line 12, increase the amount by $40,000,000.

On page 27, line 23, decrease the amount by $2,000,000,000.

On page 27, line 24, decrease the amount by $40,000,000.

On page 28, line 2, decrease the amount by $1,320,000,000.

On page 28, line 5, decrease the amount by $600,000,000.

On page 28, line 8, decrease the amount by $40,000,000.

The PRESIDING OFFICER. Under the order, the Senator from Rhode Island is recognized and in control of 30 minutes and the opposition controls 30 minutes.

Mr. CHAFEE. Mr. President, I further ask unanimous consent that Senators HAGEL, COLLINS, KOHL, COLEMAN, and ROBERTS be added as cosponsors if they are not already so listed.

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

Mr. CHAFEE. I rise today to offer an amendment that moves us closer to honoring the promises we made when we enacted the Education For All Handicapped Children Act of 1975 which later became the Individuals with Disabilities Education Act or IDEA. IDEA has its genesis in the Supreme Court's decision in Brown v. Board of Education in 1954. As we all know, this decision declared separate but equal is inherently unconstitutional. Prior to 1975, it was estimated that 2 million young people either were not receiving any public educational services or the services they were receiving were inadequate.

Based on the Supreme Court's decision in Brown v. Board of Education, parents of disabled children sought redress through the courts. In 1972, the District Court of the Eastern District of Pennsylvania in PARC v. Pennsylvania and the U.S. District Court of the District of Columbia in Mills v. Washington, DC Board of Education applied the principle in Brown to the education of disabled children. As a result, States felt compelled to provide educational services to individuals with disabilities and sought the Federal Government's help in providing those services.

On November 18, 1975, the House of Representatives passed the Education for All Handicapped Children Act by a vote of 404 to 7. The Senate followed the next day by passing the bill by a vote of 87 to 7. They were overwhelming majorities, as they should have been.

As it was enacted, IDEA mandated that States provide public education to all children, and it also must provide a free appropriate public education to special needs students. In return, the Federal Government promised to pay 40 percent of the per-pupil expenditures for students with disabilities. Unfortunately, we have failed to fulfill our promise to this program. We have made great strides since 1995 when we were contributing just 7.3 percent of the cost. I would like to say a little bit about who pays these costs. There is a lot of talk in this Chamber about income taxes and marginal rates and dividend taxes and capital gains taxes. There is not enough talk in this Chamber about property taxes and that

these special education costs are borne by the property tax payer. Now, the income tax—obviously you pay more the more you make no matter what the percentage. The more you make, the more you pay. The less you make, the less you pay. If a streak of bad luck hits and you unfortunately lose your job, you pay less income tax. The same thing with a sales tax. You don't have to buy the deluxe model, whatever it might be. You can buy the economy model and pay less sales tax. If you want to buy a Cadillac, you pay more sales tax. If you buy a Chevrolet, you pay less sales tax. That is your choice. But with property taxes, they are always there. You lose your job, that property tax is always there. And for many people, even if they have paid for that house, their castle, whatever it might be, their 2-bedroom castle, 10-bedroom castle, those property taxes are still there. And if an area gets gentrified or increases in value, sometimes those property taxes can soar. So for people on fixed incomes in particular, this is a very difficult tax, especially compared to income and sales taxes. And this IDEA is borne by the property tax payer.

In fiscal year 2005, we were providing 18.5 percent—far from the goal of 40 percent for IDEA—and last year, we actually regressed. We went down to only 17.8 percent of our promised 40 percent for IDEA—contributing only 40 percent. We are not to 40 percent of these special education costs which are borne by the property tax payer. Essentially what these percentages mean is this: For fiscal year 2006, we provided $10.5 billion for part B grants to States, and our Federal share last year should have been $23.8 billion—far, far away from our goal. In fiscal year 2007, the President has proposed a $100 million increase. Our estimated full funding cost is $25.1 billion. Under this proposal, we fall further behind, and my amendment would increase funding by $2 billion and have the Federal Government pay at least half of what was promised or 20 percent. We are only going half of what was promised back in 1975.

Mr. President, our budget decisions have real-life consequences for our constituents. The burden of the Federal Government's failure to live up to its promises as I said is borne by these property tax payers. Full funding of IDEA is not a choice for State and local schools; it is a mandate. Schools are the largest cost to property tax payers; sometimes as much as 80 percent of the municipal cost is borne by its tax payers. It is usually above 50 percent. For any municipality all across the country, the most rapidly increasing school costs are in special education.

Listen to this. In North Providence, while general school spending has gone up $11 million or 19 percent over the last 5 years, special education has gone up $7.5 million or 74.9 percent in 5 years. And this is typical. That is just one town in Rhode Island, North Providence, RI. General school spending has gone up 19 percent over 5 years, special education has gone up 74 percent. And that is typical.

The Federal Government has an obligation, as we set forth in 1975, to help with these rising costs. That property tax is a tough tax to pay, as we all know. The IDEA burden on school districts is increasing because the costs are rising the more we learn about children's disabilities. We are getting better at diagnosing, but that is why these costs are increasing so much.

Mr. President, I thank the chairman for his continued leadership on this issue. I also thank Senators COLLINS, KOHL, COLEMAN, and ROBERTS for their support.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. CONRAD. Mr. President, let me just say——

The PRESIDING OFFICER. Is the Senator from North Dakota speaking in opposition to the amendment?

Mr. CONRAD. Mr. President, I am just going to take time off the amendment on our side, not speaking in opposition. I do want my colleagues to know what is occurring here. I entirely agree with the Senator from Rhode Island in terms of his priorities, in terms of additional funding for IDEA. I just want to rise and make the point that I made on the previous amendment that used section 920 funding.

The problem is there is no 920 money available. In fact, if we look at the budget, we see that 920 is already $500 million in the hole. So the result of this amendment, which seeks to add $2 billion, is really a nullity because what it is going to do in terms of what the appropriators see is on the one hand they will get $2 billion, on the other hand $2 billion will be taken away. So what happens, what do the appropriators do? We don't know what they will do. They could add $2 billion to this account and take $2 billion from other accounts. They could. They could just wind up doing nothing.

That is the reality of the budget resolution. I know it is confusing to people. But I am entirely in sympathy with the Senator from Rhode Island in what he is seeking to do in terms of adding funding. The problem we have is using 920 as the function to fund these things because there is no money there. It is an across-the-board cut, and the appropriators will see no real increase. This becomes more than anything a statement of what one wants to accomplish. But the hard reality here is there is no 920 money available. It will have to be an across-the-board cut, however the appropriators determine to make it. There is no new money here.

I yield the floor.

Mr. GREGG. Mr. President, will the Senator from Rhode Island yield?

Mr. CHAFEE. Yes.

Mr. GREGG. Mr. President, first I want to congratulate the Senator from Rhode Island. I think this is a good amendment, and it is done the right way. He has basically come to the conclusion—and a lot of us agree—that IDEA could use some more money, that there is an unfunded mandate.

There are some issues here, of course, as to whether, like a dog chasing its tail, we can ever catch up with the level of Federal funding that should be in IDEA because some States in some ways are overcoding too many kids in the system. But that is a debate for another time.

We have already tried to address that in the most recent IDEA reauthorization. But his initiative of putting $2 billion into this account is an appropriate one and he has done it the right way. He basically says within the budget we are going to set the priorities working with a spending cap. He is saying let us do it as an across-the-board cut and put the additional money we would have into the IDEA account. It is a legitimate way to approach this 920 act because it actually delivers the message which the Senator from Rhode Island wishes to deliver, and as it is executed the Appropriations Committee would actually get the money over there into that account with an across-the-board cut.

The argument which is made is, Well, this has no substance because the 920 account is going to be left up to the appropriators as to whether they would take the approach of the across-the-board cut, which is equally applicable in moving this budget, other than the top line cap number. The top line cap number, which is $873 billion, is the only number in this budget that has force of law. Everything else below that—$400-plus billion that we have allocated in this budget theoretically to defense, an extra $1.5 billion we put into education, the money we put into health care, the money we put into environmental protection—all of those are suggestions essentially to the appropriate committee, which is the Appropriations Committee in this context, in the discretionary account. They may or may not follow it.

But I think the Senator from Rhode Island is bringing this forward in a way which is responsible, staying within the caps provision increase, and proposing an across-the-board cut to pay for it. He is giving responsible suggestions to the Appropriations Committee, which is all the budget does, anyway. It gives suggestions, and they have no binding effect other than the top line cap number, as I mentioned before. I congratulate him on the proposal. Considering the cards which we played, which were dealt relative to the budget, he is doing it in the proper way.

We all recognize that there is a certain illusoriness to all of these numbers because they do not have the force of law. But even the amendment offered by Senator KENNEDY has no impact other than to raise the cap by $6.5 billion. It doesn't raise taxes. He claims it does. But we have no authority to raise taxes in this resolution,

and we are certainly not doing anything that would legally bind the Finance Committee to raise taxes. All he is doing is raising the caps by $25 billion. That could be spent on defense, all of it, if the Appropriations Committee wants to do that. He is suggesting that it be spent somewhere else.

The Senator from Rhode Island is at least doing it the right way, which is living within the spending priorities which will make the Government fiscally responsible on the discretionary side of the ledger, but within those let us allocate some more money for IDEA. He has a good proposal. It is the way it should be done. I congratulate the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, will the Senator yield for a question?

Mr. GREGG. Certainly.

Mr. CHAFEE. Mr. President, the State of New Hampshire doesn't have an income tax or State sales tax. All of its revenue is generated by a property tax. Am I correct?

Mr. GREGG. We do have a State corporate income tax but all of the school funding in the State essentially is generated by local property taxes—the vast majority of it. There is a sliver of it that comes from the State government but it is not a significant amount in the treasury overall.

Mr. CHAFEE. Does the Senator hear from his school committees and local councilmen about the rising costs of special education and the difficulty that places on the property tax payer?

Mr. GREGG. Mr. President, there is no question that the Senator from Rhode Island has touched on an important subject with this amendment, which is the fact that the Federal Government has never fully lived up to the commitment to special education as initially made. We have made dramatic progress under this President, especially in comparison to the prior Presidency. We are almost up to 20 percent of funding. But there was an original commitment of 40 percent. Certainly every community in New Hampshire—and I am sure Rhode Island—feels they have to pick up a Federal share from here and take it from some other part of the education which they think is important in order to pay the Federal share of special education.

Mr. KOHL. Mr. President, I rise today in support of the Chafee amendment, of which I am a cosponsor.

Prior to the enactment of IDEA, students with disabilities were too often left out of our public education system. Today, IDEA is making sure that they have the same access to a high quality education and a real chance to live successful, productive lives—as their peers. Yet year after year, school districts in Wisconsin tell me that IDEA needs more funding. This year's budget is especially worrisome. It proposes to cut the Federal share of IDEA costs from 18 percent to 17 percent. That is less than half of the 40 percent ''full funding'' level that Congress committed to paying when IDEA was first adopted 31 years ago.

I believe that a budget resolution serves as a statement of our Nation's values and priorities. Even though this amendment will not provide the funding increase needed for special education, it states in no uncertain terms that our Nation's priority must be to fully fund special education. I support the Chafee amendment and expect to support additional IDEA amendments that will go a step further and provide real increases for this important program. I hope my colleagues will join me in making a strong statement in support of special education as a top priority.

The PRESIDING OFFICER. Does the Senator yield the remainder of his time?

Mr. CHAFEE. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota controls the time in opposition, 28 minutes. Does the Senator wish to use any of that, or does the Senator yield that time?

Mr. CONRAD. Mr. President, for a moment, let me consult with the chairman and bill manager. Let me take one moment to consult with him and see how we might proceed.

I ask if the Senator from Rhode Island would be prepared to yield back his time.

The Senator has already yielded the time. I am prepared to yield back the time on our side as well.

Let me say that it would be very helpful, if Senator BURNS and his staff are listening, if he could come and do his amendment next—I know it is not scheduled until 1 o'clock—so we are using the time efficiently here on the floor.

With that, I yield my time on the Chafee amendment.

Mr. GREGG. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time be allocated equally to both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. CONRAD. Mr. President, it might be useful to use this time to alert our colleagues on where we are. We will have six votes at roughly 3 o'clock. At 1 o'clock Senator BURNS will offer his amendment on veterans, and then Senator AKAKA will offer his. I urge colleagues to be alert to what is actually occurring on the floor. It may be that we will have other circumstances in which the full time is not used.

If Senators are in the queue, it would be very helpful if they can be prepared to come if all time is not used on an amendment.

The other thing I want to make certain colleagues understand is right now we have over 100 amendments pending. Let me repeat that. We have over 100 amendments pending. We know we can do three amendments an hour when we are voting. If we were to vote starting now on all of these amendments, it would take 33 hours of straight voting. And we are not done debating amendments yet.

Colleagues need to understand exactly where we are. If we play this out, if everybody insists on their amendment, we are going to be here probably until the wee hours of Saturday morning. We will be here all day today, on into the night, all day the next day, and all day the next day. We won't complete business until some time Saturday morning in the wee hours. That is where we are headed.

The chairman and I are asking Members to take shorter time agreements. We will ask the next sponsors of amendments to take half an hour, equally divided. If Members could take less than that, please do so. Remember, the alternative is to be in vote-arama where Members get a minute per side.

The only conceivable way we get done Thursday night is No. 1, Members take short time agreements; No. 2, some Members reserve their amendments and save them for another day or another vehicle.

That is where we are. Colleagues should know that. I hope very much colleagues and their staff understand the posture of the Senate. If we do not find a way to get cooperation from Members on taking short time agreements, if we do not get agreement from Members on restricting the number of amendments, we will be here until some time early Saturday morning. Do the math. It is inescapable that is the case.

With that, I hope Members will take this opportunity. If colleagues want to speak on the budget, we have time now until 1 o'clock. At 1 o'clock the next amendment will be offered. It will be Senator BURNS on veterans. There is time now. We have half an hour. I hope colleagues will use that time so it is not lost.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2999

Mr. BURNS. Mr. President, I rise today to offer an amendment and to speak on the budget. I congratulate my good friend from New Hampshire who has had this job, and my good friend from North Dakota.

The PRESIDING OFFICER. Does the Senator intend to send an amendment to the desk?

Mr. BURNS. I ask unanimous consent the amendment now before the Senate be laid aside.

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

Mr. BURNS. Mr. President, I ask unanimous consent my amendment which is at the desk be called up.

The PRESIDING OFFICER. The clerk will report.

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

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

The clerk will report. The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for himself and Mr. CHAFFEE, proposes an amendment numbered 2999.

Mr. BURNS. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide increased funding for veterans health programs, and to negate the need for enrollment fees and increase in pharmacy copayments)

On page 23, line 24, increase the amount by $823,000,000

On page 23, line 25, increase the amount by $733,000,000.

On page 24, line 3, increase the amount by $854,000,000.

On page 24, line 4, increase the amount by $845,000,000.

On page 24, line 7, increase the amount by $888,000,000.

On page 24, line 8, increase the amount by $880,000,0000.

On page 24, line 11, increase the amount by $923,000,000.

On page 24, line 12, increase the amount by $914,000,000.

On page 24, line 15, increase the amount by $958,000,000.

On page 24, line 16, increase the amount by $949,000,000.

On page 27, line 23, decrease the amount by $823,000,000

On page 27, line 24, decrease the amount by $733,000,000.

On page 28, line 1, decrease the amount by $854,000,000.

On page 28, line 2, decrease the amount by $845,000,000.

On page 28, line 4, decrease the amount by $888,000,000.

On page 28, line 5, decrease the amount by $880,000,0000.

On page 28, line 7, decrease the amount by $923,000,000.

On page 28, line 8, decrease the amount by $914,000,000.

On page 28, line 10, decrease the amount by $958,000,000.

On page 28, line 11, decrease the amount by $949,000,000.

The PRESIDING OFFICER. The Senator from Montana is recognized for 30 minutes. Under the order, time is equally split, 30 minutes to the Senator and 30 minutes to the other side.

Mr. BURNS. Mr. President, I rise today to introduce this amendment, but first I congratulate the managers of this bill. It is their responsibility to hammer out a budget in very difficult times. I cannot think of two managers who are more capable of doing this.

I understand the need to hold the line in discretionary spending and to make some reasonable modifications to a lot of programs. I support those goals. We need to get a handle on Government spending, but in doing so, we have to make sure we do not ask some folks to bear more than their fair share when it comes time to cutting back.

I speak in two areas today, one in agriculture and agricultural programs. Right now, it has been forecast there will be some cuts there. We want to make sure those are moderated or do not happen. We have a situation in agriculture right now where with the unprecedented amount of dollars we are spending on energy and fertilizer costs, the farm is in dire trouble. We will be talking about that later. In fact, next year when we redo the farm bill, that will be the proper time to start talking about any kind of cuts or modifications to agriculture.

The amendment I am offering today, along with Senator CHAFEE, is designed to ensure that the U.S. Government keeps our promise to our veterans. There is nothing more important to the American people than this particular item in our budget.

The VA budget proposes $795 million in savings by increasing fees placed on Priority 7 and 8 veterans. The suggested increases includes a $250 annual enrollment fee and more than doubling prescription copays, from $7 to $15. This increased burden placed on our veterans is not acceptable.

Approximately half of these cuts come from the expected collection from fees and the other half is through forcing over a million veterans to opt out of the system. That is not right, either.

Prescription drug costs have risen steadily over the past few years. I have a chart that shows this. On the national average, $634 was the average annual prescription drug cost for veterans in Fiscal Year 1999 compared to what we see instead now, with $762 in prescription drug costs for veterans in the Rocky Mountain region.

Recently, we have also seen spikes in the price of gas. The inflationary pressures add a burden to our veterans and those retirees who live on fixed income.

This budget asks our veterans to pay even more just to be part of the VA health care system. These fees lead us down the road to turn the VA into another HMO, which will make it harder and harder for our veterans to be able to afford basic care.

We need to reject these fees and copays. When we do, we need to ensure that we include the additional $795 million in the budget or we will leave the VA underfunded. This increase I am proposing will be fully offset with no additional taxes or added taxes.

These fees are not what we promised our military folks when they went off to war and when they stood ready to defend this country. For those folks who signed up to fight for this country, this was not their expectation, and it was not our promise at the time, either.

In addition, my amendment includes a $27 million increase in budget requests in the area of medical and prosthetic research. The increase will maintain funding for critical medical research programs.

The budget proposes a decrease in funding for medical and prosthetic research, from $412 million down to $399 million. When inflation is factored in, these programs need to be increased to $426 billion in order for us to maintain the critical research regarding serious injuries for our veterans returning home from Iraq and Afghanistan. Let's face it, we have a lot more research to do while we are involved with this particular conflict than any other conflict we have ever faced.

This research funding is critical for unique problems associated with our veterans who are returning from overseas with traumatic amputations, central nervous system injuries, loss of sight or hearing, and other serious injuries which prevent them from returning to a full and productive life. We have to do everything we can to make sure they have the ability to recover. I am a veteran. I know how important VA health care programs are to those who served this Nation.

We have invested a great deal in health care services for veterans. Because of these investments, the quality of care offered at VA facilities has surpassed the care at regular health care facilities. In fact, our satisfaction rate with the veterans today is much better than it was just 5 or 6 years ago.

The VA hospital and our 10 outpatient clinics in Montana are some of the best in the Nation. We must ensure that our veterans can afford the care offered in these great facilities.

We did not used to have outpatient clinics in the VA. We all had to go to the hospitals that were in each State or in each region. Those outpatient clinics have filled a void by helping to cut down on travel and to serve people instead of serving a bureaucracy.

I am committed to doing everything I can to help our Nation's veterans, and this amendment today is a first step to ensure that our veterans get the health care they deserve.

I have never felt so strongly about this as I did after visiting Iraq. Whenever you visit Bethesda Naval Hospital, whenever you visit Walter Reed, you will see our young men and women coming home with injuries we have never seen before because we are saving more lives on the battlefield—lives that would have been lost. Now we save them there, and we are able to bring them home, repair them, and get them ready for public life.

Mr. President, I see no other person on the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AKAKA. 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. AKAKA. Mr. President, I rise to respond to a statement made by my good friend, Senator BURNS.

The PRESIDING OFFICER. Does the Senator speak in favor or in opposition to the amendment?

Mr. AKAKA. Mr. President, I rise to speak against the amendment offered by my friend, Senator BURNS.

The PRESIDING OFFICER. The Senator controls the time in opposition.

Mr. AKAKA. Mr. President, we must go beyond what his amendment seeks to accomplish. In a few minutes, we will begin discussion of our alternative amendment. Our amendment would provide the funds to ensure that veterans will not see their out-of-pocket costs increase. Our amendment would add resources to care for newly returning servicemembers. Our amendment would shore up the system for all veterans needing mental health care.

The Burns amendment is based on the premise that the President's budget is ''good enough.'' The opposition urges veterans to be pleased that they are getting an increase at all in this tough budget climate. In my view, especially in this time of war with so many competing demands, we can and should do much better. Veterans should not have to ''get what we give them.'' They ought to be provided with what they deserve. Let us not forget the sacrifices made by these men and women and the sacrifices made by their families.

What we have heard much about is that VA is already adequately funded. The administration, and my friends on the other side of the aisle, continually cite a 50-percent increase in veterans spending since the year 2001. I applaud my colleagues for their support of veterans as demand for VA's top-quality health care services has increased.

It only makes sense for spending on veterans programs to increase in accordance with the increases we have seen in the defense budget, particularly since Operations Iraqi and Enduring Freedom. Colleagues, these increased costs for veterans are a direct result of our global war on terrorism. As we so willingly fund them while they are on active duty, we must be willing to fund taking care of them after they have served our great Nation.

Let there be no mistake, it is, in fact, Congress that has done the heavy lifting. Each year, it is the veterans' leaders in the Senate and the House who go beyond what President Bush has proposed. I do not say this to laud Congress. I say it to remind my colleagues that we need to make veterans a priority. We need to make sure veterans are taken care of. Veterans are looking to us to make a difference, and we cannot let them down.

The opposition warns that too many veterans are eligible for VA care and too many are depending upon VA for help. I take a different approach. I am thrilled that veterans are turning to VA for their care. For years, we struggled to make the VA health care system something to be proud of. And it has accomplished that. It is highly rated. It seems cruel now to tell veterans: Now that VA care is good, we are going to force you out.

We must go beyond ''good enough.'' I urge my colleagues to support our alternative amendment.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. DEMINT). Who yields time?

The Senator from Montana.

Mr. BURNS. With regard to what my friend from Hawaii has done today, I remind my colleagues that there has already been an increase in this budget since a year ago. We are basically prioritizing our money to be spent where it is supposed to be. If you look at the total budget growth, it has grown from about $72.6 billion to $74.9 billion in the last 5 years, an increase of around 50 percent. The result is a 69-percent increase in veterans health care since President Bush has taken office. So we are not underspending. We are just not doing a very good job of assigning our priorities where the money should be spent.

We asked the VA to look at their costs to give us some idea of how they are being more efficient now. The reporting of the VA has become a lot better. It gives us a better handle on where we should be spending those dollars. My amendment does not shortchange any veteran. We just have to do a better job in our priorities. We have asked the VA to be outcome-oriented, and the outcomes have been improved. Access to health care has increased. The quality of care has increased. Patient satisfaction is up to 83 percent. That was unheard of just 4 or 5 years ago.

By asking for increases over and above, basically we are doing nothing more than engaging in a bidding war. I can use the auction method pretty easily because that is where I cut my teeth. I don't mean to make light of the process, but we have to draw the line somewhere.

I am a veteran. I respect the effort to take care of veterans. In our State of Montana, we now have outpatient clinics that are taking care of our veterans, not just at Fort Harrison but at several other locations where veterans do not have to travel long distances either to get their drugs, be a part of their prescription drug programs or to get their health care. What we are doing with this amendment is putting the money right back into the system where it should be spent. We are paying for it with no impact on the budget and without raising taxes.

I think my good friend from Hawaii raises taxes with his amendment. I thank him for his diligence and his love for veterans. I don't have any opposition to that. What we are doing right now is talking about how we approach taking care of these fine young men and women who find themselves needing medical care that they can get nowhere else in America.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ALLARD. I yield to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I thank the chairman for yielding. I will speak softly today because I am just recovering from laryngitis. I believed it was important, as chairman of the authorizing committee who proposed to the chairman of the Budget Committee the underlying budget proposal for the funding of the VA for this coming year, that I discuss the Burns amendment.

When I consider the Burns amendment, I feel the same way I felt with the President's 2007 budget and the announcement for VA. On the one hand, I am pleased that the VA budget is a top priority during debate on the budget resolution. It should be. America's veterans have always been and will remain a top priority of this Senate. On the other hand, I am sobered that the President and the underlying resolution propose a 9.6-percent increase in funding for veterans medical care, with additional revenue generated on top of that through various fee proposals on higher income veterans with no service-connected injuries. The chart to my left clearly demonstrates my concerns. From 2001 to this budget, it is visible what this Congress has done to fund veterans, a 69-percent increase in a very short time.

Let me remind everyone that there is plenty of money in the President's budget request for returning Iraqi veterans and Afghan veterans. They represent only 2 percent of VA's patient population. They are and will remain our top priority, and they are funded. There is also plenty of money in the President's budget for the care of service-connected veterans and low-income veterans. I believe those are statements of fact. They should not be, nor do I believe they can be, challenged. There are significant increases for important initiatives we all support for our veterans: an additional $345 million for mental health services, including PTSD treatment; $64 million for homeless programs; and $161 million for prosthetics and sensory aids.

The question before us now is the extent the Congress will fund medical care services to every veteran who shows up at the door, irrespective of their income or their need for treatment associated with a service-related disability. In other words, are our veterans hospital doors open for all?

Assuming the adoption of the Burns amendment, this resolution will assume a 12.4-percent increase in direct appropriations for VA medical care. Senator AKAKA is proposing an amendment of an increase of about 15 percent, or may. Any way you cut it, the spending proposed for the 2007 budget under either amendment will result in a 70-percent-plus increase in VA medical care from 2001 to 2007. That is the reality of the numbers being played within these amendments. Assuming a 12.4-percent rate of growth, VA medical care will double every 6 years. I never dreamed when I became chairman of the VA Committee that in my tenure I could preside over a $100 billion-a-year VA budget.

These amendments simply advance that to a reality. With Senator AKAKA's 15 percent annual growth, the budget would double every 5 years. Is it right? Is it justifiable? Is it reasonable in today's care of America's veterans? The bottom line is this: At these rates, VA spending will soon collide with demands made on all other areas of Government. The President's budget proposal began to address the fiscal challenge we faced. I thought he was responsible in doing it. I could not deny that it was a responsible act, and I encouraged the Budget chairman to put it in the budget. I continue to believe those proposals were eminently reasonable. However, I know that the majority of my colleagues do not find these proposals reasonable. Why? In large part because every veteran service organization in the Nation doesn't want them. They have lobbied and argued that they should not happen. I understand why.

I have also spoken directly to all of those organizations and suggested if not now, when. If not now, when do we begin to face the reality of not a doubling every 6 years but a doubling every 5 years? When do we face the reality of VA colliding with Social Security and Medicare and Medicaid and the military defense budget itself? Those are the realities we face in this Congress, not in 2007. We will not face them because we are going to choose not to face them. I do not believe that is responsible.

I am left with a tough decision. Without enactment of the President's proposal, the system will need an additional $800 million. That is what Senator BURNS recognizes. That is what he is offering. I cannot in good conscience vote to purposefully underfund VA medical care, if the President's fee proposals will not be carried forward. Therefore, I will support the Burns amendment. Is it fiscally responsible? I will leave that to the decision of fellow Senators.

What isn't fiscally responsible under today's budget system is to suggest that we will double this budget every 5 years and have it collide directly with every other program that is out there, without saying to those veterans who are capable and able that if they want service from the finest health care delivery system in the country today—and that is our VA—and they are not service connected and they are not disabled and they are income disqualified, that they ought not pay $21 a month to gain access to the best health care system in the country. That is less than a carton of cigarettes. No, this Senate does not have the political will to say so. Or $15 a month for a pharmaceutical that could cost you $300. It is the best deal in the country, folks. I am proud of it. I defend it because I support our veterans. But I am also asking every veterans service organization, starting today, working through next year, to help us find a solution to this problem other than just dumping billions more into it each year out of the general fund budget.

To suggest that these needs are not there is to deny reality, but to suggest there are alternative and responsible ways of funding them is a reality we must face. Simply throwing more and more money at the budget is shirking that responsibility, especially when doing so sets up painful choices. I have spoken to them. Those choices collide directly with Medicare, Medicaid, and Social Security. We won't face those choices yet, either.

I want to avoid the painful choices because I want to make sure the VA system is there today for America's veterans and there tomorrow for tomorrow's veterans because our history would suggest to us there will be tomorrow's veterans. We are a nation which has found it necessary from time to time to use force as an extension of our foreign policy for the purpose of securing our freedoms and maintaining our Nation. That policy approach produces a veteran. And because of that, in the words of Abraham Lincoln, for he who hath borne the battle and for his widow and for his orphan, that is our responsibility as a nation. The Burns amendment recognizes it in the broad sense. I believe it fails to recognize the reality of where we must go in the long term. The President attempted that this year. I agreed with him. The Budget chairman agreed with him.

We will see where the Senate takes us. I yield the floor.

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

Mr. AKAKA. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 21 minutes 14 seconds remaining.

Mr. AKAKA. Mr. President, I say to my friends, the Senator from Montana and the Senator from Idaho, that we agree that veterans need quality care and services, but we differ on how much to provide for this care and who is eligible.

I believe all veterans deserve access to quality care. I also believe that we must make this a priority. I say again to my friends, VA health care should grow, and that is not a bad reality. We spend exorbitant amounts on these men and women while they are in active service. They deserve our care when they are done serving.

The budget has gone up. Let's think about what we have purchased with that budget: hundreds of new clinics, hundreds of thousands who never had insurance and who can now come to the VA for world-class care, a leading research program, and a system where care is second to none. Let's not deny that health care costs money. We agree on that.

Indeed, there is an increase in the VA budget, but it undercounts the number of returning service members. It does not do enough for mental health, and it flat lines rehabilitation care.

As I have said, we are pleased that the President's budget is much better than last year's. This is not a bidding war; this is getting it right.

Mr. President, I yield the remainder of my time on this amendment to Senator MURRAY.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. MURRAY. Mr. President, first, I thank Senator AKAKA for his tremendous leadership on this veterans issue. I couldn't agree with him more. This isn't about a bidding war; this is about getting it right.

I want to, first of all, thank Senator BURNS for his amendment because what it does is recognizes and acknowledges the serious problem we have today in making sure we have the funds available to pay for the services that our veterans not only deserve but were promised to them.

We are at a critical time in our Nation's history. We are at war. What message does it send to those we have sent overseas if we are telling veterans today that they are going to have to pay copays and increased fees once they return? What message does it send to those who are serving us overseas today that the veterans who have gone before them are waiting in long lines, they are not getting help and the promises that were given to them?

What I appreciate is that Senator BURNS' amendment acknowledges the serious challenge we have within this budget in making sure we meet the rising demand for our veterans today.

I know Senator CRAIG has said we have increased the VA budget dramatically. My colleagues all remember us last year having to come to the floor to add billions of dollars to the veterans budget because we were shorthanded. But, Mr. President, to many of us, you will recall, it was not a surprise. We have hundreds of thousands of men and women who are coming home from a war in which we are currently engaged who are now needing to access veterans health care facilities. Of course, there is an increased cost. At the same time, we have an aging Vietnam veterans population who are accessing our veterans health care services. At the same time, health care across the board is increasing the costs. Everyone who is

providing health care has to pay increased costs. So of course the VA budget, as a health care system, has to increase its costs as well.

I also should remind my colleagues that because so many employers today cannot afford the cost of rising health care, they are not providing health care to their employees, and those who are veterans are turning to the VA, increasing the numbers who access it, and they have a right to do that.

On top of that, Medicare Part D, which we need to talk about, is already a problem. Our folks across the country are calling in to ask: Whom do we sign up with for Medicare Part D? And they are being asked by our own DHS: Are you a veteran? And if they say, yes, they say: Don't sign up for Medicare Part D, go to the VA. That is great. They deserve that, but it is increasing the numbers accessing our VA.

Yes, of course, the budget has gone up, but does it meet the need? That is the test this country needs to consider and that we as Senators need to consider in this budget.

Again, my colleague from Montana has acknowledged that in his amendment. Here is where we have a problem. How do you pay for it, and when you pay for it, is it a reality?

This function 920 everybody is robbing from is merely saying that we are not going to increase the budget to pay for this, we are going to pretend there is money out there. That may work very well now, but it will not work when we get to next fall, probably after the election, and we actually are sitting down and writing our appropriations bills and passing them on this floor, within the cap of those appropriations bills, and there will not be the funding to increase this.

So let's not do some imaginary proposal and all go home and get well on making sure we provide the services. We will be offering an amendment with Senator AKAKA that actually provides the increased costs, to make sure we have the funding available.

The acknowledgment is clear on this floor. Charging our veterans a fee and a copay for health care that they were promised is not the right way to balance this budget.

Should we be providing tax cuts for the wealthiest or should we be providing within our budget the means to keep the promises that were made to those men and women who served our country honorably before and are serving it honorably today and, I might add, we will be asking another generation, no doubt in the future, to serve us.

They will watch what we do on this floor. They will watch what we do and how it impacts us next fall and whether we have the actual money within our budgets to provide the health care that is promised when we ask them to sign on the dotted line and serve our country in the future.

Although I commend the Senator from Montana for the sentiments in this amendment, I actually believe the amendment coming from Senator AKAKA and myself is the right amendment because it is not an empty promise. It actually is a promise fulfilled, and our veterans deserve that.

Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator has 13½ minutes remaining.

Mrs. MURRAY. Mr. President, I retain the remainder of our time.

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

Mr. BURNS. Mr. President, I yield to the Senator from Texas in support of my amendment.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of the Burns amendment and ask to be added as a cosponsor.

It is very important that we add something to this budget to accommodate the extra needs we are seeing for veterans coming back from Iraq and Afghanistan.

I think it is especially important that we not make the decision right now about the copays. I do not support what is in the President's budget regarding copays for the category 7 and category 8 veterans. I am looking for some alternatives that might bring in some income, that might give health insurance capabilities to these people who have no health insurance coverage.

We are looking at some other threshold besides $27,000 annual income of a veteran who does not have service-related injuries. That is the definition of a category 7 and category 8 veteran. They are not veterans who have had service-related injuries, they are veterans who have had no service-related injuries who make about $27,000 a year or more. I think that is a pretty low floor.

I would like to look at ways to increase it to a higher floor or make sure they have access to health insurance, which many of them do not. I haven't run the numbers on that, but I certainly think we should be working with the veterans groups to determine what would be reasonable and still allow us to prioritize the health care for our veterans which is what all of us want.

Senator BURNS is right, we need more research into prostheses. The good news is that they are coming back, they are not being killed in war, as we have seen in so many previous wars. But the bad news is they are losing limbs, and we need to help them have the very best prostheses they could possibly have and enhance their ability to use them.

We will be working on those items. Senator BURNS' amendment is the right approach because we do need to have that flexibility in this budget to try to come up with the right approach. It is too early to say what we are going to do with the President's proposal, that there be a $250 enrollment fee for these category 7 and category 8 veterans. I thank the Senator from Montana for putting this amendment forward, and I certainly hope we will adopt his amendment, which I think is a step in the right direction.

I yield the floor.

Mr. CHAFEE. Mr. President, I am a proud original cosponsor of Senator BURNS's amendment to the budget resolution that increases VA funding by $823 million. Properly caring for our veterans is our Nation's duty. We asked these men and women to risk their lives in service of our country, and medical care is the least our country can give in return.

The President's budget request for VA medical services assumes an added $795 million in revenues; but it does this by more than doubling copays and instituting a $250 enrollment fee for certain categories of veterans. The cost of $795 million then is shifted from the Government to veterans themselves.

Not only would many veterans have to pay higher fees under the President's proposals, but those who could not afford the fees would have no choice but to abandon VA healthcare altogether.

Especially in a time of war, a policy that leads to increased denial of service to veterans is simply unacceptable. Battlefield medicine has made huge strides in the last few decades. The result has been a much higher percentage of wounded soldiers living through their initial injuries, able to return home to their families. These wonderful advances in medicine deserve and receive our praise, but they mean that the VA will be caring for more and more injured soldiers as they return home. And many of these injuries, such as burns, amputations, and blindness, are of the type that will require care for a lifetime. The United States owes these injured soldiers this care, and thus the funds to provide it should not come from other veterans.

Senator BURNS' amendment will address these problems by adding $795 million to the VA budget in order to eliminate the higher copays and enrollment fees. Furthermore, it adds another $28 million to compensate for cuts in VA medical R&D.

I will proudly cast my vote for this veterans healthcare funding measure, and I urge my colleagues to do the same.

The PRESIDING OFFICER. Who yields time?

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

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

AMENDMENT NO. 3007

Mr. AKAKA. Mr. President, I rise to call up amendment No. 3007 and ask for its consideration.

The PRESIDING OFFICER. If all time on the amendment is yielded back, the clerk will report the next amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA], for himself, Mrs. MURRAY, Mr. DORGAN, Mr. BILL NELSON, Mr. KERRY, Mr. SCHUMER, Mr. SALAZAR, Mrs. LINCOLN, Mr. LAUTENBERG, Mr. OBAMA, Mr. DODD, Ms. MIKULSKI, Mr. JEFFORDS, and Mr. ROCKEFELLER, proposes an amendment numbered 3007.

Mr. AKAKA. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

The amendment is as follows:

(Purpose: To increase Veterans medical services funding by $1.5 billion in FY 2007 to be paid for by closing corporate tax loopholes)

On page 3, line 13, increase the amount by $1,350,000,000.

On page 3, line 15, increase the amount by $135,000,000.

On page 3, line 17, increase the amount by $6,000,000.

On page 3, line 19, increase the amount by $2,000,000.

On page 4, line 1, increase the amount by $1,350,000,000.

On page 4, line 2, increase the amount by $135,000,000.

On page 4, line 3, increase the amount by $6,000,000.

On page 4, line 4, increase the amount by $2,000,000.

On page 4, line 13, increase the amount by $1,500,000,000.

On page 5, line 4, increase the amount by $1,350,000,000.

On page 5, line 6, increase the amount by $135,000,000.

On page 5, line 8, increase the amount by $6,000,000.

On page 5, line 10, increase the amount by $2,000,000.

On page 23, line 24, increase the amount by $1,500,000,000.

On page 23, line 25, increase the amount by $1,350,000,000.

On page 24, line 4, increase the amount by $135,000,000.

On page 24, line 8, increase the amount by $6,000,000.

On page 24, line 12, increase the amount by $2,000,000.

On page 53, line 1, increase the amount by $1,500,000,000.

On page 53, line 2, increase the amount by $1,350,000,000.

Mr. AKAKA. Mr. President, I yield myself 10 minutes.

Mr. ALLARD. Mr. President, will the Senator from Hawaii restate that unanimous consent request? He just yielded himself 10 minutes? I have no objection.

The PRESIDING OFFICER. Without objection, the Senator has 10 minutes.

Mr. AKAKA. Mr. President, I ask unanimous consent to add Senators ROCKEFELLER, CLINTON, DURBIN, FEINGOLD, DODD, BINGAMAN, and LAUTENBERG as cosponsors to amendment No. 3007.

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

Mr. AKAKA. Mr. President, I am pleased to stand here with my colleagues who join me in offering this veterans health care amendment which adds $1.5 billion for health care. What we have before us are two different approaches, similar to what we had last year.

I want to take my colleagues back a year when we offered a similar amendment to the budget resolution at that time. We argued that more attention must be given to mental health, prosthetics, and to keeping veterans from being homeless.

The opposition questioned our number, as there was the belief that the VA could continue providing quality care with fewer resources. And that belief prevailed. Our amendment was rejected at that time, virtually along party lines. The prevailing votes were misled to believe that the budget year was too tight and that a much smaller amount of funding was needed.

Unfortunately, this turned out to be the wrong course. Four months and two supplemental requests later we finally ended up with more funding, nearly the exact amount we advocated for earlier in the year. We must not repeat this mistake and we must get it right the first time.

I want to say at the outset that the President's budget is much more robust than his budget last year. The veterans called last year's budget ''tight-fisted'' and ''miserly.'' I view this budget as a much better starting point.

What is again missing—in dollars and in deed—is this administration still does not count caring for veterans as part of the cost of war. Defense spending for our servicemembers while in combat has necessarily gone up; accordingly, so must our commitment to caring for our veterans once they return home.

We are all too familiar with the scenario last year. You remember the VA wildly underestimated the number of younger vets returning from Iraq and Afghanistan. And this year, the administration thinks even fewer vets will come for care. This is a terrific gamble, as this miscalculation was one of the primary causes of last year's shortfall.

While I largely agree with the President on the overall amount needed for VA health care this year, I take issue with how he chooses to fund the system.

Let's make this crystal clear: The administration's approach and the resolution that is before us asks veterans to pay more for their care through increased copayments for medications and a new user fee for middle-income veterans. Our approach instead asks for appropriated dollars.

Middle-income veterans will see their prescription drug bills doubled, and it forces veterans to pay a $250 fee for simply choosing VA as their health care provider. With these substantial new out-of-pocket costs, the administration is banking on 200,000 veterans being unable to afford VA care.

Many have argued that a user fee imposed upon middle-income veterans is only fair. They say it equates to a modest sum each month. If my friend, Lou Green, a veteran from the Korean war, living in New Jersey on a fixed income, could stand here, he would ask which of his monthly expenses would we have him forgo. If these proposals were enacted, his five prescriptions would add $35 per month, and the new fee would add $21 per month. This would bring his new expenses to $670 a year. He would have to choose which bills to pay. Would it be his medications? Would it be his gas bills for his car? Would it be the cost of heating his home?

What we have heard much about is that the VA is already adequately funded. The administration, and my friends on the other side of the aisle, are claiming a 50-percent increase in veteran spending since the year 2001.

Let there be no mistake: It is in fact Congress that has done the heavy lifting. Each year, it is the veterans' leaders in the Senate and House who go beyond what President Bush has proposed. The simple fact is that the administration has requested less than half of the new funding made available to veterans during its tenure. Congress, by approving amendments to increase VA funding, has added another 39 percent of funding. Even with large increases since fiscal year 2001 this is an average increase of less than 10 percent to accommodate high medical care inflation and a high annual growth in patients. The growth in the number of patients is almost twice the amount in resources. These facts underscore the need to support my amendment.

Our amendment would add $1.5 billion to the resolution in real money by closing tax loopholes. The Burns amendment is merely a budget gimmick which fails to raise the top line for VA funding. I would like to elaborate on how our $1.5 billion number was arrived at, and you can see it on this chart.

We add $825 million to reject the policy proposals—the copay increase and enrollment fee. In addition, there is a seldom-talked-about proposal to discontinue the practice of using insurance moneys to offset out-of-pocket costs for veterans. Each of these proposals must be rejected. It seems shortsighted and cruel to enact proposals which will drive veterans out of the VA health care system.

The VA also requires funding to absorb new patient workload from new veterans returning home from both Operations Iraqi and Enduring Freedom and from older veterans who are just now turning to the VA. In the first quarter of this year, the VA saw a 21-percent increase in OIF/OEF veterans seeking VA care. They are now seeing 144,424 OIF/OEF veterans total. This is 32 percent more than they project for fiscal year 2007.

Our amendment adds $231 million, taking into account that new veterans are eligible for 2 years of VA care immediately upon their return and separation from service.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. AKAKA. Mr. President, I ask for additional time to complete my statement.

The PRESIDING OFFICER. The Senator has that right.

Mr. AKAKA. Mr. President, the other amendment accepts the administration's estimate, which already looks wrong.

Funding is added for vet centers and rehabilitative care—two accounts which did not fare well under the proposed budget. Both programs are critically important. Vet centers are the first place returning servicemembers go for care. Yet vet centers have continually been underfunded. Again, the alternative amendment provides not one penny more than the administration.

The amendment also provides funds to allow for a substantial increase in mental health care. Experts predict that as many as 30 percent of those returning servicemembers may need some kind of mental health care treatment, from basic readjustment counseling to care for debilitating PTSD.

A recent study published in the Journal of the American Medical Association reported that 35 percent of Iraq veterans received mental health care during their first year home. Our amendment adds $321 million for mental health care. Again, the opposing amendment chooses to rely on the administration's estimate, despite these recent findings.

Each year the Congress debates its priorities and concerns for our Nation through the budgetary process. This is one of the few times the citizens of this country can cut through the rhetoric and the complicated legislative maneuvers to see what each of us truly stands for. This budget is a good starting point for our veterans, but we certainly can and should do more.

At this time I yield to the Senator from Washington, my good friend, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I wonder if I might take a few moments to speak in opposition, if it is all right with the Senator from Washington, and then also there are a couple of other housekeeping issues I would like to deal with.

No. 1, I ask unanimous consent that the remaining time on the Burns amendment on both sides be yielded back. I have checked with the other side, and they agreed.

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

Mr. ALLARD. Second, I ask unanimous consent that Senator MIKULSKI be added as a cosponsor to the Burns amendment.

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

Mr. ALLARD. Mr. President, I rise in opposition to the Akaka amendment. The reason I do is I am supporting the Burns amendment primarily because it negates the need for the fee proposals in the President's budget and increases funding for research. The President already provides an 11-percent increase from the fiscal year 2006 level, and over the years from 2001 it is a 69-percent increase. There may be some increased needs as we move through the next budget year for veterans. If that happens, then I see no problem with us going ahead, and the Senate historically has always been more willing to put that money in an emergency supplemental.

The concern I have with the Akaka amendment is that it increases taxes. There were a number of amendments that were offered—and I assume they will be offered on the floor—in the Budget Committee that raise taxes to take care of this program or that program. The point I would make is that the tax reductions we did a number of years back have served this economy well, and when you allow the economy to grow, then all these programs are going to benefit indirectly because you increase revenues to the Federal Government. I would like to elaborate on that just a little bit before the Senator from Washington makes her statement.

If I might just talk a little bit about some of the comments made by the other side, in particular Senator CONRAD, as to what happens when we cut those taxes, reduced those taxes known as the President's economic growth package. It was predicted that when we would do that we would reduce employment. Senator CONRAD noted for the record that the President has ''put us on a fiscal course that means lower employment.'' In reality, employment went up as reflected in this chart. He predicted that there would be ''a raise in interest rates,'' that the Republican budget would ''raise equilibrium real interest rates.'' That is Senator CONRAD, again, in the CONGRESSIONAL RECORD.

In reality, interest rates have stayed down. The statement was made that ''the economic growth package will crowd out private sector investment.'' Again, the comments were proven wrong by what happened to our economy. We see here that the private business investment surges.

Then, the ''determining the economic growth'' comment that was made by Senator CONRAD, again in the CONGRESSIONAL RECORD, that ''the budget will undermine potential gross domestic product and hurt economic growth,'' we see right here that we sustained economic growth.

So the bottom line is that when we cut taxes, we help the economy. So I think it is bad to try to increase taxes at a time when our economy is doing so well. That is the objection I have to the Akaka amendment.

I sympathize with him in making sure that we have enough money to take care of our veterans, particularly at a time when we are in conflicts. But I also need to make sure we have some accountability as far as taxpayer dollars are concerned, how they are spent. I think the President has been very generous with the 11-percent increase he is advocating from 2006 to 2007. He does that without increasing taxes. He has found a source of funding which negates the fees that were proposed in the President's budget a lot of us would just as soon not be there.

So I find myself supporting the Burns amendment and opposing the Akaka amendment pretty much based on tax issues that are in those two amendments. I just think this would be the wrong time to increase taxes, when it would have just the opposite effect of the tax cut we implemented a few years back.

So I just wanted to make that point. I think on this side you are going to find that we all support veterans. I can't recall a year when we haven't given substantial increases to veterans. But we also need to have some accountability in this process, and I think we restore that through the Burns amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, how much time is left on our side?

The PRESIDING OFFICER. There is just under 17 minutes.

Mrs. MURRAY. I thank the Chair.

Mr. President, I rise to support Senator AKAKA and the amendment he has offered today that will truly and in reality help make sure we keep the promises we made to the men and women who serve this country overseas and who fought for us in the past and are fighting for us today and will be asked to fight for us in the future. These are people who have served our country. They have kept us safe. They have sacrificed for each and every one of us, and now they need our help. They need the support and the health care that was promised to them when they joined the service, and they need the health care and support in coming home and making sure that we have the services available to them.

Unfortunately, the budget that is now before us is going to leave many of those veterans who have served this country so honorably without health care, without job assistance, and without the support they need to rebuild their lives on the homefront.

Any of my colleagues who have gone out to their State and talked to these men and women, particularly the ones coming home today, you know they are having a hard time with getting jobs, dealing with health care issues, dealing with posttraumatic stress syndrome, facing lines at our veterans facilities, and not being adequately served, much less those veterans who are facing the same long lines and who are being ultimately denied care. Our veterans deserve better. That is why Senator AKAKA and I are here today offering this amendment to provide $1.5 billion to keep that promise to America's veterans.

There are two amendments in the Chamber, one offered by Senator BURNS

and one offered by Senator AKAKA. Our colleagues need to understand that the amendment that has been offered by Senator BURNS is window dressing. How do I know that? Because we were offered the same amendment last year by, I believe it was Senator ENSIGN. And what happened? As we warned our colleagues time and time again from the beginning of last year until June, we are billions of dollars short in health care. Finally, in June, the VA Secretary came to us and he said: You know what, you are right; we were $3 billion short. If we sit here in the Chamber and do an empty-promise amendment again, we are going to find ourselves back in the same position.

The Akaka amendment adds real dollars. It puts real, actual money into the budget, so next fall, when we are writing our appropriations bills, we have the capacity within the veterans subcommittee to make sure we can provide the real services our veterans were promised.

I believe our veterans deserve better, and I believe America can do better, and I believe the Senate ought to stand up right now when we are at war and tell those who are serving us that we are going to be there for them and support the Akaka amendment which provides real dollars.

One of the real concerns I have with the budget that is in the Chamber today, that Senator AKAKA is trying to amend, is it balances the VA health care dollars by assuming fees and co-payments, new fees and new copayments to our veterans. I will tell you, I have talked to many people who have served our country. Not one of them signed a form saying, I will join the service and fight for my country with an asterisk on it, without the promise that we will provide the health care for them when they come home. It is a disservice to those veterans now for us to have a budget in the Chamber of the Senate that says, never mind, now that you have served, now that you are home, now that you need health care, we are going to charge you a fee, we are going to charge you copayments which will dissuade you from getting the health care that you need. That is really the wrong message to send. There is no fine print when someone signs up to serve our country saying ''exclusions apply.'' For us to impose those fees is wrong, and I hope this Senate goes on record today supporting the Akaka amendment that will make sure that next fall when our budget is tight, there is money there to make sure we are not having to come forward with proposals to do that.

That is why it is so important that we support the Akaka amendment. It is the real amendment in the Chamber. It is not an empty promise. It is not just a be-happy amendment, everything is great, we-supported-veterans amendment. It has real dollars in it, and it is absolutely critical.

Senator AKAKA has done an excellent job of defining what is in this amendment. It is really critical that we help our Iraq war veterans who are making the transition back home with the $231 million for transition assistance. Any one of us out talking to our veterans knows they are having trouble coming home and getting a job and getting health care. This is critical outreach money, increasing support for PTSD and menatl health care.

Senator DURBIN is on the floor. He has been a strong advocate for making sure we adequately fund PTSD for veterans out in rural communities who do not have access.

I talked to a woman the other day who was talking about the fact that 80 percent of our Guard and Reserve are coming home and getting a divorce. Divorce should not be a result of serving your country. We ought to make sure we have the funds to help those in need, to make sure they transition back into our communities.

This amendment includes support for our veterans clinics, $81 million. Anyone who has been out there knows we do not have enough clinics available, especially in our rural communities, to make sure those folks who have served us get the services they need. Importantly, this amendment and this amendment alone eliminates the fees and copayments that are a tax on our veterans, that this Senator says they should not have to pay. I heard my colleagues from the other side say this amendment raises taxes. What this amendment does is pay for this. Senator says they should not have to pay with real dollars by closing corporate tax loopholes.

I would ask any one of us to go home and ask a corporation or ask a millionaire: Are you willing to pay a little bit more to make sure that those who served us are taken care of when they return home? I doubt any one of us will get a letter from any one of them saying: I am not willing to pay.

The Akaka amendment is the real amendment. It provides real dollars, assures that when we are here next fall doing the VA budget that we actually have the dollars to make sure we are supporting our veterans. This amendment is supported by the independent budget.

I would ask unanimous consent to have printed in the RECORD the letter from AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and the Veterans of Foreign Wars in support of the Akaka amendment.

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

THE INDEPENDENT BUDGET,
*March 14, 2006.*

Hon. DANIEL K. AKAKA,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR AKAKA: On behalf of the authors of The Independent Budget, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars of the United States, we are writing in support for the Akaka-Murray VA Health Care Amendment, which would add $1.5 billion for the Department of Veterans Affairs (VA) medical care account in fiscal year (FY) 2007.

We firmly believe that asking veterans to pay for part of the benefits a grateful nation provides for them is fundamentally contrary to the spirit and principles underlying the provision of benefits to veterans. No requirement that veterans be burdened with co-payments is justified, especially in a time of war.

To ensure that VA would have the necessary resources, your amendment would mitigate additional burden otherwise intended to be placed on sick and disabled veterans through the expansion of VA's collection authority, increased co-payments, and new enrollment fees. Moreover, this amendment would provide additional funds for VA to treat Operations Iraqi and Enduring Freedom veterans. Over 144,000 have already sought care from the VA for such services as mental health, readjustment counseling, and rehabilitative care, which is well over the projected number of 109,191 for FY2007.

Thank you for your efforts on behalf of our nation's sick and disabled veterans.

Sincerely,

DAVID G. GREINEDER,
*Deputy National Legislative Director, AMVETS*

RICHARD B. FULLER,
*National Legislative Director, Paralyzed Veterans of America*

JOSEPH A. VIOLANTE,
*National Legislative Director, Disabled American Veterans*

DENNIS CULLINAN,
*National Legislative Director, Veterans of Foreign Wars of the United States.*

Mrs. MURRAY. I commend Senator AKAKA, and I tell my colleagues, when we vote in a few minutes, you can vote for the Burns amendment if you want to say: I support veterans. But if you want to make sure we are there for our veterans when they come home with real dollars, you will vote for the Akaka amendment.

I thank the Chair. I yield the floor.

Mr. AKAKA. I thank the Senator from Washington for her eloquent statement. I know we have other Members who want to speak on this amendment. I yield 5 minutes to Senator DURBIN from Illinois.

Mr. DURBIN. I thank the Senator from Hawaii for his leadership on this issue.

How many of us in this Senate have been visiting with the families of veterans, welcoming the veterans home, being there when the soldiers are sent off to battle, standing and saying: We will not forget you—trust us, we will not forget you? Now we have a chance to vote. And the American people can judge whether we are going to remember these soldiers and these veterans.

Senator AKAKA and Senator MURRAY have come forward with an honest way of paying for the help veterans need. They have said it is not free. They acknowledge that it is going to cost us, but they acknowledge that it is a promise we made. Did we not say to these young men and women: If you will risk your life for America, if you

will put your life on the line for our country, we will not forget you, we will stand by you? And they come home, some of them wounded, some of them broken in spirit, and need our help. As Senator AKAKA has said, now is the moment to stand up and say that we will be there.

There is an amendment to be offered on the other side without money. Senator AKAKA does the responsible thing for our veterans.

We are going to say to the wealthiest among us and to the most profitable corporations: You have to give back a little bit. Is that such a hard ask? Is that difficult for us to do at a time when we are asking hundreds of thousands of our sons and daughters, brothers and sisters, the husbands and wives of America, to give up parts of their lives in service of our country? Is it too much to ask that a wealthy corporation give back a little bit so that these veterans will be taken care of?

I have been out to Walter Reed. Senators on both sides of the aisle have visited veterans. We meet these young men and women. Some of them have lost a leg, an arm, sometimes two legs, some suffered head injuries. They are fighting to come back through rehabilitation, and once they have made it through the critical phase and they are back home, we want the veterans hospitals to be there to help them, and that is what the Akaka amendment is all about, so that we keep that commitment.

We know as well many of these veterans come back without any visible scars, but because of what they have seen, the stress they have lived under, things they have been asked to do, they are haunted by that experience. They don't want to lose their marriage. They don't want to turn to alcohol and drugs. They want the helping hand of counseling.

I went out to the Heinz VA Hospital outside Chicago and sat in on one of these sessions with these returning bright, strong, healthy looking soldiers who were torn inside because of demons in their minds from what they had seen, and they sit there in counseling sessions and try to come to grips with the struggles that they have in their lives. Should we not be sitting there with them? Should we not give them the very best counseling? That is what Senator AKAKA proposes. The Senator challenges this Senate not just to wave the flags in the parade but to stand up for the soldiers and the veterans who march behind those flags every single day for America.

I am proud to support the Akaka and Murray amendment. I do not stand alone. Virtually every major veterans group in America knows that this is the real deal, the Akaka-Murray amendment is the real amendment. That is why it has the support of so many organizations—the Paralyzed Veterans of America, Disabled American Veterans, Retired Enlistment Association, the American Legion. These are men and women we counted on for America's safety and America's future. Now they count on us. I urge my colleagues to join in supporting the Akaka-Murray amendment. It is the real amendment to help our veterans.

Mr. President, I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

The Senator from Colorado.

Mr. ALLARD. Mr. President, Senator VITTER has asked to be added as a cosponsor to the Burns amendment.

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

Mr. ALLARD. Mr. President, I do not have any further speakers on this side of the aisle. I don't know whether Senator AKAKA has any further speakers on his side or whether he is willing to yield back some time.

Mr. AKAKA. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes 47 seconds.

Mr. AKAKA. Mr. President, I had another Member who had wanted to speak. I would at this time reserve my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Who yields time?

Mr. AKAKA. Mr. President, I yield as much time as he needs to Senator SALAZAR of Colorado.

The PRESIDING OFFICER. The Senator from Hawaii controls 3 minutes.

The Senator from Colorado.

Mr. SALAZAR. Mr. President, I would like to speak in support of Senator AKAKA's amendment to provide an additional $1.5 billion in funding for veterans' healthcare.

As our Nation struggles with a growing healthcare crisis, we can all agree that the VA healthcare system serves as an example for how healthcare should be provided. In addition, through its medical research programs, the VA is frequently responsible for great strides in medical science that contribute significantly to the quality of healthcare services across the country.

We owe it to our service members, our veterans, and our Nation to be honest about our needs, and to provide funding adequate to meet those needs.

While this budget represents an improvement in terms of VA healthcare over last year's budget, it continues to propose revenue-generating policies that would increase costs for our Nation's veterans and serve to drive many of those veterans out of the system.

For example, the administration has once again proposed to raise premiums and co-pays for Priority 7 and 8 veterans. But we all know the impact these policies will have on veterans in our States—over 27,000 veterans in my State of Colorado alone would be forced out of the system.

This amendment, which I am proud to cosponsor, would add $1.5 billion in funding for VA medical services, and would offset that increase by closing corporate tax loopholes. It would ensure adequate funding for VA healthcare without increasing costs for Priority 7 and 8 veterans, and would provide needed resources for the specific areas of mental health, readjustment counseling, and rehabilitative care.

At a time when some of our veterans are returning home from Iraq and Afghanistan, it is important that we stand up as a Senate in full support of our veterans.

Our veterans deserve better. They deserve our support of Senator AKAKA's amendment. I urge my colleagues to support this important amendment.

I yield the floor.

Mr. OBAMA. Mr. President, I rise to discuss an issue on which I hope we can find common ground—veterans care.

At this moment, we are debating two different amendments; one is very good, the other is significantly better. I remind my colleagues that we were in the same position almost exactly 1 year ago.

In March of last year, we stood here and debated competing veterans amendments. The Senate voted down an amendment by Senator AKAKA 47 to 53. It instead embraced a smaller amendment by Senator ENSIGN. Just a few months later, we learned the VA would face a billion-dollar budget shortfall. This shortfall was avoidable, regrettable, and threatened care for our veterans.

I know that none of us wants to relive the experience of last summer. We don't want to have to explain to our veterans why we didn't support them, why we didn't demand a budget that matched their sacrifice, why we yet again took the President's word on how much funding our veterans needed.

Senator BURNS' amendment is a good step forward. It eliminates, for the fourth year in a row, the President's proposal to establish a new enrollment fee and double prescription drug copayments for Priority 7 and 8 veterans. That proposal would have balanced the budget on the backs of moderate-income veterans. It sends the wrong message to our troops in Iraq. I urge my colleagues to vote for Senator BURNS' amendment.

But like last year, Senator AKAKA's bill offers a better option, grounded in real estimates of the VA's need. In addition to blocking the new fees, Senator AKAKA's amendment would add $231 million for treating Iraq and Afghanistan veterans. The underestimation of this workload was one of the major contributors to the shortfall crisis last year.

It also would add $321 million for mental health initiatives. A recent Army report indicates that more than one-third of soldiers and marines who served in Iraq have subsequently sought mental health care. This is a rate that is higher than in other recent conflicts. The report may even understate the issue because two-thirds of Iraq veterans who screened positive for PTSD and other psychiatric disorders are not receiving treatment, according to The Washington Post.

It would add $122 million for readjustment counseling at vet centers, and rehabilitative care. These are areas that desperately need additional resources.

Today, we have thousands of brave men and women risking their lives for us halfway around the world. At home, we have millions more who were equally courageous in defending our freedom in previous wars and conflicts. When it comes to honoring these soldiers and these veterans, we can and must do more.

Today, the state of care for America's veterans is not worthy of their service to this country. The VA, for example, continues to insist on banning new Priority 8 enrollments. Through this ban, the VA has denied health care to 260,000 vets who assumed upon enlistment that a working class salary of $25,000 wouldn't prevent them from receiving the health care they were promised. In Illinois, 8,944 Illinois veterans were denied health care through the ban just in the last year.

When it comes to America's veterans, it is not only our patriotic duty to care, it is also our moral duty. When our troops return from battle, we should welcome them with the promise of opportunity, not the threat of poverty.

Senator BURNS' amendment is an improvement over the President's original budget. But given this President's record of underestimating veterans' budgets in the past, we must do more.

It is time to reassess our priorities. A budget is more than a series of numbers on a page; it is the embodiment of our values. I urge my colleagues to support the Akaka amendment.

Mr. JEFFORDS. Mr. President, the proposed budget, while far more realistic than previous years, falls short of our commitment to America's veterans. The amendment would provide an additional $1.5 billion for VA health care in fiscal year 2007, improving funding for mental health, vet centers, and rehabilitative care, among others. The increase would be offset by closing corporate tax loopholes, rather than by increasing overall taxes. I am pleased to cosponsor this amendment, and I urge my colleagues to support it.

We have a moral responsibility to provide this care to all veterans, regardless of income. This amendment removes both the $250 enrollment fee for Priority 7 and 8 veterans, and the copay increase from $8 to $15. While these amounts may seem inconsequential to some, many of these veterans make as little as $26,902 a year. At this income level, such added expense forces difficult choices between essential needs. All veterans have served our country without reservation. Our commitment to them should not be contingent on income level.

The VA faces a growing challenge as soldiers return to their homes and families from Iraq and Afghanistan. Their return will impose new demands for care directly related to injuries and experiences in Iraq and Afghanistan and for routine health care. Growing demand, coupled with the rising costs of health care nationally, increases pressure on the VA budget. We must ensure that the VA has adequate funding to meet these growing costs.

This amendment provides support for an essential program and has a fiscally responsible source of funding. I urge my colleagues to vote in favor of this amendment. Our moral responsibility to America's veterans must not be limited.

Mrs. LINCOLN. Mr. President, today, I rise in support of an amendment to the budget resolution that would provide an additional $1.5 billion for our veterans. I am a cosponsor of this amendment because this budget's modest increase in veterans funding is only a small step toward addressing the needs of veterans in Arkansas and across the country. It does not go far enough.

I continue to hear from Arkansas veterans who have been subject to increasingly long waiting lists for VA hospital appointments and who have experienced unnecessary hardships because the VA does not have the resources to process their benefits applications in a timely manner. This situation is unacceptable and our veterans deserve better.

As we look to the VA to provide for our growing veterans population and to meet the evolving health care needs of our returning brave men and women in uniform, we must ensure that the VA is provided with the resources it desperately needs to meet these challenges.

This amendment, which I am proud to support and cosponsor, would enable the VA to better absorb the new veterans being added to the system and would provide much-needed funding for the growing mental health care needs of our veterans. Additionally, this amendment rejects the budget provisions proposed by the President that would impose a $250 enrollment fee and a doubling of the cost of prescription drug copayments from $8 to $15. These provisions would force thousands of middle-income veterans to pay substantially more for their care.

As the daughter of a Korean war veteran, I was taught from an early age about the sacrifices our troops have to make to keep our Nation free, and have been grateful for the service of so many of our brave men and women from the State of Arkansas. On behalf of them and their families, I will continue to fight to ensure they are provided with the benefits, pay, and health care that they have earned. It is the least we can do for those whom we owe so much and to reassure future generations that a grateful Nation will not forget them when their military service is complete. I urge my colleagues to support this amendment because it is our moral responsibility to do so. It is the right thing to do and it should be a priority for each and every one of us.

The PRESIDING OFFICER. Who yields time?

Mr. AKAKA. Mr. President, I thank the Senator for that excellent statement.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time in opposition?

Mr. GREGG. Mr. President, what is the time remaining?

The PRESIDING OFFICER. Twenty-one minutes in opposition.

Mr. GREGG. 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. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. GREGG. Mr. President, we yield back the remainder of our time on the Akaka amendment.

I believe the next amendment in order will be the Talent-Cantwell amendment.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 3019

Mr. TALENT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. TALENT], for himself and Mrs. FEINSTEIN, Ms. CANTWELL, Mrs. LINCOLN, Mr. SMITH, Mr. BIDEN, Mr. KOHL, Mr. HARKIN, Mr. BAYH, Mr. WYDEN, Mr. JOHNSON, Mrs. DOLE, and Mr. COLEMAN, proposes an amendment numbered 3019.

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

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

The amendment is as follows:

(Purpose: To provide $99,000,000 in COPS Hot Spots funding as authorized in the Combat Meth Act)

On page 24, line 24, increase the amount by $99,000,000.

On page 24, line 25, increase the amount by $99,000,000.

On page 27, line 23, decrease the amount by $99,000,000.

On page 27, line 24, decrease the amount by $99,000,000.

Mr. TALENT. Mr. President, I rise today to offer an amendment with my colleague from California, Senator FEINSTEIN, to provide additional funding for the COPS Hot Spots Program.

I am grateful, also, for Senator CANTWELL's work in this area and her commitment to provide additional funding to help our law enforcement officers in fighting methamphetamine. As my colleagues know, last week President Bush signed into law the most comprehensive antimethamphetamine legislation ever offered in the Congress, much less passed. I am pleased we were able to pass an initiative that is going to reduce the number of methamphetamine labs around the country and therefore the number of methamphetamine addicts and kids who are raised in settings where there are toxic meth labs. That legislation is going to reduce the number of fires related to methamphetamines but this is not a fight that is ever over.

Methamphetamine is the most deadly, fiercely addictive, and rapidly spreading drug America has ever known. The drug is not only sold and consumed in our neighborhoods—that would be bad enough—it is made there as well using a toxic process that combines cold medications with harmful chemicals such as iodine, ammonia, starter fluid, drain cleaner, and rubbing alcohol. The hazardous byproducts of meth production threaten the health and life of those making the drug, but also their families, the communities around them, as well as law enforcement officers who respond when somebody spots the meth lab.

These makeshift chemistry laboratories are found in homes, in hotels, even the trunks of cars. In addition to the risks of those around the labs, these kinds of laboratories create a huge amount of environmental waste. Cleaning up even one of the laboratories can cost $10,000 or more. That cost alone is devastating to the budgets of State and local governments around the country.

That is one of the reasons the National Association of Counties lists methamphetamine as the No. 1 problem counties are confronting.

Among the many provisions in the Combat Meth Act that was passed as part of the PATRIOT Act reauthorization last week is a provision that authorizes an additional $99 million per year for the next 5 years under the COPS Meth Hot Spots Program, which is a program designed to train State and local law enforcement to investigate and lock up meth offenders, and also to expand the funding available for personnel and equipment for enforcement, prosecution, and environmental cleanup. This additional $99 million is meant to supplement the $63 million that is already authorized under the Hot Spots Program.

I cosponsored an amendment with my colleague from Arkansas, Mrs. LINCOLN, to restore full funding to that account. This assistance to State and local agencies has a national impact in importance.

I know many of my colleagues have seen firsthand the immense need for and benefit of this funding. State and local law enforcement personnel are fighting on the front lines in the struggle to stop drug trafficking. They need our help.

I urge the Senate to vote in favor of the amendment.

I ask unanimous consent that the following Senators be added as cosponsors: Senators LINCOLN, SMITH, BIDEN, CANTWELL, KOHL, HARKIN, BAYH, WYDEN, JOHNSON, DOLE, and COLEMAN.

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

Mr. TALENT. Mr. President, as the Senate can see, methamphetamine is not a partisan issue. There is strong support on both sides of the aisle for fighting this drug and for this amendment.

I urge the Senate to support it.

Senator FEINSTEIN has done great work in this area. I know she would like to be here to speak. I do not know if she will be able to get down to speak on it. I congratulate her again on her leadership in this field.

Mr. CONRAD. Mr. President, let me indicate that on our side Senator CANTWELL had this very same amendment funded in a somewhat different way. Nonetheless, it is the identical amendment. The two Senators have agreed to make this the Talent-Cantwell amendment because that eliminates, then, one amendment that we would otherwise have voted on. I thank Senator CANTWELL for her leadership. I very much thank her for her willingness to work together with Senator TALENT to achieve this bipartisan amendment.

I also want to say how critically important dealing with this methamphetamine threat is. I just held a Budget Committee hearing in North Dakota with the attorney general of North Dakota, the U.S. attorney from North Dakota, the State's attorney in the affected county, and with the heads of law enforcement. Without exception they told me the meth threat is the worst thing they have ever faced in terms of a drug; that it is destroying people's lives.

I was recently at a meeting. The man next to me was clearly terribly upset—somebody I have known for a long time, a prominent member of our community in North Dakota. Finally, he told me his son had that day been diagnosed as a methamphetamine addict. He told me it was destroying his family, that he was on the brink of bankruptcy as a result of a long meth addiction by his son, a meth addiction that was proving extremely difficult to treat.

We need more money for prosecutors. We need more money for law enforcement. We need more money for treatment.

This meth epidemic, which may have started in rural areas—I know some of our colleagues in urban areas have acted as though they are not aware of this, that this is not on their agenda. Let me assure Members, it will be on their agenda because we have never seen anything worse. Nothing has affected rural communities in a more adverse way than this meth epidemic.

I again thank the Senator from Washington for her leadership and for her willingness to work across the aisle to come up with a bipartisan amendment.

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

Ms. CANTWELL. I rise in support of this amendment offered by my colleague from Missouri who has played a leadership role in trying to tackle a very difficult problem that is impacting various parts of our country. It is unfortunate the parts of our country that have seen this problem have to come to the Senate and wage this battle to convince people who have not had this problem occurring in their communities how important it is.

I say that because if we do not fight meth and combat it on a nationwide basis, we will see the meth problem continue to grow across the country. That is why this particular amendment is so important.

Two weeks ago we took an important step in combating this crisis by passing legislation to actually authorize a comprehensive program to combat meth across the country and in the Hot Spots Program. In Washington State, we have seen methamphetamine grow, first being the second State in the Union with the number of meth drug labs. Only with a comprehensive approach by law enforcement, prevention, and a variety of people in the community were we able to lower that ranking from second in the country down to fifth in the country. While we have made some progress, unfortunately, we pushed the problem to our neighboring State to the south and Oregon became the No. 1 spot in the country for meth labs.

As we have lowered the number of meth labs being discovered in Washington State, we also saw a different effect taking place, an actual increase in the number of deaths related to methamphetamine. We saw the superlabs coming in, in bigger and stronger positions, trying to continue to move this deadly product through our communities.

What the Combat Meth Act does is provide resources to State and local Governments, law enforcement and investigative teams in shutting down labs, investigating the violent crimes, educating the public, and helping children impacted by this terrible product. In one county alone—the Presiding Officer will understand because it is a neighboring county to his State—in the city of Spokane, 90 percent of identity theft and 70 percent of burglaries are related to methamphetamine. During the bust of meth houses in Spokane County, police find children at least 50 percent of the time. This is a problem that is much more comprehensive in the impact it is having on communities than people realize.

When we have a meth house in a community, it not only impacts that

particular neighborhood and community, but it impacts law enforcement who also have to come in and investigate and clean up the drug labs. We know of law enforcement officers injured from trying to fight this problem by not having the proper equipment when going into these locations.

This is a problem that is not small or isolated or one that is going to be fought and won in 1 year's battle. That is why we need to support this amendment today and continue our efforts, not just authorizing but actually appropriating the resources to fight this problem.

We must continue to be true to what we have said, that we believe this battle is worth fighting and that we are going to provide the resources to do so.

I applaud my colleague from Missouri for his leadership on this issue. I am sure the people of Missouri, as in Washington State and other places throughout the country who have this problem, know how important it is to battle this issue.

It is important we realize a comprehensive approach is showing success. In Washington, we have seen a comprehensive approach has actually educated more people and the public to understand how one use of methamphetamine can be so addicting and lead to such a devastating result, for individuals, families, communities, and to everyone impacted in its path.

I applaud my colleague from Missouri for his leadership. I am glad to join him in this bipartisan effort. I also congratulate Senator FEINSTEIN who has made this a priority, and to our budget leader for his help in this issue.

I yield the floor.

Mr. CONRAD. Mr. President, I ask unanimous consent to be added as a cosponsor to the Talent-Cantwell amendment.

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

Mr. CONRAD. I ask unanimous consent that Senator FEINSTEIN be added to the Conrad-Feingold amendment on pay-go.

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

Mr. CONRAD. Mr. President, Senator BINGAMAN is available.

How much time remains on the Talent-Cantwell amendment?

The PRESIDING OFFICER. There is 56 minutes remaining in favor of the amendment and 52 minutes on the other side.

Mr. CONRAD. I don't think that is correct. We only had an hour available on that amendment.

The PRESIDING OFFICER. The previous order did not cover this amendment.

Mr. GREGG. If the Senator will allow me, I suggest we go to the amendment of Senator BINGAMAN.

Mr. CONRAD. Senator BINGAMAN wishes to speak on the Cantwell amendment for 2 minutes and then to his amendment.

Mr. GREGG. I agree.

Mr. CONRAD. That will take us to 3 o'clock, at which time we will be voting.

I yield to Senator BINGAMAN 2 minutes.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I thank my colleague. I congratulate Senator TALENT and Senator CANTWELL for their leadership on this amendment related to methamphetamine use and the epidemic of that use in my State and in many parts of the country.

I have had a series of meetings with law enforcement and local officials throughout New Mexico over the last year. During that time, one thing rings loudly and clearly: That is that the chief law enforcement problem facing many of our communities in New Mexico is methamphetamine use; not just the use itself but all of the resulting crime that occurs by virtue of people using this terrible drug.

The addiction is very difficult to shake once you become addicted. We have done way too little to alert young people in our country, as well as adults, about the dangers involved. We see catastrophic, tragic results in many of our communities.

This funding will help. It will allow the Federal Government to assist local law enforcement to some extent in coming to grips with this. I compliment the Senators on this amendment.

Mr. REID. Mr. President, I rise today to express my support for the COPS Hot Spots amendment to S. Con. Res. 83, the budget resolution, which increases funding for the Meth Hot Spots program to $99 million. Last week, the Combat Meth Act was signed into law as part of the larger USA PATRIOT Act reauthorization measure. The Combat Meth Act is designed to stop the production, sale, and use of methamphetamines. It authorizes funding for the Meth Hot Spots program, which trains local and State law enforcement officials to combat this destructive and addictive drug.

Illegal drugs are a devastating problem in communities across the country. The production and abuse of methamphetamine, more commonly known as ''meth,'' has become rampant in recent years, especially in rural areas—including many counties in Nevada.

In 2005, 50 meth labs were busted in Nevada alone. This drug affects the health of those who consume it, destroys families, and harms the future of our communities. This drug is especially dangerous because it is extremely addictive, inexpensive to manufacture, and created from common household products.

There is no doubt meth is sweeping the Nation, and we must work together to stop it. Despite the fact that many of our Nation's communities, especially those in rural areas, are fighting valiantly against the devastating effects of this drug, the President's fiscal year 2007 budget provides only $40 million for the Meth Hot Spots program, nearly a 24 percent decrease from fiscal year 2006.

Meth is insidious; it literally robs its victims of their lives. We must aid local enforcement, as well as fund treatment and prevention efforts, if we are to emerge victorious.

I applaud the Senate for accepting this amendment in light of the President's decision to try to slash funding for this important program. I urge my colleagues to maintain this funding in the final version of the budget resolution.

The PRESIDING OFFICER. The question is on agreeing to the Talent amendment.

The amendment (No. 3019) was agreed to.

Mr. GREGG. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, I thank again both Senator CANTWELL and Senator TALENT for the work on that amendment, first, for working together to come up with an amendment that is bipartisan; second, for the good manners to the rest of the Members of the Senate for agreeing to take a voice vote. That is an excellent example for others. We deeply appreciate Senators accommodating the work of the Senate on this matter.

I ask unanimous consent Senator COLLINS be added as a cosponsor of my pay-go amendment numbered 3013.

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

AMENDMENT NO. 3039

Mr. BINGAMAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Ms. CANTWELL, Mr. SALAZAR, Mr. KERRY, Mr. MENENDEZ, Mr. LIEBERMAN, Mrs. CLINTON, Ms. MIKULSKI, and Mr. HARKIN, proposes an amendment numbered 3039.

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

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

The amendment is as follows:

(Purpose: To make energy more affordable and sustainable, to increase our national security through foreign oil replacement biofuels and alternative fuels and advanced/hybrid vehicle use, to accelerate production and market penetration of clean and renewable energy technologies and generation, and to more fully utilize energy efficiency and conservation technologies and practices)

On page 3, line 13, increase the amount by $1,689,000,000.

On page 3, line 15, increase the amount by $1,654,000,000.

On page 3, line 17, increase the amount by $1,454,000,000.

On page 3, line 19, increase the amount by $1,152,000,000.
On page 3, line 21, increase the amount by $1,264,000,000.
On page 4, line 1, increase the amount by $1,689,000,000.
On page 4, line 2, increase the amount by $1,654,000,000.
On page 4, line 3, increase the amount by $1,454,000,000.
On page 4, line 4, increase the amount by $1,152,000,000.
On page 4, line 6, increase the amount by $1,264,000,000.
On page 4, line 13, increase the amount by $4,049,000,000.
On page 5, line 4, increase the amount by $1,972,000,000.
On page 5, line 6, increase the amount by $1,535,000,000.
On page 5, line 8, increase the amount by $365,000,000.
On page 5, line 10, increase the amount by $177,000,000.
On page 5, line 19, decrease the amount by $283,000,000.
On page 5, line 21, increase the amount by $119,000,000.
On page 5, line 23, increase the amount by $1,089,000,000.
On page 5, line 25, increase the amount by $975,000,000.
On page 6, line 2, increase the amount by $1,264,000,000.
On page 6, line 8, increase the amount by $283,000,000.
On page 6, line 10, increase the amount by $164,000,000.
On page 6, line 12, decrease the amount by $925,000,000.
On page 6, line 14, decrease the amount by $1,900,000,000.
On page 6, line 16, decrease the amount by $3,164,000,000.
On page 6, line 22, increase the amount by $283,000,000.
On page 6, line 24, increase the amount by $164,000,000.
On page 7, line 2, decrease the amount by $925,000,000.
On page 7, line 4, decrease the amount by $1,900,000,000.
On page 7, line 6, decrease the amount by $3,164,000,000.
On page 12, line 21, increase the amount by $3,549,000,000.
On page 12, line 22, increase the amount by $1,597,000,000.
On page 13, line 1, increase the amount by $1,420,000,000.
On page 13, line 5, increase the amount by $355,000,000.
On page 13, line 9, increase the amount by $177,000,000.
On page 21, line 24, increase the amount by $500,000,000.
On page 21, line 25, increase the amount by $375,000,000.
On page 22, line 4, increase the amount by $115,000,000.
On page 22, line 8, increase the amount by $10,000,000.
On page 53, line 1, increase the amount by $4,049,000,000.
On page 53, line 2, increase the amount by $1,972,000,000.

Mr. BINGAMAN. Mr. President, the amendment I have sent to the desk on behalf of myself and many of my colleagues does three things. First, it fulfills the commitment to secure affordable and clean energy that we made in the Energy bill we passed through the Congress last year, which is a commitment that has been essentially not honored by the administration in the budget they have sent to us and not honored in this budget resolution.

The second thing the amendment does is enable us to take the major step forward to clean and affordable electricity beyond what was contained in the Energy bill by extending for 4 years the renewable energy production tax credit.

Third, the amendment accomplishes these goals in a budget-neutral fashion. In fact, the amendment overall reduces the deficit by $3.2 billion over 5 years because it raises more funds than it would spend by assuming the reinstatement of the superfund tax.

Every Senator knows that America faces huge energy challenges. Energy prices and energy security are among the top concerns we hear about as we go around our State. Americans want their energy to be more secure, they want it to be more affordable, and they want it to be cleaner. Every one of us has devoted a lot of our time in the last three Congresses to developing legislation that delivers secure, affordable, and clean energy. Last year, we were successful in passing the first comprehensive energy bill in 13 years, the Energy Policy Act of 2005. We did so after repeated requests from the White House to send the President a comprehensive energy bill. It was a substantial bipartisan accomplishment.

The President, of course, spoke very glowingly about this legislation when he signed the bill last August in my home State of New Mexico. If we finally have a new energy strategy for the 21st century, as the President said we do now, then where is the funding to implement that strategy when it comes to energy? Where is the beef in this budget resolution? If we look at the budget that was sent to the Congress in early February by the President and at this budget resolution, you would have a hard time finding that beef.

Let's begin with the President's budget request. Instead of making a strong push forward on programs to deliver new forms of secure and affordable energy, the administration budget request basically treads water. The bottom line proposed for the Department of Energy in the new budget is almost exactly the same funding level as the current fiscal year. Some individual programs are up, other programs that are equally important to our energy security and to affordable energy are cut.

When you look at this budget resolution, you also see an energy policy that is dead in the water. The budget resolution has a specific function that is devoted to energy. That is function 270. In the tables that have been distributed by the chairman of the Committee on the Budget describing the mark he has presented to the Senate, discretionary spending in the energy function, function 270, falls from $3.84 billion in the current fiscal year to $3.83 billion next year. In fact, the projected spending on energy in 4 out of the next 5 fiscal years in this budget resolution is less than we are spending this year on energy. I don't think it is acceptable to have an energy policy over the next 5 years that is basically a policy of less of the same. That is not what we voted for. That is not what we supported last year when we passed the Energy bill.

Let me describe in detail the areas in which this Amendment will enable us to meet the challenges of energy security and affordability.

The first area is the area of energy efficiency. Nothing lowers your energy bill more than saving energy. Nothing makes us less dependent on foreign oil than using less of it. Maximizing the usefulness of every barrel of oil we consume and every watt of electricity we generate enjoys broad bipartisan support because it is almost a no-brainer. For that it was very disappointing to see major cuts to energy efficiency being proposed by the administration and being carried forward in this budget resolution.

The disconnect on saving energy dollars and being more secure through efficiency is even more striking, because energy efficiency is one of the areas of the energy bill that the President singled out for praise when he signed it.

Here are his words:

> The bill makes an unprecedented commitment to energy conservation and efficiency—an unprecedented commitment. The bill sets higher efficiency standards for federal buildings and for household products. It directs the Department of Transportation to study the potential for sensible improvements in fuel-efficiency standards for cars and trucks and SUVs. It authorizes new funding for research into cutting-edge technologies that will help us do more with less energy.

Yet in this first budget that we are getting after the enactment of the bill, those authorizations for cutting-edge energy efficiency technologies are being cut, as is funding for energy efficiency in many other programs.

I think that this budget resolution needs to keep the commitment to energy efficiency in the Energy Policy Act that the President praised, and then his administration ignored.

In the area of transportation vehicles, we have identified $629 million of funding, over what the President proposed, that would be required to meet the levels we all authorized when we voted for the Energy Policy Act of 2006, including:

This amendment would allow full funding for the advanced vehicle deployment programs at the Department of Energy.

It would accelerate new hybrid vehicle technologies into the market.

It would encourage the development of engines that would run biodiesel.

It would give a strong push to fuel cells in school buses and transit buses, and would make the Federal government a leading-edge customer for fuel cells.

This amendment would bolster other technology programs for vehicle efficiency, and provide full funding for the

hydrogen research and development programs contained in the Energy Policy Act. There was a lot of enthusiasm in the Senate last year for the long-term promise of hydrogen-fueled vehicles. But the current budget proposal short-changes these hydrogen programs, compared to what we authorized, by $268 million. If we want to see a technological revolution in the long term that takes us toward hydrogen-powered cars, then we need to step up the funding at the Department of Energy beyond what this budget resolution will allow.

Another key area in keeping energy affordable relates to the efficiency with which we heat and cool buildings, and the energy we use when operating appliances in our homes and commercial equipment in the workplace. This winter, consumers have been paying unprecedented prices for heating oil and natural gas. And we have been lucky—the exceptionally mild winter prevented us from seeing sharp price spikes and spot shortages resulting from the loss of natural gas and oil production from the hurricanes of last year. But consumers are still paying too much for energy, and improved energy efficiency can make a real difference to families struggling to pay the bill from one month to the next.

In this area, the administration's budget request makes some completely wrongheaded choices. For example, there has long been a Federal program to help States implement weatherization programs to reduce energy waste and save consumers money. By all accounts, it is an effective way to help cut monthly energy bills for working families. In the Energy Policy Act, we slated that program for a substantial increase. In the administration's budget request, though, that program is going to be cut by 32 percent. That makes no sense, so my amendment to this resolution provides for the full funding of weatherization programs, as well as other State energy programs to help consumers, at the levels we all agreed to in the Energy Policy Act last year.

In the area of energy efficiency for affordability, then, this amendment would add $1.17 billion. That's the amount that we have authorized for these programs last year that the administration left out of its budget request. This funding would fully support key new programs to help keep energy costs down for consumers.

It would fund rebate programs for energy-efficient appliances.

It would help utilities with new programs to encourage their customers to save energy.

It would help States improve their building codes for energy efficiency.

It would accelerate Federal energy conservation standards.

It would capitalize on opportunities to save energy in low-income communities, where some of the most energy-inefficient buildings and equipment can be found.

Finally, this amendment provides full funding for the energy efficiency research and development authorized last year by the Energy Policy Act. The administration's budget request was $462 million short of what we agreed made sense for these programs in the Energy Policy Act and we provide this additional funding, that will make American industries—like our steel, aluminum, and forest industries—more competitive by lowering their energy requirements. This funding will also allow us to make a stronger push towards the next generation of lighting, in which the old incandescent bulb, which wastes most of the energy you put in it as heat, is replaced(, by semiconductor lighting that is incredibly long-lived and energy efficient.

Saving energy through conservation is one way in which we can make energy more affordable. But conservation is just part of the answer. We also need to develop new supplies of clean energy to meet our future needs.

All of us are concerned about the security implications of our dependence on foreign oil. Improved transportation efficiency is one key part of the solution, but so is greater reliance on domestic sources of energy for transportation. One area that captured a great deal of attention and support in the Energy Policy Act is making ethanol out of cellulosic plant materials. This would expand the resource base for ethanol beyond cornstarch, which is the current feedstock for making ethanol. It would allow ethanol to be made in a wider geographic area than the Midwest. This is important, because ethanol is difficult to transport in pipelines and needs to be trucked to fuel terminals in order to be mixed into gasoline. The energy bill authorized a half billion dollars in production incentives and conversion assistance for making ethanol from cellulosic biomass. The administration's budget request did not include any funding for this purpose. The budget amendment I have offered would allow for full funding for important initiatives in the production of ethanol from cellulose.

This amendment also allows for full funding of the renewable energy research and development programs in the energy Policy Act. In the Budget request, the administration proposed to terminate research and development programs in geothermal energy and in hydropower. These are important resources that we can't ignore as part of the energy mix. If my amendment were adopted, they could be fully funded, instead of being terminated.

Finally the area of renewable energy production, this amendment takes the first big step beyond the Energy Policy Act. The Energy Policy Act expanded the renewable production tax credit, and created a companion Clean Renewable Energy Bond program for public power. Both the tax credit and the bonds aimed at stimulating the construction of new capacity for generating electricity from solar, wind, biomass, geothermal, and other renewable energy sources. These fiscal incentives, though, expire on December 31, 2007. To qualify, generating facilities have to be placed in service by that date, which is less than 2 years away. That means that these incentives are not going to be stimulating much activity over the next year, because unless your project is already well along, you will not be completed in time to benefit from the tax credit or the bond.

My amendment allows for a 4–year extension of both the renewable energy production tax credit, and the comparable Clean Renewable Energy Bonds. We need to get these fiscal incentives on a time scale that actually matches the requirements of putting electric generation construction projects together. I believe that there is tremendous interest in building new renewable electricity capacity in this country. If we could give the market the certainty of knowing that this tax credit would remain in place until 2011, at this juncture, I believe that we would see an explosion of new construction. That would help us in two important ways. First, the new renewable generation would tend to back out power generated by natural gas, which would take pressure off of natural gas prices. All consumers would benefit from that. Second, the additional construction would provide employment both in States with renewable resources and States where renewable energy generation equipment is manufactured.

Right now, the extension of these fiscal incentives for energy production is not in the budget resolution or in the plans of the Finance Committee for this year. If this amendment were to pass, though, we would have the resources to act on extending this tax credit in this Congress, when it can do the most good.

This amendment also adds funding for a variety of other secure, affordable, and clean energy generation technologies that were left out of the administration's budget request.

It fully funds the Clean Coal Technology program, which received almost no funding in the administration's proposals. This program is essential to helping coal find a place in the generation mix of the future, which will place a premium on controlling emissions and capturing carbon. This amendment also makes a major commitment on distributed electric generation technology, which is likely to have greater overall system efficiencies.

This amendment also allows us to fix one of the most glaring errors in the administration's energy budget request—its recommendation that we terminate all domestic oil and gas research and development programs. For a country facing $60-per-barrel oil and high natural gas prices, the idea that we will cut off R&D spending for domestic production is a little bizarre.

When you realize that most of the Department of Energy program being terminated is focused on helping independent oil and gas producers, and not the major oil companies, it is even harder to understand. There are a lot of small oil and gas producers in my State of New Mexico, and they certainly are benefiting from current high prices. But none of them are in the position to start up R&D departments. And oil and gas is a boom-and-bust business, while R&D is something that you need to have a long-term commitment to, in order to achieve results.

The administration's proposed termination of domestic oil and gas research and development flies in the face of its own statements.

For example, when the President signed the Energy Policy Act last August, he favorably singled out some of the oil and gas programs it authorized. Here are his words:

> The bill authorizes research into the prospects of unlocking vast amounts of now—energy now trapped in shale and tar sands.

Last October, the Secretary of Energy announced funding for 13 R&D projects aimed at tapping unconventional sources of natural gas. That funding, like most of DOE's funding for oil and gas R&D, went to universities, National Laboratories, and independent oil and gas producers. In announcing these projects, he stated, ''The projects we are funding today are an investment in our Nation's energy security and economic security, and will help us obtain the maximum benefit of our domestic energy resources in an environmentally sensitive way.'' But 3 months later, the administration proposed to zero out those same programs in the Budget request, at a time when our need for new domestic sources of natural gas and oil are quite clear.

Finally, just earlier this month, the Department of Energy made another announcement. It released a set of reports stating that state-of-the-art enhanced oil recovery techniques could significantly increase recoverable oil resources of the United States in the future. According to the Department's reports, 89 billion barrels or more of oil could eventually be added to the current U.S. proven reserves of 21.4 billion barrels. That would be a huge improvement to our energy security—an amount of oil that is 9 times greater than even the most optimistic projection of the resources of the Arctic Refuge. And this oil would mostly be produced from existing drilling sites in the United States, with little additional environmental impact. So here is the irony—both the program that produced the reports and the program conducting the research on enhanced oil recovery is the same program that the administration is terminating.

Our need for new domestic sources of oil and gas is quite clear, as is the need to use advanced technology to find and produce those resources. There is no argument about the promise of such research—even the administration agrees. I believe that the Senate should be more willing to match its rhetoric with funding than the administration has been. Therefore, my amendment restores the existing oil and gas research and development programs to the levels appropriated for the current fiscal year. In my view, that is the bare minimum that we should do.

Our amendment would add $500 million to Function 600 to increase discretionary spending for the Low Income Home Energy Assistance Program. The pending Budget Resolution assumes that appropriations for LIHEAP will be $1.8 billion in fiscal year 2007—the same as the President's budget request. We know from recent experience that this simply is not enough money. Due to very high oil, gas and electricity prices, the fiscal year 2006 funding of about $2 billion has been totally inadequate, despite a winter that was milder than normal many states.

Applications for assistance this winter increased an average of 11.4 percent across the country. In New Mexico, the number of fiscal year 2006 applications is projected to be 20 percent higher than last year. New Hampshire—30 percent more applications. Texas—63 percent more. Wyoming—47 percent more. Several states have completely run out of funds. Because of this dire situation, the Senate recently passed Senator SNOWE's bill adding an additional $1 billion for LIHEAP grants in fiscal year 2006 by a vote of 68 to 31.

Experts predict that energy costs are going to remain high this year and next winter. Contracts for natural gas to be delivered in January 2007 are currently selling for over $10 per MMBtu. Our amendment provides for a needed increase in LIHEAP funds for next winter.

Good energy policy is not something that happens by default. You need to set out with a clear, comprehensive vision and then—most importantly—stick with it when it comes to implementation. If we don't keep our focus on a comprehensive, balanced approach to both energy efficiency and energy supply, we will not achieve the goals of energy security and energy affordability that we want. I think that the administration's budget suffers from that loss of focus. Somewhere between the signing ceremony and the submission of the next budget, the energy security of our country was not given a high enough priority. I believe that this budget resolution before us now perpetuates that loss of focus. Under its terms, we will actually spend less on our energy security in four out of the five next fiscal years than we did before we passed comprehensive energy legislation. Something is wrong with that picture.

I don't think it's appropriate to set up some zero-sum game on the DOE budget, where we have to rob Peter to pay Paul down in the Appropriations Committee this summer. The provisions of the Energy Policy Act of 2005 are important enough to the country that we should be working together to increase the bottom line for all energy programs in the energy function of the budget.

A lot of hard work went into crafting the Energy Policy Act of 2005 on the part of all of us in the Senate. Important priorities for Senators—both Republican and Democratic—in areas such as energy efficiency, oil, natural gas, clean coal, and others have not been requested at levels that will allow the Act to be properly implemented.

I believe that we should use this Budget Resolution to get to better energy outcomes for the nation. At a minimum, we need to fund the programs we authorized to bring us better energy security and make energy more affordable in the future. It is not a mystery as to what those programs are. We extensively debated them at the Committee level, here on the Senate floor, and in conference during the passage of the Energy Policy Act of 2005. Seventy-four Senators voted to set up those programs when they voted for the Energy Policy Act of 2005. There may be those who say we should go beyond those authorizations and do even more for our energy future, and I would not disagree. But if the good work we have done to date on energy bill is not to be wasted, then we need to vote on this budget resolution to at least fund the programs that we established. That is what this amendment does, and I hope that I will have the support of a broad majority of my colleagues to pass it.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, parliamentary inquiry: How much time do I have in opposition to the amendment?

The PRESIDING OFFICER. Up to an hour.

Mr. DOMENICI. Fine. I yield the floor and suggest the absence of a quorum, and let it be charged to me.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. 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. GREGG. Mr. President, I believe there was a unanimous consent agreement that the Bingaman amendment would run until 3 o'clock, and then we would start voting. I believe the time was to be equally divided between the proponents and the opponents. So my understanding would be the Senator from New Mexico would have about half of that time. I think it started at about 2:25, so the Senator from New Mexico would have half of 35 minutes.

Was that not the understanding that was reached? I thought it was the understanding reached.

Mr. CONRAD. I agree.

The PRESIDING OFFICER. There was no such order requested.

Mr. CONRAD. Maybe we could at this moment then put that in place.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I would ask that the time between now and 3 o'clock be divided so that the senior Senator from New Mexico, Mr. DOMENICI, would have 15 minutes, the junior Senator from New Mexico, Mr. BINGAMAN, would have 5 minutes, and at 3 o'clock the voting will proceed, and that all time on this amendment will have expired, and that it will be included in the votes which we will proceed with. I will ask for unanimous consent. In fact, I ask unanimous consent right now. I ask unanimous consent that—

Mr. DURBIN. Reserving the right to object, I wish to ask the chairman if he would withhold for a moment, as I make a personal request.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. 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. GREGG. Mr. President, I am going to ask unanimous consent, and then I am going to modify it.

Mr. President, I ask unanimous consent that the votes for 3 p.m. today occur in the following order, with 2 minutes equally divided between the votes, and all votes after the first be limited to 10 minutes in length: The first would be Conrad and Feingold, No. 3013; second, Talent, No. 3011; Kennedy, No. 3028; Chafee, No. 3014; Burns, No. 2999; and Akaka, No. 3007. I further ask consent that immediately following the votes, the Senate proceed to a vote in relation to the Bingaman amendment No. 3039, with the same 2 minutes of debate time, and no second degrees in order to the amendment prior to that vote. I further ask consent that the votes now start at 3:05, and that the time between now and 3:05 be divided as follows: 5 minutes to Senator BINGAMAN, 15 minutes to Senator DOMENICI, and then, at 3 o'clock, 5 minutes to the Senator from Illinois, Mr. DURBIN.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will start my 15 minutes. I ask I be notified when I have used 10 minutes, please.

The PRESIDING OFFICER. The Chair will be glad to notify the Senator from New Mexico.

Mr. DOMENICI. I thank the Chair.

First, might I say to my friend Senator BINGAMAN, it is not to my liking we are here opposing each other. We produced the Energy bill, which we are discussing or debating today, together. Today we have an argument about how to implement it, how fast to implement it. I am on the side of the President in terms of implementing it, and the Senator wants to implement it faster. That does not mean we are at odds with reference to what we tried to do. It is just how fast we will do it.

I wish to suggest to the Senate that when you have a budget, you have to make choices. The President made some very significant choices in this area of how much of the Energy Policy Act should be implemented. In his State of the Union Address, he spoke rather eloquently about our addiction to oil. It is interesting, when he spoke about that, he then turned to issues and matters within the Energy Policy Act, which was passed by 74 Senators—bipartisan—when he said: Let us move ahead to substitute in the tanks of our automobiles—instead of gasoline, let us substitute ethanol and a related product that eventually will come from cellulose that will be produced, that grows. And we are about to the point where we know exactly how to convert that to something that can be used in the tanks of our cars. The President asked for that. That is a very large item. That is funded. Senator BINGAMAN has no argument with that. Obviously, he is for that.

In addition, the President said: We should move ahead with a technology toward batteries so a hybrid automobile will come onboard more quickly. That is another $31 million add-on. I am sure the proponent, my friend, my colleague, supports that also.

He asked for $289 million for hydrogen fuel cells and $281 million for the development of clean coal technology, including $54 million for the FUTGEN Initiative, one of the most important projects in the country. In addition, the President asked for $250 million for the Global Nuclear Energy Partnership—the name for that is GNEP; we have all heard about it; $148 million for the new Solar America Initiative, a very important initiative—again, I am sure that is wholeheartedly supported by the proponent of the amendment, and which I oppose; and then there is $44 million for wind research to try to make the technology for wind energy, which is good. It is already producing, and we are generating great quantities in the State of Colorado, the State of New Mexico, and many others.

But the distinguished Senator, my colleague, asked for much more than that. He asked that we add $3.5 billion to this function called function 207. That just means it is the function that contains energy. I wish it were increasing funding for all the items the amendment seeks. I wish the President asked for them. I wish it were possible. I believe we can go much further for the cause of energy efficiency and renewable energy as well as conventional forms, but we can't do it all right now. We have to be realistic about using the funds currently available.

For that reason, although many of the proposals are very good and I believe we will do them in due course, I can say to the Senate and those who are interested in the issues and ideas raised by my colleague, I believe they are going to be implemented, just not by this budget. How do you pay for them? Because you see, Senator BINGAMAN would not want to say we broke the budget. So he says: Let's pay for them. The way he suggests we pay for them is dubious. He suggests that we pay for them by reauthorizing Superfund taxes. That is an assumption made in this amendment, that we will find the money, the $3.5 billion, by reauthorizing the Superfund, which has been controversial. It has not been reauthorized in a long time. I don't believe there is a way to do it. So we are increasing taxes that should not even be used for these programs. We are assuming that will happen in order to make this amendment look as if it is a budget-neutral amendment, and then we are asking for these good things to be paid for in that manner. I believe the Senate should reject it.

Again, many, if not all, of the items are good for the country and should eventually be done. To the extent that we work together to get them in an energy act, I think we will ultimately work together to get them funded one way or another. I hope we don't do it today because I don't think that will add to the budget and to the requirement that we as an institution produce a budget. That is our primary requirement, to produce the outline. I think this amendment will not help do that.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER (Mr. BURR). The Senator from New Mexico.

Mr. BINGAMAN. I yield 5 minutes to my colleague, Senator SALAZAR of Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, let me say to my friends and colleagues from New Mexico, Senators BINGAMAN and DOMENICI, I very much appreciate the bipartisan leadership they are exercising in moving us forward in grappling with the imperative of national energy independence. I believe the National Energy Policy Act of 2005 was a first step in the right direction, and we must take additional steps.

It is because I believe we must take additional steps that I rise today in support of this amendment for energy independence and energy security. Our amendment will add about $3.5 billion to energy efficiency and renewable energy programs authorized in the bipartisan energy bill of last year; $500 million for the LIHEAP program to help low-income families heat their homes; it importantly extends the production tax credit and clean energy bonds for renewable energy. This is a fiscally responsible way of fulfilling our mandate

to lead America to energy independence.

In his State of the Union Address, we heard the President commit to replace 70 percent of our oil imports from the Middle East by the year 2025. This is actually a modest goal. I am a member of a bipartisan group of Senators—six Republicans and six Democrats—that supports S. 2025, the Vehicle and Fuel Choices for American Security Act. That legislation would lead our country on a path to save 2.5 million barrels of oil per day by the year 2016, 7 million per day by 2026, and 10 million barrels per day by the year 2031. We can reach these goals and the President's goals, but we can only do it if we invest adequate resources in renewable and energy efficiency programs for the Nation.

The importance of making these investments now could not be more clear. Today we import almost 60 percent of our oil, accounting for one-quarter of the U.S. trade deficit. At our current rate of consumption, we will be importing 70 percent by 2020. We are currently held hostage by our dependence on foreign oil, jeopardizing our national security and our Nation's economic stability.

This amendment takes concrete steps toward the goal of energy independence. It builds on proposals we have been working on in the Energy and Natural Resources Committee, ideas we have laid out in S. 2025 and ideas that I have discussed with the President in his recent trip to the National Renewable Energy Lab in Golden, CO.

Our amendment would speed up development of renewable energy technologies, incentivize alternative fuels production, and improve energy efficiency in our cars and homes. Currently, transportation accounts for two-thirds of domestic oil consumption. That is why this amendment is so important, because it will provide full funding for the Energy Policy Act advanced vehicle deployment programs. We want to accelerate the development of hybrid vehicle technology, create fuel cells for school buses and transit buses, and improve the technology in biodiesel engines. Our amendment makes smart investments in renewable energy to make it affordable and accessible to all Americans.

It will fund research and development for renewable energies to the levels we authorized last year as a Senate in the Energy Policy Act of 2005. This amendment will double the funding for renewable energy development at DOE's top renewable energy lab, the National Renewable Energy Lab in Golden, CO. By supporting the technological advances occurring at places such as the National Renewable Energy Lab, we will usher in a new era in solar production, wind power, and biofuels.

It extends existing production tax credits for electric power and liquid fuels produced from renewable resources until 2011. This will provide greater predictability for manufacturers and purchasers that want to make renewables a viable alternative.

Our amendment will also place an additional $296 million into clean coal R&D. We are on the brink of breakthroughs in coal gasification and clean coal technology that will allow us to take full advantage of America's unparalleled coal resources. We must support these technologies and get them to the market as soon as possible. This energy independence amendment will also provide funding for the production incentives for cellulosic ethanol that we authorized in last year's Energy bill. Cellulosic ethanol is an untapped and potentially massive energy source. I appreciate the President's expression of support for its development. Current methods of producing ethanol have an energy return of about 35 percent. We can do much better.

The PRESIDING OFFICER (Mr. COLEMAN). The time of the Senator has expired.

Mr. SALAZAR. I ask unanimous consent for an additional 20 seconds to finish my statement.

Mr. CONRAD. Mr. President, I yield the Senator off the resolution an additional minute.

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

Mr. SALAZAR. Mr. President, the investments we make as a nation in wind energy, solar power, and cellulosic ethanol are important for the energy independence of America. As I have often said, the bipartisan leadership of the Senate Energy Committee can get us to energy independence if we make sure that what we do is take care of the cornerstones of energy independence, which include renewable energy, conservation, new technologies, and balanced development of our natural resources.

I yield the floor and thank Senator CONRAD.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Senator REID of Nevada be added as a cosponsor of the amendment.

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

Under the previous order, the distinguished Senator from New Mexico has 8 minutes remaining. Does the senior Senator wish to yield back his time?

Mr. DOMENICI. Are we there now?

The PRESIDING OFFICER. The senior Senator has 7 minutes remaining.

Mr. DOMENICI. If I yield back, do we go to votes? Are we finished?

Mr. CONRAD. No, we would not.

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is to be recognized.

Mr. CONRAD. Senator DURBIN has a disaster in his hometown.

Mr. DOMENICI. I yield back.

The PRESIDING OFFICER. The Senator yields back his time.

Under the previous order, the Senator from Illinois, Mr. DURBIN, is recognized for 5 minutes.

Mr. CONRAD. Mr. President, as the Senator from Illinois is coming to speak about a natural disaster that has hit his hometown, let me alert colleagues to once again please cooperate with the chairman and myself on trying to work out the timing of amendments. We have a series of amendments we are trying to get lined up to be debated tonight which we would then vote on tomorrow morning. We are running into a little bit of difficulty because of Senators' schedules. We urge people to try to work with us to resolve those matters as expeditiously as possible.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent that after the first vote in the seven votes that are coming at 3:05, that all further votes would be 10-minute votes.

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

The assistant Democratic leader.

SPRINGFIELD TORNADOS

Mr. DURBIN. Mr. President, I thank the chairman of the committee, Senator GREGG, as well as Senator CONRAD, for yielding this time.

For the last 2 days, I have been asked by many of my colleagues in the Senate and I have received calls and e-mails from across the country about my hometown of Springfield, IL, which was hit by two tornados on Sunday evening. I wanted to take a few minutes to tell the Senate where things stand.

On behalf of the people of Springfield, IL, our State capital, Mr. Lincoln's hometown, we are grateful for the outpouring of support from all across the State and all across the region. We will get through this disaster together, and we will rebuild Mr. Lincoln's hometown. A series of photographs which I have here show homes and businesses blown apart by the tornados. Imagine this image multiplied by hundreds of times, and you have an idea what Springfield looks like.

This morning, I was on the phone early with Mayor Tim Davlin, who had gone through the area, visited some of the neighborhoods, and was speechless to describe what has happened to the homes of so many fine families in Springfield, IL. These two tornados were part of a violent storm system that claimed at least nine lives across the Nation and wreaked havoc along a 350-mile corridor from Lawrence, KS, through Illinois. They were the worst tornados people can remember in Illinois. We are somewhat proud of the distinction of being Tornado Alley, so we have seen some bad ones. They tore through Springfield at 120 miles an hour, followed by fierce rain and hail. The first tornado touched down around 8:20 Sunday evening. It was on the ground for almost 6 minutes and left a path of destruction 5.5 miles long and a half mile wide. The second tornado touched down at 8:25. It was on the ground for 5 minutes and left damage 4

miles long, 300 yards wide. The winds ripped off the roof of our Springfield Wal-Mart, peeled the siding off buildings, and blew the windows out of countless buildings, including our State capitol building. Many homes and businesses were completely leveled by this tornado.

Trees were pulled up by their roots, utility polls were snapped in half, traffic signs and signals were toppled, forcing the closure of major roads into the city of Springfield.

Twenty-four people in central Illinois were injured in the storms, including 19 in my hometown of Springfield. We are very grateful no one died. That is due partly to luck but also to the excellent storm warning system operated by the city of Springfield and Sangamon County. I salute the Sangamon County government, as well as the city of Springfield, Andy Van Meter, chairman of the board, and Mayor Tim Davlin for their great cooperation during this disaster.

The early warning gave people a chance to save their lives. Governor Blagojevich has already declared a State disaster in Sangamon County and in six neighboring counties—Ford, Greene, Logan, Morgan, Randolph, and Scott.

The worst damage by far is in Springfield. Nearly 1,000 homes have been damaged or destroyed, 10,000 people without electricity, schools remain closed, and many roads are still not passable.

The worst disasters tend to bring out the best in Americans. That is true in Springfield today. There has been an amazing outpouring of courage and generosity. The Red Cross, God bless them, are already seeking temporary housing for 50 families who have no place to turn. All the other people whose homes were damaged or destroyed have been taken in by friends and family.

I commend Governor Blagojevich, Springfield Mayor Tim Davlin, Chairman Andy Van Meter, and their staffs, and so many community leaders who have been working around the clock to get help to the victims.

I commend the mayors of two neighboring towns that were also hit. Mayor Harry Stirmell of the village of Jerome, which is just a few blocks from where I live, and Mayor Joe Rusciolelli of the village of Riverton, which were hit hard, are also working with State and local officials and with FEMA.

The Governor's office and the mayors' offices are scheduled to meet with FEMA officials tomorrow. It is my understanding that the FEMA officials are on their way to Springfield to assess the damage and map out a recovery plan.

I know I speak for Senator OBAMA, my colleague, when I say we stand ready to help. We are going to bring together a bipartisan delegation that represents this area, including Congressman LAHOOD, Congressman SHIMKUS, and Congressman EVANS. We will work together in concert on a bipartisan basis to make sure help is on the way.

Based on what we already know, we expect Springfield and other central Illinois communities hit by these tornadoes will qualify for Federal emergency disaster assistance. We are going to do our best to make sure that comes quickly.

I close with a real-life story. A story in today's Springfield Journal Register quotes a man named Tim Williams. Before the tornado, Mr. Williams' garage in Springfield was filled with antiques, including a 1955 Buick Roadmaster Riviera that he had just finished restoring and had driven only 87 miles. Today the car is damaged, but Mr. Williams' antiques are scattered across the neighborhood.

Like everybody else, he considers himself really lucky. He and his family made it through this tornado of 2006 alive. Like many in our town, he is feeling a renewed empathy for the victims of Hurricane Katrina. As Mr. Williams told a reporter:

> You don't realize until it happens to you.

I want to say to my fellow residents of Springfield and to others who suffered severe losses in these storms: You are not alone. We are part of an American family. We stand together when times get tough. I didn't know that today I would be asking for help from across the Nation for my hometown, but tomorrow it can be the hometown of any Senator on the floor of the Senate.

I know my colleagues on both sides of the aisle, government at every level, will do everything they can to put Mr. Lincoln's hometown back together again. That is the American spirit. That is the American family. We are 50 States, but we are one American family.

I am looking forward to working with my colleagues to make sure we deliver and that the people of Springfield, Sangamon County, and all the affected counties from this tornado are made whole as quickly as possible.

Mr. President, I yield the floor.

AMENDMENT NO. 3013

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Conrad-Feingold amendment No. 3013.

Mr. GREGG. Mr. President, I ask unanimous consent that we deem the yeas and nays to have been ordered on all seven amendments.

The PRESIDING OFFICER. Is there objection to requesting the yeas and nays on all the amendments?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, let's make clear, when we say ''all the amendments,'' what we are intending is that all the amendments that are in order to be voted on at this point.

Mr. GREGG. Correct, the seven amendments we are about to vote on.

Mr. CONRAD. There is no objection to that.

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

Is there a sufficient second?

Mr. GREGG. To all of them.

The PRESIDING OFFICER. There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. CONRAD. Mr. President, is it not correct that under the previous understanding, there will be 2 minutes before each vote for a wrapup? That has been our usual practice. That was the unanimous consent agreement previously entered.

Mr. GREGG. Mr. President, I ask unanimous consent that we vitiate this rollcall so we can do the 2 minutes and go back to the rollcall as would be the proper order. It has not started.

The PRESIDING OFFICER. The rollcall has not started. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is the pay-go amendment. In some ways, I think this is the most important amendment we face. It is an attempt to reestablish the budget disciplines that have worked in the past. Here is where we are headed: Debt up, up, and away.

Pay-go simply says: If you want new mandatory spending, you have to pay for it. If you want more tax cuts, you have to pay for them. I know the chairman says that means a tax increase. Not at all. You can pay for increased tax reductions or increased spending by offsetting other spending reductions. It is critically important we do this.

I want to emphasize, here is what has happened: We weakened the pay-go rule after we got back into surplus, and it has been red ink all the way down. This is our opportunity to reenact the budget discipline of pay-go. I urge my colleagues to vote aye.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from New Hampshire.

Mr. GREGG. Mr. President, the practical effect of this is to raise taxes. That is the only effect it has. If you take the pay-go language and put it on top of the 5-year budget we offer today, the only thing it will impact is the fact that taxes will have to be increased to pay for extending the rate cuts, for extending the repeal of the death tax, and capital gains and dividends. It is not pay-go, it is tax-go.

For all practical matters, this is a vote on whether you want to raise taxes.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3013. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—50

| | | |
|---|---|---|
| Akaka | Cantwell | Dodd |
| Baucus | Carper | Dorgan |
| Bayh | Chafee | Durbin |
| Biden | Clinton | Feingold |
| Bingaman | Collins | Feinstein |
| Boxer | Conrad | Harkin |
| Byrd | Dayton | Inouye |

Jeffords
Johnson
Kennedy
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
McCain
Menendez
Mikulski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Rockefeller
Salazar
Sarbanes
Schumer
Snowe
Stabenow
Voinovich
Wyden

NAYS—50

Alexander
Allard
Allen
Bennett
Bond
Brownback
Bunning
Burns
Burr
Chambliss
Coburn
Cochran
Coleman
Cornyn
Craig
Crapo
DeMint
DeWine
Dole
Domenici
Ensign
Enzi
Frist
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lott
Lugar
Martinez
McConnell
Murkowski
Roberts
Santorum
Sessions
Shelby
Smith
Specter
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Warner

The amendment (No. 3013) was rejected.

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

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

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, could the Chair inform the body what is next in order?

The PRESIDING OFFICER. There are now 2 minutes of debate equally divided on the Talent amendment.

AMENDMENT NO. 3011

Mr. TALENT. Mr. President, this is the amendment which I offered on behalf of myself, Senator LIEBERMAN, and Senator WARNER.

This amendment raises the top line for Defense in the number which the President requested to an approximately $3 billion increase. It is paid for. In time of war, the minimum we ought to do is have the Defense top line at the number which the President requests.

It is a bipartisan amendment. I ask the Senate for its support.

Mr. GREGG. Mr. President, I ask unanimous consent that the yeas and nays on this amendment be vitiated and Senators agree to take it by voice vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 3011) was agreed to.

AMENDMENT NO. 3028

The PRESIDING OFFICER. There are now 2 minutes of debate equally divided on the Kennedy amendment.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I offer this amendment along with the Senator from Maine, Ms. COLLINS, and the Senator from New Jersey, Mr. MENENDEZ.

As we confront the global economy, America is facing a massive new challenge. It affects our jobs, our way of life, and even our national security. Education is the key to meeting that challenge.

This last year, we had many important reports ranging from the National Association of Manufacturers to the National Academy of Sciences and Engineering and the Institute of Medicine. All of them say we have to invest in education to meet the global challenge.

When we faced the challenge of Sputnik, we doubled our investment in education overnight. We need that kind of commitment again so that we can compete with China and India and maintain our position as No. 1 economically and militarily.

The amendment that Senators COLLINS and MENENDEZ and I offered increases Pell Grants, student aid, and job training. It pays for these new investments by closing egregious tax loopholes that the Senate has approved before.

The amendment is supported by 100 organizations, and I ask unanimous consent to include in the RECORD a sample of the letters of support we have received.

This amendment is a downpayment on our future. I urge the Senate to accept it.

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

STUDENT AID ALLIANCE,
*Washington, DC, March 14, 2006.*

DEAR SENATOR: On behalf of the Student Aid Alliance, a coalition of 60 associations representing college students, parents, college and university presidents, faculty, administrators, and others, we urge you to support the amendment to the FY 2007 Budget Resolution being offered by Sens. Kennedy, Collins and Menendez. This amendment will help millions of students fulfill their dream of a college education.

The administration's budget will put college out of reach for far too many American children. It calls for the elimination of seven higher education programs: the Perkins Loan Program, the Leveraging Educational Assistance Partnerships Program (state grants), the Thurgood Marshall Legal Educational Opportunity Program, GEAR UP, and three of the highly successful TRIO programs: Upward Bound, Upward Bound Math/Science, and Talent Search. It also freezes funding for the Supplemental Educational Opportunity Grant, the Federal Work-Study Program, and freezes the maximum award for the Pell Grant—the anchor of the federal commitment to ensuring equal educational opportunity—at $4,050 for the fourth year in a row.

The Kennedy-Collins-Menendez Amendment puts a halt to this backward momentum, and sends a clear message that as a nation, we can ill afford to fall behind nations like China, India, South Korea, and much of the European Union in producing the intellectual capital needed to boost economic growth and challenge the United States in the decades ahead. Given the high stakes involved, this is not the time to cut federal student financial aid.

We urge you to adopt the Kennedy-Collins-Menendez Amendment.

Sincerely,

DAVID WARD,
*Co-Chair.*
DAVID WARREN,
*Co-Chair.*

THE WORKFORCE ALLIANCE,
*Washington, DC, March 13, 2006.*

Re Menendez-Kennedy-Collins Amendment to FY07 Budget Resolution

Hon. EDWARD M. KENNEDY,
*Russell Senate Office Building, U.S. Senate, Washington, DC.*

DEAR SENATOR KENNEDY: The Workforce Alliance wholeheartedly supports the budget amendment offered by yourself, Senator Menendez and Senator Collins to increase our nation's investment in higher education, job training and vocational education programs that are so vital to economic future of this country, as well as to the economic prosperity of America's working families.

Your amendment would bring an additional $6.3 billion into the FY07 budget in order to expand these critical education and training programs at a time when our country desperately needs to increase the skill levels of its workforce in order to compete in a 21st Century global economy. Your amendment would finally stop the several-year slide in combined federal funding for these programs.

The Workforce Alliance (TWA) is a national coalition of local leaders from the field of workforce development—including community-based organizations, community colleges, labor unions, business and trade associations, and state and local public agencies—who want to improve our nation's investments in the skills of all its workers, so that more of America's workers will have the skills they need to advance, and so that more American businesses will have the skilled workers they need to compete in today's economy. Your amendment takes an important step in that direction.

We appreciate your attention to this important matter and look forward to working with you to ensure that our nation's budget reflects the right priorities for American workers and businesses.

Sincerely,

ANDY VAN KLEUNEN,
*Executive Director.*

ASSOCIATION OF JESUIT COLLEGES & UNIVERSITIES,
*Washington, DC, March 13, 2006.*

Hon. EDWARD KENNEDY,
*Ranking Minority, HELP Committee, U.S. Senate, Washington, DC.*
Hon. ROBERT MENENDEZ,
*Member, Budget Committee U.S. Senate, Washington, DC.*

DEAR SENATORS KENNEDY AND MENENDEZ: On the behalf of the Association of Jesuit Colleges and Universities and the twenty-eight Jesuit higher education institutions, I write in strong support of the Kennedy-Menendez Student Aid and Job Vocation Amendment to the Senate Budget Resolution for FY07. This amendment totals $6.3 billion and critically addresses the increases needed in all student aid programs.

For over four years, the Pell grant maximum award has been frozen at $4,050. Last year, we finally retired the Pell Grant shortfall and we had hoped for some increase on Pell grant maximum award for FY06, but that did not occur. Even though there were remaining Pell grant surplus funds from FY06, the administration did not use that additional $273 million for an increase on the FY07 Pell grant maximum award. This amendment will increase the Pell grant maximum award and would address the declining value of the Pell grant program resulting from four years of level funding.

Your amendment also restores critical higher education access programs such as TRIO programs and GEARUP, in addition to restoring LEAP and the Perkins Loan Program which were called for elimination in

the President's budget. We greatly appreciate the restoration of the Perkins loan program, an integral part of student aid on Jesuit campuses across the country.

Ironically, the White House and Members of Congress talk about America being globally competitive, but we cannot continue to do so unless the investment to federal student aid programs increases, remains consistent, and involves students from low incomes. Otherwise, those global competitive goals are only rhetoric.

Thank you for your efforts in offering this amendment. AJCU stands ready to assist your efforts throughout the budget process and the year.

Sincerely,

CYNDY LITTLEFIELD,
*Director of Federal Relations.*

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NATIONAL ALLIANCE FOR PARTNERSHIPS IN EQUITY,
*Cochranville, PA, March 13, 2006.*

Senator EDWARD M. KENNEDY,
*Committee on Health, Education, Labor and Pensions, Hart Senate Office Building, Washington, DC.*

DEAR SENATOR KENNEDY: When the President released his FY 2007 Budget we were all in a state of dismay. Considering the increasingly competitive global economy and the importance of maintaining our competitive edge, the budget cuts to education and job training were short sighted. Critical programs that open the doors of opportunity for students, workers and families will be closed if the administrations budget proposal is not corrected.

The National Alliance for Partnerships in Equity applauses your effort to rally your colleagues by developing the Menendez-Kennedy Student Aid/Job Training Budget Amendment and wholeheartedly support its introduction and eventual passage. We are particularly concerned about the elimination of the Perkins Vocational Education program and are pleased to note that your proposal will restore full funding to these very important programs.

The National Alliance for Partnerships in Equity is a consortium of state agencies and affiliates who have joined forces to work collaboratively to promote equity in education and workforce development, including career and technical education. NAPE's membership is committed to the creation of equitable classrooms and workplaces where there are no barriers to opportunities. Budgets, such as the one proposed by the administration, will only eliminate opportunities for students.

Thank you for your vision and support for education programs and the students who benefit from them.

Sincerely,

MIMI LUFKIN,
*Executive Director.*

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THE STATE PIRGS' HIGHER EDUCATION PROJECT; UNITED STATES STUDENT ASSOCIATION,
*March 13, 2006.*

Hon. EDWARD KENNEDY,
*Russell Senate Office Building,*
*U.S. Senate, Washington, DC.*

DEAR SENATOR KENNEDY: On behalf of students across the country we would like to thank you for introducing an amendment to restore cuts to, and provide critical increases for, education funding in the FY07 Senate budget.

Students and families face one of the most difficult years in to attempt to finance a college education, as increased tuition costs and severe state budget cuts are creating enormous barriers for students pursuing higher education degrees. Already, too many students take on substantial loan debt and work long hours in order to cover the costs of a college education. Nearly two-thirds of all students graduate with federal education loan debt, and the average student loan debt has nearly doubled over the past eight years to almost $17,000. In addition, nearly half of all full-time students who were employed while in school during this time worked 25 hours or more every week.

Without change, the FY07 Senate budget threatens to leave millions of students and families in a deep financial hole. The original budget proposal called for the elimination of several vital student aid programs that make college more affordable, including LEAP funding, Perkins Loans, the Thurgood Marshall fellowship, and the TRIO and GEAR UP programs. We support the effort to restore funding for these programs.

In addition your amendment provides increases to critical grant programs such as the Pell Grant. The maximum Pell Grant has been frozen at $4,050 for the past four years. As college costs continue to rise, students experience these increases as a cut to funding.

We thank you for standing up for students and introducing this amendment. We look forward to working with you to build support for increase funding for our nation's students.

Sincerely,

LUKE SWARTHOUT,
*State PIRGs' Higher Education Associate.*
JASMINE HARRIS,
*Legislative Director, United States Student Association.*

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COALITION OF HIGHER EDUCATION ASSISTANCE ORGANIZATIONS,
*Washington, DC, March 13, 2006.*

DEAR SENATORS: I am writing to urge your support for amendments that would permit an increase in federal funding for education that may be offered during Senate consideration of the Congressional Budget Resolution for fiscal year 2007. I understand that Senators Specter and Harkin and Senators Kennedy, Menendez and Collins plan to offer such amendments. We strongly urge all senators to vote yes on these amendments, which would permit extremely important investments in our nation's future. Without additional spending authority for education provided for in the Budget Resolution, it will be impossible for the Appropriations Committee to adequately complete its work this year.

The Coalition of Higher Education Assistance Organizations (COHEAO) is a coalition of colleges, universities and commercial organizations that work to foster improved access to postsecondary education, particularly through the Perkins Loan Program. The Perkins program plays a critical role in our nation's financial aid system, especially for the lowest-income students. It is the original student loan program created by the National Defense Education Act of 1958 in response to the Sputnik launch by the Soviet Union. National Defense Student Loans were needed then, and, renamed, they are needed today as our country continues to face challenges that require a highly educated workforce to respond. In order for this program to remain healthy and to avoid cutting students off from the financing they need, annual appropriations are needed of a modest capital contribution and to reimburse schools for loans cancelled when borrowers go into public service jobs. Schools partly match the capital contribution and when Perkins Loans are repaid, the funds are relent to other students who need to borrow, making this a highly efficient way to finance students' higher education.

America's students need your support. Please vote for the Spector-Harkin and Kennedy-Menendez Amendments to expand funding for education as part of the Congressional Budget Resolution.

Sincerely,

ALISA ABADINSKY,
*President.*

Mr. GREGG. Mr. President, this budget commits a tremendous amount of resources to education, as has this President. A few weeks ago, we voted for an additional $9 billion for student assistance for students who are going to college. This budget adds in an extra $1.5 billion. In addition, it sets up a reserve fund with $6 billion for the American competitiveness proposal. It fully funds vocational technical education.

So the commitment is strong in this budget, as it has been for many years under the leadership of this President, with dramatic increases in education.

This amendment would significantly raise the caps by $6.3 billion and in turn would raise taxes by $6.3 billion. It is a classic tax-and-spend amendment.

I hope Members will vote against it.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—50

| | | |
|---|---|---|
| Akaka | Dorgan | Menendez |
| Baucus | Durbin | Mikulski |
| Bayh | Feingold | Murray |
| Biden | Feinstein | Nelson (FL) |
| Bingaman | Harkin | Nelson (NE) |
| Boxer | Inouye | Obama |
| Byrd | Jeffords | Pryor |
| Cantwell | Johnson | Reed |
| Carper | Kennedy | Reid |
| Chafee | Kerry | Rockefeller |
| Clinton | Kohl | Salazar |
| Coleman | Landrieu | Sarbanes |
| Collins | Lautenberg | Schumer |
| Conrad | Leahy | Snowe |
| Dayton | Levin | Stabenow |
| DeWine | Lieberman | Wyden |
| Dodd | Lincoln | |

NAYS—50

| | | |
|---|---|---|
| Alexander | Domenici | McConnell |
| Allard | Ensign | Murkowski |
| Allen | Enzi | Roberts |
| Bennett | Frist | Santorum |
| Bond | Graham | Sessions |
| Brownback | Grassley | Shelby |
| Bunning | Gregg | Smith |
| Burns | Hagel | Specter |
| Burr | Hatch | Stevens |
| Chambliss | Hutchison | Sununu |
| Coburn | Inhofe | Talent |
| Cochran | Isakson | Thomas |
| Cornyn | Kyl | Thune |
| Craig | Lott | Vitter |
| Crapo | Lugar | Voinovich |
| DeMint | Martinez | Warner |
| Dole | McCain | |

The amendment (No. 3028) was rejected.

Mr. MCCONNELL. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3014

The PRESIDING OFFICER. There are 2 minutes equally divided prior to the vote on the Chafee amendment.

The Senator from North Dakota.

Mr. GREGG. I ask that the yeas and nays be vitiated on this amendment and we do a voice vote.

The PRESIDING OFFICER. Is there an objection?

Mr. KENNEDY. Reserving the right to object, does that mean the outcome is determined? Do we have to accept the voice vote? Do we still preserve our own Senate rules so we can ask for yeas and nays after a voice vote if we are not satisfied?

The PRESIDING OFFICER. Nothing would preclude the Senator from asking for the yeas and nays after the voice vote but before the result is announced.

Mr. KENNEDY. I thank the Chair.

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

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I call this amendment the Property Tax Relief Amendment of 2006. This amendment moves funding of IDEA to 20 percent of the cost of a municipality, only 20 percent of the promised 40-percent goal set in 1975.

Schools account for the majority of property taxes and special education costs are rising much faster than inflation. If we fund this to 20 percent, it will go right down to the property tax payer. We all know the property tax is one of the most difficult taxes of all we pay.

I urge passage of this amendment.

Mr. CONRAD. Mr. President, I agree with the Senator's intention to plus up IDEA. The problem is the pay-for here is section 920. There is no money in 920. What will happen is other domestic accounts will be cut. There is no new money here. The appropriators will get $873 billion without this amendment; they will get $873 billion with this amendment. There is no new money here, just so my colleagues understand that before the vote.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Does the Senator from Rhode Island still have time?

The PRESIDING OFFICER. He has 23 seconds.

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I ask unanimous consent to add Senator WARNER and Senator SANTORUM as cosponsors of the amendment.

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

Mr. CHAFEE. I also add that of all the talk about tax relief in this Chamber, we do not get enough talk about property tax relief.

I urge your support for this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 3014) was agreed to.

Mr. GREGG. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2999

Mr. GREGG. Mr. President, we now turn to Senator BURNS, I believe.

The PRESIDING OFFICER. We now have 2 minutes equally divided on the amendment.

The Senator from Montana.

Mr. BURNS. Mr. President, I assume this is my amendment. Everybody is looking toward me, so I will make that assumption.

The PRESIDING OFFICER. It is the Burns amendment.

Mr. BURNS. Mr. President, this amendment is a responsible method of addressing the essential needs of veterans health care. The amendment is cosponsored by Senators CHAFEE, HUTCHISON, and VITTER. Also, Senator HAGEL and Senator SESSIONS are on this amendment.

It proposes, we cannot live with a copay and then the additional cost as far as prescription drugs. I realize there is a litmus test that is trying to be imposed into our VA care. I would say that anybody who qualifies for veterans health care has already passed his litmus test; they served. So we should not ask of them who have given so much for this Nation to offer up a copay or any other fees that might come with VA.

I urge your support of this amendment. It is fully paid for.

The PRESIDING OFFICER. Who yields time?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me indicate, once again, this funding, which is absolutely meritorious, is paid for out of section 920. There is no money in 920. In fact, 920 is $500 million underwater already. What this will result in is an across-the-board cut in all discretionary accounts. So in voting for this amendment, you are voting to reduce homeland security, you are voting to reduce defense, you are voting to reduce law enforcement, you are voting to reduce all of the other domestic accounts, because there is no money in 920.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I have a letter in support of my amendment from the Veterans of Foreign Wars. I ask unanimous consent that the letter in support of this amendment be printed in the RECORD.

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

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
*Washington, DC, March 14, 2006.*

Hon. CONRAD BURNS,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR BURNS: On behalf of the Veterans of Foreign Wars of the United States, we are writing in support of your amendment which would eliminate the need to raise co-payments and charge enrollment fees by providing increased funding for Veterans Administration (VA) health care programs.

We firmly believe that asking veterans to pay for part of the benefits a grateful nation provides for them is fundamentally contrary to the spirit and principles underlying the provision of benefits to veterans. No requirement that veterans be burdened with co-payments is justified, especially in a time of war.

Thank you for your efforts on behalf of our nation's sick and disabled veterans.

Sincerely,

DENNIS CULLINAN,
*Director, National Legislative Service.*

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I want my colleagues to know that this amendment fails to raise the top line of VA funding and would not fully fund mental health. I will tell you, we are going to have an opportunity, in a moment, to do better with our Akaka-Murray amendment.

I yield back my time.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—100

| | | |
|---|---|---|
| Akaka | Domenici | McConnell |
| Alexander | Dorgan | Menendez |
| Allard | Durbin | Mikulski |
| Allen | Ensign | Murkowski |
| Baucus | Enzi | Murray |
| Bayh | Feingold | Nelson (FL) |
| Bennett | Feinstein | Nelson (NE) |
| Biden | Frist | Obama |
| Bingaman | Graham | Pryor |
| Bond | Grassley | Reed |
| Boxer | Gregg | Reid |
| Brownback | Hagel | Roberts |
| Bunning | Harkin | Rockefeller |
| Burns | Hatch | Salazar |
| Burr | Hutchison | Santorum |
| Byrd | Inhofe | Sarbanes |
| Cantwell | Inouye | Schumer |
| Carper | Isakson | Sessions |
| Chafee | Jeffords | Shelby |
| Chambliss | Johnson | Smith |
| Clinton | Kennedy | Snowe |
| Coburn | Kerry | Specter |
| Cochran | Kohl | Stabenow |
| Coleman | Kyl | Stevens |
| Collins | Landrieu | Sununu |
| Conrad | Lautenberg | Talent |
| Cornyn | Leahy | Thomas |
| Craig | Levin | Thune |
| Crapo | Lieberman | Vitter |
| Dayton | Lincoln | Voinovich |
| DeMint | Lott | Warner |
| DeWine | Lugar | Wyden |
| Dodd | Martinez | |
| Dole | McCain | |

The amendment (No. 2999) was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3007

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote on the Akaka amendment. Who yields time?

Mr. AKAKA. Mr. President, I ask unanimous consent to add Senators BAUCUS, BYRD, LIEBERMAN, and LANDRIEU as cosponsors to my amendment No. 3007.

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

Mr. AKAKA. Mr. President, our amendment would add $1.5 billion, real money, by closing tax loopholes. We said last year that more attention should be given to mental health and prosthetics. The opposition prevailed. It took months and two budgets to get to the right number. We must reject the administration's new fees, and we must shore up the system for returning veterans who will need all kinds of health care. VA's estimates for returning service members who will come for care are already off by 35,000 at least. I urge support for the Akaka-Murray amendment.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Idaho.

Mr. CRAIG. Mr. President, we have just passed the Burns amendment. The Burns amendment is a 12.2-percent increase for veterans, the largest increase in the history of this Government for veterans. All incoming veterans from Iraq and Afghanistan are paid for. All veterans of current service needs, both disability and service related, are paid for. This is a doubling of the veterans budget every 5 years on the amendment we just voted for.

There is a fundamental question to be asked: How much is enough? This Congress, this Senate just now was generous, and appropriately so, to America's veterans. I urge a ''no'' vote on the Akaka amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 3007. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—46

| | | |
|---|---|---|
| Akaka | Feingold | Mikulski |
| Baucus | Feinstein | Murray |
| Bayh | Harkin | Nelson (FL) |
| Biden | Inouye | Nelson (NE) |
| Bingaman | Jeffords | Obama |
| Boxer | Johnson | Pryor |
| Byrd | Kennedy | Reed |
| Cantwell | Kerry | Reid |
| Carper | Kohl | Rockefeller |
| Chafee | Landrieu | Salazar |
| Clinton | Lautenberg | Sarbanes |
| Conrad | Leahy | Schumer |
| Dayton | Levin | Stabenow |
| Dodd | Lieberman | Wyden |
| Dorgan | Lincoln | |
| Durbin | Menendez | |

NAYS—54

| | | |
|---|---|---|
| Alexander | Crapo | Kyl |
| Allard | DeMint | Lott |
| Allen | DeWine | Lugar |
| Bennett | Dole | Martinez |
| Bond | Domenici | McCain |
| Brownback | Ensign | McConnell |
| Bunning | Enzi | Murkowski |
| Burns | Frist | Roberts |
| Burr | Graham | Santorum |
| Chambliss | Grassley | Sessions |
| Coburn | Gregg | Shelby |
| Cochran | Hagel | Smith |
| Coleman | Hatch | Snowe |
| Collins | Hutchison | Specter |
| Cornyn | Inhofe | Stevens |
| Craig | Isakson | Sununu |
| Talent | Thune | Voinovich |
| Thomas | Vitter | Warner |

The amendment (No. 3007) was rejected.

Mr. GREGG. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3039

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided for debate before a vote on the Bingaman amendment.

Mr. GREGG. Mr. President, this will be the last vote, I suspect, tonight.

Mr. CONRAD. Mr. President, could we ask Members, we are getting a feedback through the system of somebody's BlackBerry. If Members can make sure to check their electronics before they come on the floor.

Will the Chair inform us what the order is?

The ACTING PRESIDENT pro tempore. There is 2 minutes equally divided prior to voting on the Bingaman amendment.

Mr. CONRAD. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, first, I ask unanimous consent that Senator DURBIN of Illinois be added as a cosponsor of the amendment.

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

Mr. BINGAMAN. Mr. President, last year 74 of us voted to pass the Energy Policy Act of 2005. The amendment I have offered is to provide the funds to implement that act. If Members want to be able to tell their constituents that they actually were serious about those provisions and wish to see them implemented before 2012, they need to support this amendment.

The budget resolution before us through 2011 does not provide the funding that was called for in that legislation either for clean energy production or for energy conservation and energy efficiency. If my colleagues want to be able to say that we are taking serious action in Washington to provide secure and affordable and clean energy for this country in the future, support this amendment. This amendment provides the actual funds. This is the beef, if you are interested in where the beef is in this energy debate.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Who yields time? The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I think my colleague knows it is with reluctance that I must stand and oppose his amendment. We wrote the bill he is talking about. The President chose to fund provisions in the Energy Policy Act amounting to $1.2 billion. He didn't fund everything. My colleague intends to add items that were not funded.

We will have an opportunity in the appropriations process to move the money around and do some of what he seeks rather than some of those the President seeks. But the issue here is that to do what he wants, we have to add more than $3.5 billion. We add that to the bottom line which we have to pay for. The Senator pays for it by assuming that we will reauthorize the Superfund tax. That is how he pays for it. That has not been reauthorized for years. If it was, it shouldn't be used for this purpose.

So essentially, we should not adopt this amendment because it breaks the budget.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 1 minute to propound a unanimous consent request.

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

Mr. GREGG. Mr. President, I ask unanimous consent that after we conclude the vote on the Bingaman amendment, the next amendment in order will be the Specter-Harkin amendment for half an hour, followed by the Stabenow amendment for half an hour. We are working on a unanimous consent request to line up a whole series of amendments, which unanimous consent request we hopefully will be able to offer at the end of this amendment.

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

The question is on agreeing to the Bingaman amendment No. 3039. The yeas and nays were previously ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—46

| | | |
|---|---|---|
| Akaka | Durbin | Mikulski |
| Baucus | Feingold | Murray |
| Bayh | Feinstein | Nelson (FL) |
| Biden | Harkin | Obama |
| Bingaman | Inouye | Pryor |
| Boxer | Jeffords | Reed |
| Byrd | Johnson | Reid |
| Cantwell | Kennedy | Rockefeller |
| Carper | Kerry | Salazar |
| Chafee | Kohl | Sarbanes |
| Clinton | Lautenberg | Schumer |
| Collins | Leahy | Snowe |
| Conrad | Levin | Stabenow |
| Dayton | Lieberman | Wyden |
| Dodd | Lincoln | |
| Dorgan | Menendez | |

NAYS—54

| | | |
|---|---|---|
| Alexander | DeMint | Landrieu |
| Allard | DeWine | Lott |
| Allen | Dole | Lugar |
| Bennett | Domenici | Martinez |
| Bond | Ensign | McCain |
| Brownback | Enzi | McConnell |
| Bunning | Frist | Murkowski |
| Burns | Graham | Nelson (NE) |
| Burr | Grassley | Roberts |
| Chambliss | Gregg | Santorum |
| Coburn | Hagel | Sessions |
| Cochran | Hatch | Shelby |
| Coleman | Hutchison | Smith |
| Cornyn | Inhofe | Specter |
| Craig | Isakson | Stevens |
| Crapo | Kyl | Sununu |

| | | |
|---|---|---|
| Talent | Thune | Voinovich |
| Thomas | Vitter | Warner |

The amendment (No. 3039) was rejected.

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

The motion to lay on the table was agreed to.

Mr. GREGG. Mr. President, I ask unanimous consent to add Senator KYL as a cosponsor to Senator BURNS' amendment No. 2999.

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

Mr. GREGG. Mr. President, I ask unanimous consent that we now proceed to the consideration of the following amendments in the order listed and the times for debate equally divided for today and into the evening:

Senator SPECTER relative to Labor-HHS, 30 minutes; Senator STABENOW relative to interoperable, 30 minutes; Senator FRIST, or his designee, relative to Menendez subject matter, ½ hour; Senator MENENDEZ relative to port security, ½ hour; Senator BYRD on mining, ½ hour; Senator CHAMBLISS and Senator DAYTON, Byrne grants, 30 minutes; and Senator MURRAY on CDBG, 30 minutes.

Beginning on Wednesday at 9 a.m., the following will be considered: Senator KYL on immigration, 15 minutes; Senator GRASSLEY on Medicare, 30 minutes; Senator NELSON on Medicare, 30 minutes; and Senator SANTORUM on CDBG, 30 minutes.

I further ask unanimous consent that following the debate or yielding back of time on these amendments the Senate proceed to a vote in relationship to the amendments with no second degrees in order to amendments prior to the vote; further, that the time used during the votes count equally against the resolution. I further ask unanimous consent that the votes occur in the order listed above with the exception of the Santorum vote which will occur immediately following the Murray amendment; provided that prior to each vote there will be 2 minutes equally divided for debate, and that in each stacked series all votes after the first be limited to 10 minutes each.

For clarification, tomorrow morning after the debate on the Santorum amendment, we will begin a series of votes. We have some scheduling issues and, therefore, we will pause that sequence at some point and resume around 1 p.m. We have a joint meeting beginning at 2 p.m., and therefore we will then begin the next series of votes at 3 or 3:15.

I further ask unanimous consent that no other amendments or motions be in order other than those listed during the pendency of this request.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. Mr. President, reserving the right to object, could the chairman of the committee clarify when he intends to bring the so-called Specter-Harkin amendment to a vote?

Mr. GREGG. That will be the first amendment voted on, beginning probably around 11, maybe a little earlier, tomorrow morning.

Mr. SPECTER. Mr. President, I am advised there will be two Senators absent at that time who are in favor of this amendment. If I may have the indulgence of the chairman for one moment to find out when they will be here, may I inquire of the chairman when the last vote is scheduled in his unanimous consent request.

Mr. GREGG. We presume it would occur at some time around 3:35 or 4 o'clock.

Mr. SPECTER. Mr. President, may I inquire of the chairman if the vote on the Specter-Harkin amendment could be scheduled at the end of the sequence.

Mr. GREGG. I will amend the unanimous consent request so that the amendment on Specter-Harkin will be the last amendment to be voted on in the series.

Mr. SPECTER. Mr. President, I thank the distinguished chairman.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. Mr. President, let me say that Senator HARKIN is telling us they do not know yet whether they will be back at that hour. So maybe we can leave that, have the debate tonight, and schedule that vote tomorrow as we know better the information that is of interest to the two Senators.

Mr. SPECTER. Mr. President, I think that is an excellent idea. I thought we would be in the safe range, but if there is some possibility that 3:30 will not be a time when those two Senators will be present, I ask that the suggestion by the Senator from North Dakota be agreed to.

Mr. GREGG. Why don't we amend the unanimous consent request to say that the Specter-Harkin amendment will be voted on when the managers of the bill reach an agreement as to a time certain.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. Mr. President, may I add that with the concurrence of Senator HARKIN and myself.

Mr. GREGG. That is asking for a lot, it seems to me. But I guess it will be all right.

Mr. SPECTER. It is not asking for a lot in my short tenure.

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

Mr. CONRAD. Mr. President, I want to again say to our colleagues that I thank all of our colleagues who have worked very hard to put these agreements together today and ask for additional cooperation through the evening as we work to put a list together for tomorrow. If we want to get the Senate's business completed, including dealing with the debt limit, it is going to take very serious cooperation from Members.

I repeat that we have 100 amendments pending. We could be voting right through Friday. We could be voting into Saturday if Members don't cooperate. The vast majority have. We have a number of colleagues who have been somewhat reluctant to make commitments to us about time agreements, and about the staging of their amendments. That makes it extremely difficult to reach a conclusion.

I hope some people have an epiphany here overnight and realize that if we don't find a way to cooperate and work together, we will be here until Saturday.

Mr. GREGG. Mr. President, I have one more unanimous consent request which is that during the time we are in joint session with the House and hear the message from the President of Liberia, for which I guess we would be in recess, that time be counted against the bill equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, there is no objection to that.

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

The Senator from Pennsylvania.

AMENDMENT NO. 3048

Mr. SPECTER. Mr. President, I am sending an amendment to the desk on behalf of Senators HARKIN, SMITH, KENNEDY, LAUTENBERG, MURRAY, LINCOLN, LIEBERMAN, KERRY, CLINTON, BINGAMAN, AKAKA, OBAMA, CANTWELL, KOHL, DODD, MIKULSKI, DAYTON, DURBIN, COLLINS, LANDRIEU and myself, and ask for its consideration in terms of the unanimous consent agreement already reached.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself and Mr. HARKIN, Mr. SMITH, Mr. KENNEDY, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. LINCOLN, Mr. LIEBERMAN, Mr. KERRY, Mrs. CLINTON, Mr. BINGAMAN, Mr. AKAKA, Mr. OBAMA, Ms. CANTWELL, Mr. KOHL, Mr. DODD, Ms. MIKULSKI, Mr. DAYTON, Mr. DURBIN, Ms. COLLINS and Ms. LANDRIEU, proposes an amendment numbered 3048.

Mr. SPECTER. 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 increase the advance appropriations allowance in order to fund health, education and training, and low-income programs)

On page 44, line 13, strike ''$23,158,000,000'' and insert ''$30,158,000,000''.

Mr. SPECTER. Mr. President, before proceeding into the details of this amendment, let me state that it is an amendment which seeks to offer $7 billion to increase the cap on advanced appropriations under section 401 of this resolution. The budget resolution has increased the President's mark by some $3 billion so that if accepted this amendment for $7 billion will constitute an increase over the President's mark of some $10 billion.

Let me say at the outset that notwithstanding the sizable figure involved here, the funding for the subcommittee, which I chair and where Senator HARKIN is the ranking member, we will still be more than $5 billion short of where we would have been had the budget for fiscal year 2006 been frozen with an inflation increase, and then the budget for 2007 again frozen accommodating an inflation increase. That has come about. The figures are complicated and technical, but I think it is important to understand where we are coming from on this amendment.

For fiscal year 2005 the budget enacted was $143.4 billion. The budget enacted was $141.5 billion for fiscal year 2006, almost $2 billion less. The inflation factor was $4.8 billion. If we take the $1.9 billion reduction and the $4.8 billion, our budget for the fiscal year 2006 was $6.7 billion under a freeze.

The budget for fiscal year 2007 has come in at $137.5 billion. What we have is a President's budget which is $5 billion under the enacted budget for fiscal year 2006. If we add an inflation factor of $5 billion, the budget for fiscal year 2007 should be $153.2 billion, which means that under the current figures we are $15.7 billion short.

Now, that is on a freeze. There has been a lot of rhetoric about maintaining fiscal responsibility, which I subscribe to. That is something we should be doing. We should be, as a nation, living within our budget. It is unfortunate we did not pass a constitutional amendment for a balanced budget, which would have compelled us to live within our means, as every citizen must do so and the States and the cities and other governmental units, but we did not pass that.

But what I call fiscal restraint is if you have a freeze; that is, you do not increase the spending. But when you have had this sequence where the budget has been cut, plus the failure to have an allowance for an inflation factor, we have done more than cut out the fat, we have done more than cut through the muscle, we have done more than cut through the bone; we have cut into the marrow. It is that serious as to what has happened.

In the Subcommittee on Labor, Health, Human Services and Education, we are dealing with our two major capital assets—health and education. Without health, individuals obviously cannot function. And without education, individuals cannot reach their potential. And the Department of Labor—workforce, job training, worker safety—again, very vital functions.

In an earlier vote today, I voted against the amendment offered by Senator KENNEDY for $6.3 billion which would have increased Pell grants by $1.8 billion, would have increased funding for other higher education programs by $2.4 billion, would have increased funding for Perkins vocational education by $1.3 billion and other revenues by $750 million. Much as I would have liked to have voted for the Kennedy amendment, I voted against it because it seemed to me an impossibility for Senator KENNEDY's amendment to be agreed to and to have the Specter-Harkin amendment agreed to.

I tried to persuade my distinguished colleague, Senator HARKIN, to vote against the Kennedy amendment and join me on that. He told me about some of the practical facts of life on his side of the aisle. I relented, notwithstanding our general partnership agreement, and released him from his obligations. So Senator HARKIN voted for the Kennedy amendment, which I would have liked to have done, and I voted against it, although it was a very painful vote.

Now we come to the addition of $7 billion. Let me explain briefly, before yielding to Senator HARKIN, what this amendment does. In the Department of Labor, the fiscal year 2007 budget proposes to eliminate $49 million for reintegration of youthful offenders. This will be reinstated, but this is what the resolution calls for. Would reinstate the $7 billion as added, $49 million for the reintegration of youthful offenders, obviously, a very important program. The budget eliminates $79 million for training migrant and seasonal farmworkers and dislocated worker assistance by $232 million, cut adult training by $152 million, and cut the Job Corps by $62 million. This amendment will restore those indispensable items.

This amendment restores $637 million for the Community Service Block Grant Program. This amendment also provides funding for low-income energy assistance. This amendment restores funding for the National Institutes of Health. The current budget resolution recommends $29.350 billion, which is $1 billion over the fiscal year 2006 appropriation and the President's request. This amendment provides NIH with a $2 billion increase over the President's budget. Even with this increase, the amount is below what has been provided in the 2005 budget, adjusted for inflation.

Just a word or two about the National Institutes of Health. The subcommittee has taken the lead in the past several years of more than doubling funding for the National Institutes of Health from $12 billion to more than $29 billion. What has happened in the last 2 years, has eventuated in a reduction in the number of grants which may be offered. In this field, there is panic among the applicants for NIH funding.

Dr. John Glick, noted oncologist, Philadelphian—happens to be my oncologist; I am unfortunate to need one, but he is a superb oncologist—has confirmed what I have heard reported around the country about how the National Institutes of Health are not able to perform their function. They are dealing with rock-bed American health. They are dealing with the potential cures for heart disease, cancer, Alzheimer's, Parkinson's, diabetes. When we have the hearing in a few weeks, we will be bringing in 21 experts of these various disciplines to testify what the impact has been.

The Department of Education has had the President's budget proposal to reduce it by more than $2.1 billion. This budget resolution assumes an increase of $1.5 billion over the President's budget request but would still result in cuts below the fiscal year 2006 level. We detail what we are doing for education. We will be providing the kind of funding, in large measure, which the Kennedy amendment was looking for which, as I say, I had voted against.

The managers of this budget resolution have done an outstanding job of dealing with a very difficult situation. What we are doing is simply not looking at reality on discretionary spending. There is a great deal of spending which is being undertaken by the Federal Government at the present time. Entitlements are precisely what they say. They are established. We have tremendous expenses with the hurricanes. We have tremendous expenses with Afghanistan. We have tremendous expenses with Iraq.

I am not going to direct any comments on any of those directions as to whether we are doing the right thing in what we are spending. I do know, when it comes to health, education, worker training, worker safety, we cannot move below a freeze on fiscal year 2005 and have anything but chaos. I have detailed why we are now $15.7 billion below what we should have been in 2005 had there been a freeze without the cuts and allowing for inflation.

When you talk about fiscal responsibility, I do not think anyone, including our so-called base, would expect us to do more than freeze—not to cut education, not to cut health care, not to cut job training, not to cut worker safety but to hold the line, tighten our belts, and have a freeze. So when we end up with $3 billion added by the committee and $7 billion if this amendment passes, we are still far short of where we need to be.

As I have advised the leadership, I have grave doubts about supporting the budget resolution, even with the adoption of this amendment. The budget resolution does not end the day. There has to be a conference. There have to be allocations in the Committee on Appropriations. I put the Republican leadership and the Democratic leadership and the House and the White House and the Presiding Officer, everyone on notice that I will want to see some real assurances that we are dealing with hard money, not with confederate dollars, not with something on a printout but something which will eventuate in having an appropriation for our subcommittee which will enable us to do a decent job—not an adequate job, not the proper job but at least a decent minimal job on these important functions.

I ask unanimous consent that my full statement be printed in the RECORD.

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

STATEMENT OF SENATOR ARLEN SPECTER

Mr. President, I have sought recognition today to offer a $7 billion amendment to increase the cap on advance appropriations under section 401 of this resolution. By increasing allowable advance funding, this amendment would add to the amounts already included in the resolution for the National Institutes of Health, the Centers for Disease Control and Prevention and other public health service activities; education and job training; and anti-poverty programs, including Low-Income Home Energy Assistance. By increasing advance funding, this amendment does not raise the overall discretionary spending limit.

The Harkin/Specter amendment adds $7 billion to the $3 billion increase over the President's request assumed in the resolution reported by the Budget Committee and thereby allowing a $10 billion to partially restore funding for programs within the jurisdiction of the Labor-HHS-Education Appropriations Subcommittee. This is a modest amendment when you take into account inflationary costs and that fact that last year's appropriation was reduced by $1.9 billion below the previous year's funding level.

The amendment restores the President's proposed cuts in workforce investment programs, including dislocated worker assistance and the Job Corps. It will also prevent the termination of 6 Labor Department programs the Administration has proposed to eliminate, including Reintegration of Youthful Offenders, and Migrant and Seasonal Farmworkers. With the shortage of skilled workers in many fields, including health care occupations such as nursing, we should not be cutting back on training programs for the unemployed. This amendment will restore 124,000 training opportunities for youth and adults. It will also provide services to an additional 1.2 million workers through job placement at our nation's One Stop Career Centers.

My amendment would restore the $637 million for the Community Services Block Grant Program that the budget proposed to eliminate. This block grant program provides services and activities to reduce poverty. The strength of the program is in its ability to tailor itself to best enhance local community programs and address their individual needs. Dollars are used for food programs, administration of LIHEAP services, employment issues, or for a variety of other issues that are vital to healthy communities. These funds leverage $20 for every $1 provided through state, local and private contributions.

LIHEAP helps states assist low-income households to meet the cost of home heating and cooling. This winter, we saw drastic increases in home heating fuel costs. To respond to the need for immediate relief, the Senate has passed legislation shifting $1 billion appropriated for fiscal year 2007 for use in 2006; the House Appropriations Committee has taken similar action. Once completed, this shift will require at least a $1 billion restoration of fiscal year 2007 funds.

DEPARTMENT OF EDUCATION

My amendment also intends to ensure that discretionary funding for the Department of Education is not cut below the amount provided by Congress last year. The resolution currently assumes a cut of $600 million below the FY'06 appropriation. My amendment would provide additional resources to help schools raise achievement levels for all of their students and to ensure that they are prepared for postsecondary education and work.

Many members have pointed out that the budget for the Department of Education has been increased significantly over the past several years. In fact, discretionary funding has been raised from $24.7 billion in FY'95 to $56 billion in FY'05, an increase of 129%. My subcommittee has taken the lead in raising funding for Title I grants for Disadvantaged Students, Special Education and Pell Grants. The spending limit established in the FY'06 budget resolution forced my subcommittee to reduce investments in education for the first time in a decade. The FY'06 Labor-HHS-Education bill, including the 1 percent across the board reduction, provided $624 million less for the Department of Education than the agency had in FY'05. The progress that was achieved over the past decade in specific areas was halted, and in some cases, reversed. For example, the federal contribution for special education has increased from 7.3 percent in FY'96 to 18.5 percent in FY'05, almost halfway to the 40 percent goal. However, under the President's budget request the federal contribution will drop to 17 percent.

In the area of Title I—grants for disadvantaged students, the foundation of federal support for elementary and secondary education, significant increases have been made since the No Child Left Behind Act was passed in 2000. However, with more than 9,000 schools nationwide identified as in need of improvement, this is the time to ensure that struggling students get the extra help they need to demonstrate that they have the knowledge and skills to proceed to the next grade.

In the area of postsecondary education, the President's budget proposes a $4,050 maximum grant under the Pell program, which, if adopted, would mean the fifth straight year that the maximum award was at that level. The budget also proposes to eliminate LEAP and the Perkins Loans program. More than 1 million additional students are receiving Pell Grants than they were five years ago. However, last year, the average tuition and fees increased by more than 7 percent, decreasing the purchasing power for low- and middle-income Pell grant recipients.

The budget also proposes to eliminate the $303 million GEAR UP program, which the Administration itself has acknowledged is performing adequately and successfully prepare students for college enrollment. The $1.1 billion Perkins Vocational and Technical Education programs, which the Senate voted 99–0 to reauthorize last year is also proposed for elimination. Additional resources provided by this amendment will ensure that these investments can be made without reductions to other education initiatives.

NATIONAL INSTITUTES OF HEALTH

The budget resolution currently recommends $29,350,000,000 for the NIH in FY'07, which is $1 billion over the FY'06 appropriation and the President's request. This amendment would provide NIH with a $2 billion increase over the President's budget. Even with this increase, the amount is below the amount provided in FY'05 when adjusted for inflation.

As Chairman of the Appropriations Subcommittee for Labor, Health and Human Services, Education and Related Agencies, I have said many times that the National Institutes of Health is the crown jewel of the Federal Government—perhaps the only jewel of the Federal Government. When I came to the Senate in 1981, NIH spending totaled $3.6 billion. The FY 2003 omnibus appropriations bill contained $27.2 billion for the NIH which completed the doubling begun in FY 1998. The successes realized by this investment in NIH have spawned revolutionary advances in our knowledge and treatment for diseases such as cancer, HIV–AIDS, Alzheimer's disease, Parkinson's disease, mental illnesses, diabetes, osteoporosis, heart disease, ALS and many others. It is clear that Congress' commitment to the NIH is paying off. Now it is crucial that increased funding be continued in order to translate these advances into additional treatments and cures. Our investment has resulted in new generations of AIDS drugs which are reducing the presence of the AIDS virus in HIV infected persons to nearly undetectable levels. Death rates from cancer have begun a steady decline. With the sequencing of the human genome, we will begin, over the next few years, to reap the benefits in many fields of research. And if scientists are correct, stem cell research could result in a veritable fountain of youth by replacing diseased or damaged cells. I anxiously await the results of all of these avenues of remarkable research. This is the time to seize the scientific opportunities that lie before us.

On May 21, 1997, the Senate passed a Sense of the Senate resolution stating that funding for the NIH should be doubled over five years. Regrettably, even though the resolution was passed by an overwhelming vote of 98 to nothing, the Budget Resolution contained a $100 million reduction for health programs. That prompted Senators Harkin and myself to offer an amendment to the budget resolution to add $1.1 billion to carry out the expressed sense of the Senate to increase NIH funding. Unfortunately, our amendment was tabled by a vote of 63–37. We were extremely disappointed that, while the Senate had expressed its druthers on a resolution, it was simply unwilling to put up actual dollars to accomplish this vital goal.

The following year, Senator Harkin and I again introduced an amendment to the Budget Resolution which called for a $2 billion increase for the NIH. While we gained more support on this vote than in the previous year, our amendment was again tabled by a vote of 57–41. Not to be deterred, Senator Harkin and I again went to work with our Subcommittee and we were able to add an additional $2 billion to the NIH account for fiscal year 1999.

In fiscal year 2000, Senator Harkin and I offered another amendment to the Budget Resolution to add $1.4 billion to the health accounts, over and above the $600 million increase which had already been provided by the Budget Committee. Despite this amendment's defeat by a vote of 47–52, we were able to provide a $2.3 billion increase for NIH in the fiscal year 2000 appropriations bill.

In fiscal year 2001, Senator Harkin and I again offered an amendment to the Budget Resolution to increase funding for health programs by $1.6 billion. This amendment passed by a vote of 55–45. This victory brought the NIH increase to $2.7 billion for fiscal year 2001. However, after late night conference negotiations with the House, the funding for NIH was cut by $200 million below that amount.

In fiscal year 2002, the budget resolution once again fell short of the amount necessary to achieve the NIH doubling. Senator Harkin and I, along with nine other Senators offered an amendment to add an additional $700 million to the resolution to achieve our goal. The vote was 96–4. The Senate Labor-HHS Subcommittee reported a bill recommending $23.7 billion, an increase of $3.4 billion over the previous year's funding. But during conference negotiations with the House, we once again fell short by $410 million. That meant that in order to stay on a path to double NIH, we would need to provide an increase of $3.7 billion in the fiscal year 2003. The fiscal year 2003 omnibus appropriations bill contained the additional

$3.7 billion, which achieved the doubling effort. In FY'04, I and Senator Harkin offered an amendment to add an additional $2.8 billion to the budget resolution to ensure that the momentum achieved by the doubling could be maintained and translated into cures. The vote was 96–1. Unfortunately, the amendment was dropped in conference. We worked hard to find enough funding for a $1 billion increase in FY'04. We fought long and hard to make the doubling of funding a reality, but until treatments and cures are found for the many maladies that continue to plague our society, we must continue our fight.

In FY'05, once again, Senators Harkin, Collins and I offered an amendment to add $2 billion to discretionary health spending, including NIH. The amendment passed 72–24. However, the Subcommittee's allocation did not reflect this increase. The final conference agreement contained an increase of $800 million over the FY'04 funding level.

In FY'06, the Senate voted 63–37 to accept my budget resolution amendment to add $1.5 billion for NIH and $500 million for education, but again, the funding was dropped in conference with the House. With overall funding for the Labor-HHS-Education Subcommittee cut $1.9 billion below the FY'05 enacted level, NIH did not receive an increase for the current fiscal year.

I, like millions of Americans, have benefited tremendously from the investment we have made in the National Institutes of Health and the amendment that we offer today will continue to carry forward the important research work of the world's premier medical research facility.

In summary, this amendment permits greater use of advance funding for existing health, education and job training programs, in order to free up resources to restore proposed cutbacks and increase high-priority activities. Currently, the cap on advance funding is $23.1 billion, which this amendment would raise to $30.1 billion. The portion of advances in the Labor-HHS-Education Subcommittee would increase from $18.8 billion to $25.8 billion. The $7 billion freed up in fiscal year 2007 budget authority would be used as I have described.

Mr. President, I urge adoption of this amendment.

Mr. SPECTER. Mr. President, I am delighted to yield to my distinguished colleague from Iowa for some forceful rhetoric on this important subject.

The PRESIDING OFFICER. The Senator is recognized for up to 1 minute.

Mr. HARKIN. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. HARKIN. How much time do I have?

The PRESIDING OFFICER. You have 45 seconds.

Mr. HARKIN. I don't seem to understand why this situation has developed where the Senator from Iowa has 45 seconds.

The PRESIDING OFFICER. There is 30 minutes on the amendment equally divided.

Mr. SPECTER. How long did I speak?

The PRESIDING OFFICER. Fourteen minutes.

Mr. SPECTER. We have 30 minutes.

The PRESIDING OFFICER. Thirty minutes equally divided.

Mr. GREGG. How much time does the Senator need?

Mr. HARKIN. Less than 10—7 minutes.

Mr. SPECTER. Did we not have 1 hour?

The PRESIDING OFFICER. We had 30 minutes equally divided between the opponent and proponents.

Mr. SPECTER. I express my regrets to the Senator from Iowa, I thought it was an hour.

Mr. HARKIN. So did this Senator.

Mr. SPECTER. I took one half of what I expected our allocation to be.

Mr. GREGG. I can help this situation. I am claiming the time in opposition and I will yield to the Senator from Iowa 8 minutes off of my 15 minutes.

Mr. HARKIN. I appreciate that.

Mr. GREGG. So there are 8 minutes and 45 seconds.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, the Specter-Harkin amendment would add back $7 billion to the President's proposed budget, allowing us to fund the 2007 Labor, HHS appropriations bill at the level of 2005.

I am proud to join my friend and colleague from Pennsylvania in offering this amendment. I thank Senator SPECTER for his great leadership in all the areas of health, education, human services, medical research. He has been a tireless leader in all these areas. Once again, he has stepped to the forefront to basically say that we are not going to keep cutting back to the bone and the marrow, which he said earlier today.

This is not a radical proposal. In fact, it is almost an embarrassingly modest proposal. But it is important. It is an important first step. At least we are saying it is enough, no more; it is time to reorder our priorities. Year after year we have been cutting the programs that support working families, people with disabilities, students struggling to afford college, elderly trying to heat their homes, put food on the table, people with cancer and other diseases desperate for a cure.

As my friend, Senator SPECTER, said this morning we are beyond cutting the fat and beyond cutting bone. We are now into the marrow. I add, when you start cutting into the marrow, you are endangering the very lifeblood of an organism—in this case, our American society.

Something is seriously wrong in terms of our priorities and our values when we are presented with a budget that slashes funding for the National Cancer Institute, jeopardizing critical lifesaving research.

That is just one of the many critical program areas threatened by the proposed budget. President Bush, in his budget, proposed to slash the Labor-Health-Education budget by $4.2 billion for this year. Meanwhile, in Iraq, he is spending nearly $5 billion a month. These are not the priorities of the American people.

I believe this amendment is the single most important amendment that we will consider on this budget resolution. I want to emphasize to my colleagues, this is very likely our last, best chance to restore funding for critical health, education, and social services programs.

Last year, we saw what happens when Congress passes a bad budget resolution. The reason why we had a bad Labor-HHS bill last year and could not get it done is because we were boxed in by the budget resolution. Exactly the same thing will happen this year. It will be worse. It will be worse since it is an election year, unless we pass the Specter amendment, which he just offered, putting back this $7 billion.

So I say to my colleagues, this is the decisive vote. This is sort of the showdown. This is our best, maybe last real opportunity to change our budget priorities. If we fail to act, then we will indeed be cutting into the bone and marrow of our most important programs.

Let me be somewhat specific.

This budget would cut funding for the Centers for Disease Control, despite the fact we are facing the twin threats of bioterrorism and a possible avian flu pandemic.

This budget would cut funding for 18 of the 19 institutes at NIH. It would cut the Social Services block grant by $500 million, completely eliminate the Community Services block grant—two of the biggest discretionary programs for the poor.

The number of children served by Head Start would be reduced. Even Meals on Wheels would be cut.

At the Labor Department, the Disability Employment Office would be cut by 26 percent, on top of a 41-percent cut last year. Funding for the Workforce Investment Act would be cut. Even the program we have had for several years now to combat child labor and child slavery would be cut.

In education, the President's budget proposes the largest cut to Federal education funding in the 26-year history of the Department of Education.

And I speak to the occupant of the Chair, who is a distinguished former Secretary of Education, and who has a deep and abiding interest and support for education.

The No Child Left Behind Act would be underfunded by a whopping $15.4 billion from what we were planning to spend when we passed it.

Title I would be frozen. Twenty-nine States would get less title I funding next year. How are we ever going to expect poor kids to meet the demands of No Child Left Behind if we are cutting title I funding, which President Bush himself said was the cornerstone of No Child Left Behind?

In special education—this is something the chairman of the Budget Committee has talked about and has been supportive of for a long time—we are going backwards. We promised years ago—30 years ago—that the Federal Government would pick up 40 percent of the additional costs of funding for special education.

Two years ago, which was a high watermark, we were at 19 percent. Last year, we went to 18 percent. This budget will take us to 17 percent. We are supposed to be at 40 percent. So we are going in the wrong direction. What that translates into is more property taxes for our beleaguered property tax owners in our school districts.

And need I talk about Pell grants? They are frozen at $4,050 for the fifth year in a row. I asked Secretary Spellings, when she was before our committee, name me one college in the country where tuition is the same today as it was 5 years ago. Meanwhile, the Perkins Loan Program would be completely eliminated. And the two TRIO programs—Upward Bound and Educational Talent Search—were eliminated in the President's budget.

So again, I think these are misplaced priorities. That is why we are offering this amendment. That is why Senator SPECTER and I have worked together to try to get us at least back on the road. As I said, this is a modest proposal. It only takes us back to 2005.

The amendment offered, I repeat, by the Senator from Pennsylvania simply takes us back to where we were before all of the cuts and the across-the-board cut of 2006. It puts us right back where we were in 2005. I do not think that is radical. I think it is very modest.

Again, I say to my friends, fellow Senators, I believe this is the decisive vote on priorities on this budget, and I urge my colleagues to support Senator SPECTER's amendment.

Mr. President, I thank the Senator from New Hampshire for giving me the time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I rise in opposition to the amendment, although I yielded time off my time in support of the amendment to Senator HARKIN. I was happy to do that, obviously.

First, on the substance, Senator HARKIN was speaking to the President's budget, not to this budget. I can understand, he probably has a lot of things going on and maybe has not had the time to take a look at this budget. But we actually—assuming we had any force of law in allocation, which I pointed out a number of times is not the case—took $3 billion and moved it from Defense over to the Labor-HHS bill—$3 billion; $1.5 billion for education, $1.5 billion for health care.

In fact, we address some of the concerns specifically. We upped NIH by $1 billion. We put enough money in so the GEAR UP and TRIO and voc ed was fully funded. We increased funding for bioterrorism. So we adjusted.

Furthermore, we put in a reserve fund of $6 billion to address the American Competitiveness Initiative, which is the initiative of the Senator and the Presiding Officer. And that is a big number.

We have made a strong commitment toward education, and we have basically relieved the pressure that was put there by the President's budget—which would have actually cut, by going to levels slightly above a freeze—with our budget. So I think a lot of what the Senator from Iowa said may have been directed to the President's budget, but it is not accurately directed at this budget.

Secondly, I have a problem with the way this is paid for. This is an advance appropriation. What is an advance appropriation? Well, basically, it is borrowing from next year to fund things this year, which creates a hole in the next year, which then has to be filled.

So as a practical matter, what you are doing is adding to debt, but, more importantly, you are adding to the base and you are basically creating a problem for the next budget, as well as creating significant increases in spending in this budget.

This advanced appropriation in this amendment is, I think, about $8 billion, or something in that range. The practical effect of it would be that advanced appropriations—which have grown over the years, unfortunately, and are now up to about $23 billion—would jump to about $30 billion—$30.1 billion, $30.2 billion. That is a big number because that number gets carried forward every year. It is not good budgeting to do that type of action, where you borrow from a future year to fund this year and represent that you are basically doing sound budgeting. That is not sound budgeting.

Advanced appropriations are a thin ice of budgeting to step on. We should not be moving in that direction. We should not be expanding the advanced appropriations. We have carried the $23 billion advanced appropriation number in this bill. That has, over the years, been built up. But I do not want to have to, next year, have a $30 billion advanced appropriation, which is what this amendment would create if we were to approve it.

So I must, regrettably, oppose this amendment. I understand the position the chairman and the ranking member of the subcommittee for Labor-HHS find themselves in. But I think there are other ways to solve this problem. I hope we would not do it in this manner. Plus, I do think we did make a genuine attempt within this budget to try to address these concerns by moving $3 billion into these accounts.

With that said, I believe we are on to the amendment by the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I actually have two amendments.

AMENDMENT NO. 3055

Mr. President, the first one I will send to the desk. I want to indicate what this is, and I appreciate the fact that I understand my leadership on the Budget Committee is willing to accept the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for herself, Ms. SNOWE, Mr. LIEBERMAN, Mr. KOHL, Mr. DEWINE, Mr. REED, and Mr. GRAHAM, proposes an amendment numbered 3055.

Mr. GREGG. 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 ensure appropriate funding for the Manufacturing Extension Partnership Program of the Department of Commerce.)

On page 15, line 21, increase the number by $60,000,000.

On page 15, line 22, increase the number by $10,000,000.

On page 16, line 1, increase the number by $29,000,000.

On page 16, line 5, increase the number by $14,000,000.

On page 16, line 9, increase the number by $6,000,000.

On page 16, line 13, increase the number by $1,000,000.

On page 27, line 23, decrease the number by $60,000,000.

On page 27, line 24, decrease the number by $10,000,000.

On page 28, line 2, decrease the number by $29,000,000.

On page 28, line 5, decrease the number by $14,000,000.

On page 28, line 8, decrease the number by $6,000,000.

On page 28, line 11, decrease the number by $1,000,000.

Mr. GREGG. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3055) was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to indicate that this amendment is a bipartisan amendment that is cosponsored by Senators SNOWE, REED, LIEBERMAN, KOHL, DEWINE, and GRAHAM. It is an amendment that restores the critical funding for the Manufacturing Extension Partnership Program, which has helped over 150,000 small- and medium-sized manufacturers in this country.

It is based on the cooperative extension model with Agriculture in that it is set up to provide best management practices, efficiencies, and support for our manufacturers as they compete in a global economy. It has helped them to maintain and increase jobs and be able to increase sales by——

The PRESIDING OFFICER. The Senator will suspend, please.

Who yields time?

Ms. STABENOW. Mr. President, I was simply explaining the amendment that was adopted.

Mr. GREGG. Mr. President, there is 30 minutes on her amendment, equally divided.

The PRESIDING OFFICER. Would the Senator send her amendment to the desk.

Ms. STABENOW. Actually, Mr. President, I think the confusion is that I am

speaking for a moment about what was just accepted and wanted to say thank you to the chairman and the ranking member for accepting our restoration of the Manufacturing Extension Partnership Program funding. There was a 60-percent cut proposed by the President. This, in fact, restored it. And I want to say thank you, and then also indicate that the chairman of the committee, while there are not always amendments or policies or approaches we agree on, has been extraordinary as a leader of the Budget Committee. I want to say thank you to him and to our ranking member, Senator CONRAD, who have worked so well together.

AMENDMENT NO. 3056

With that, Mr. President, I send another amendment to the desk.

The PRESIDING OFFICER. Without objection, that time will be taken from the resolution.

Ms. STABENOW. Thank you.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW] proposes an amendment numbered 3056.

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

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

The amendment is as follows:

(Purpose: To provide $5 billion for our emergency responders so that they can field effective and reliable interoperable communications equipment to respond to natural disasters, terrorist attacks and the public safety needs of America's communities and fully offset this by closing tax loopholes and collecting more from the tax gap)

On page 3, line 13, increase the amount by $1,000,000,000.

On page 3, line 15, increase the amount by $3,700,000,000.

On page 3, line 17, increase the amount by $3,100,000,000.

On page 3, line 19, increase the amount by $2,200,000,000.

On page 4, line 1, increase the amount by $1,000,000,000.

On page 4, line 2, increase the amount by $3,700,000,000.

On page 4, line 3, increase the amount by $3,100,000,000.

On page 4, line 4, increase the amount by $2,200,000,000.

On page 4, line 13 increase the amount by $5,000,000,000.

On page 5, line 4, increase the amount by $500,000,000.

On page 5, line 6, increase the amount by $1,850,000,000.

On page 5, line 8, increase the amount by $1,550,000,000.

On page 5, line 10, increase the amount by $1,100,000,000.

On page 5, line 19, increase the amount by $500,000,000.

On page 5, line 21, increase the amount by $1,850,000,000.

On page 5, line 23, increase the amount by $1,550,000,000.

On page 5, line 25, increase the amount by $1,100,000,000.

On page 6, line 8, decrease the amount by $500,000,000.

On page 6, line 10, decrease the amount by $2,350,000,000.

On page 6, line 12, decrease the amount by $3,900,000,000.

On page 6, line 14, decrease the amount by $5,000,000,000.

On page 6, line 16, decrease the amount by $5,000,000,000.

On page 6, line 22, decrease the amount by $500,000,000.

On page 6, line 24, decrease the amount by $2,350,000,000.

On page 7, line 2, decrease the amount by $3,900,000,000.

On page 7, line 4, decrease the amount by $5,000,000,000.

On page 7, line 6, decrease the amount by $5,000,000,000.

On page 17, line 22, increase the amount by $5,000,000,000.

On page 17, line 23, increase the amount by $500,000,000.

On page 18, line 3, increase the amount by $1,850,000,000.

On page 18, line 7, increase the amount by $1,550,000,000.

On page 18, line 11, increase the amount by $1,100,000,000.

On page 53, line 1, increase the amount by $5,000,000,000.

On page 53, line 2, increase the amount by $500,000,000.

Ms. STABENOW. Mr. President, I rise today to offer an amendment to this budget resolution that would provide $5 billion for our first responders so they can effectively and reliably communicate with each other with equipment that can speak to each other: interoperable communications equipment.

I regret to say this administration has been dangerously incompetent in providing homeland security funding, and particularly when we talk about what is happening for our first responders in their ability to communicate, whether it is a terrorist attack, whether it is in the gulf and what has happened with our natural disasters, or any other kind of emergency in our communities.

We have seen a dangerously incompetent situation that has put our families and our communities at risk. We have known for a long time that too many of our police and fire and emergency medical workers and transportation officials cannot communicate with each other or they are not able to link up with State or Federal agencies.

The September 11 attacks highlighted this problem, when New York police and fire personnel were on different radio systems, couldn't communicate, people running into buildings when they should have been running out. The 9/11 Commission found that the inability to communicate was a critical element at the World Trade Center, at the Pentagon, and in Somerset County, PA, where multiple agencies and multiple jurisdictions responded.

Last December, the 9/11 Commission gave Congress a failing grade—an F—because it had not set a date for the transfer of analog spectrum to first responders for their interoperable communications needs.

A June 2004 U.S. Conference of Mayors survey found that 98 percent of cities do not have interoperable communications. In other words, the police department can't talk to the fire department or can't talk to emergency medical personnel, or they can't talk to folks at the county or the city or the township or the State. And 60 percent of the cities do not have the ability to talk with their State emergency operations centers. This is not acceptable. I believe this shows a dangerously incompetent situation. Almost half of the cities that responded to the survey said that a lack of interoperable communications had made a response to an incident within the last year difficult.

The most startling finding was that 80 percent of the cities don't have interoperable communications with the Department of Homeland Security or the Department of Justice—80 percent of our cities not wired to be able to talk to Homeland Security or the Justice Department. This is a dangerously incompetent situation. Despite these warnings, the Federal Government still has not taken decisive action to solve the problem, and we saw the devastating cost of this with Hurricanes Katrina and Rita. In New Orleans, the police departments and three nearby parishes were on different radio systems. Police officers were calling Senator LANDRIEU's office here in DC because they couldn't reach the commanders on the ground in New Orleans. That is unacceptable. We can do better than this, and we must.

During my visit to the region with the Senate leadership, I had the opportunity to speak to many men and women who were working very hard in those initial days. Sitting in front of the New Orleans Convention Center talking to someone from the Michigan Army National Guard and the Michigan Coast Guard, which were both there working very hard, I asked them if they had radios, and they said yes. I asked if the radios could talk to each other, and they said no.

I said: What happens when you are out in a boat? What happens when you are trying to communicate?

One gentleman said: We use hand signals.

In the United States of America, in 2006, that is a dangerously incompetent situation.

We know this is an ongoing problem, not only because police and firefighters tell us that it is, but high-ranking Government officials concede this is a problem. In November of 2003, the White House Office of Management and Budget testified before a House committee that there was insufficient funding in place to solve the Nation's communications interoperability problem. It would cost over $15 billion to begin to fix the problem. Yet again we have been dangerously incompetent in addressing this critical threat.

The Federal Government must make a substantial financial commitment to solve this problem. At this time, our State and local governments are stretched too thin and have too many urgent and competing priorities to effectively and completely solve this on

their own. In fact, we have an obligation. As we talk about security, as we talk about making sure we are safe, how in the world can we do that if we in 2006 have not figured out how to have the radios connected to each other so folks can talk to each other in an emergency? The Federal Government has not made the necessary commitment. My amendment begins to do that. It takes a major step in the right direction.

According to the Department of Homeland Security, from 9/11 through 2005, the Federal Government has spent only $280 million directly on interoperable communications. But none of those funds has been provided to help State and local emergency responders purchase equipment they need to talk to each other. I know our esteemed leader on the Budget Committee will argue that Congress has provided Homeland Security grants to our State and local emergency responders and that interoperable communications are an eligible expense. Saying that radio equipment is an eligible expense for funding and actually providing the funding are two different things.

The problem is, these Homeland Security grants have also been subjected to repeated cuts, including in this year's budget. Our first responders are being given less overall support in funding to try to meet a growing list of homeland security needs that includes radio communications. That is not a real solution. We can do better, and we must.

We need direct funding to solve this problem. That is what my amendment does. God forbid there is another terrorist attack or a natural disaster. Are we going to tell the American people that we didn't provide direct funding to fix a failed communications system because it was eligible under another underfunded grant program? This is a dangerously incompetent response to a critical threat to our families' safety.

I understand fixing our first responders' interoperability crisis is not only a funding problem but also a problem of allocating necessary spectrum. I know this is a difficult issue to solve. I believe we need to eliminate these barriers as quickly as possible.

I also agree that nationwide standards must be set to ensure that any money spent is spent wisely. I am a cosponsor of legislation introduced by Senator LIEBERMAN and approved by the Senate Committee on Homeland Security and Governmental Affairs. The Assure Emergency and Interoperable Communications for First Responders Act not only begins to provide the resources necessary to solve this problem but ensures that the Federal Government takes a strong role in leading our State, local, and Federal assets toward true communications interoperability.

I have offered several amendments since 9/11 to provide our first responders with the equipment they need to keep our communities safe. Last year, I offered this same amendment to the Department of Homeland Security appropriations bill and the Science-State-Justice-Commerce appropriations bill. While I have not yet been successful, I assure you, I will continue to fight until the men and women in Michigan and all across our country and their families, the people on the front lines of our homeland security, have the equipment they need and the ability to communicate effectively and reliably when we have an emergency. This is one of the most fundamental issues for us in making sure our families are safe. I am hopeful that my colleagues will support this amendment.

May I ask how much time remains on the amendment?

The PRESIDING OFFICER. The Senator has 4 minutes 20 seconds remaining.

Ms. STABENOW. Mr. President, is that the time on my side or the time in total?

The PRESIDING OFFICER. The time on the side of the sponsor.

Ms. STABENOW. I will take the remaining 4 minutes and then turn it over to the chairman.

This evening, there will be an amendment offered by Senators DAYTON, CHAMBLISS, and myself to address what is another important part of homeland security or law enforcement funding that the Federal Government provides, and that is through the Byrne/JAG grant program. This was proposed for complete elimination in the administration's budget. It provides critical support as it relates to addressing drug crimes, helping with juvenile delinquency, addressing community policing, other important items that help keep our communities safe. I am very pleased to be a sponsor. It is a bipartisan amendment. I am hopeful that it will pass.

In my State, we have 1,543 fewer police officers on the street since 9/11/01. Those are shocking numbers. The Byrne program is critically important in supporting our law enforcement officials. For example, in 2004 alone, Michigan drug task forces rescued 423 children from drug houses and arrested 659 major drug traffickers. They have been able to deal with the meth problem and assist victims of domestic violence. The list goes on and on. The Byrne program is an incredibly important part of supporting law enforcement. My colleagues and I will be offering this later this evening. I am hopeful we will receive support for it.

We are seeing too many cases where law enforcement is losing the resources they need to be effective. I am hopeful that the Byrne grant program will be reinstated and that we will join in a bold, effective approach for interoperability communications so that we know, whether it is natural disasters, a terrorist attack, or just keeping us safe in our communities, that, in fact, our local responders will be connected, not only to each other but to State and Federal agencies. It is critical that we get this done.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I greatly respect the Senator from Michigan. I especially respect and appreciate her dedication to trying to make sure we straighten out this issue of interoperability because she clearly has identified it as a critical issue in the area of first responders. And we know it is. We know it has to be addressed. I don't, however, agree with the approach she is taking, which is essentially to put significantly more dollars into the pipeline. Why? Basically for this reason: In the last budget process, the Commerce-State-Justice committee put $2 billion of additional money into the interoperability pipeline. Then in the deficit reduction bill, which no Democrats voted for, but this was not the big item that caused that to happen—actually, I am sorry, I think two Democrats voted for it—we put an additional billion dollars into interoperability. And really a large part of that was in response to some of the points that have been made by the Senator from Michigan. So she has done a pretty good job of energizing money flowing into these accounts—in fact, so much so that when you tie that in with the first responder funds which are already in the pipeline, $5 billion of which have not been drawn down yet, which funds will go disproportionately, I suspect, toward interoperability issues, easily being a plurality the way the funds will be spent, if not a majority of the way the funds will be spent, you literally have a huge amount of money in the pipeline headed out to the States, to communities for the purposes of addressing the issue of interoperability.

The problem isn't dollars right now. The problem is the technical ability of different agencies to agree on an interoperable standard. Every State sees it. You certainly see it across State lines where State police organizations have trouble communicating with local police organizations and fire departments have a different system than the other police in the community. And then the Federal agencies on top of that—Customs, Immigration, FBI, ATF—have problems communicating with the State people. The county people have problems communicating with the State people. They have all, over the years, bought different systems. There is already in place a massive amount of communications equipment out there, and you can't just replace it all. We could never afford to do that. You have to create an atmosphere where, as they either upgrade or they change or they basically agree to try to work together, there is a system to accomplish that.

The problem we have today is that those systems are not in place. Most of the State plans we have received that involve interoperability as an element—every State plan has interoperability as one of its priorities—have not been executed because of the fact

that they can't figure out how to do interoperability. Literally, they have been negotiating now for 5 or 6 years on a regime, an understanding, a protocol for general interoperability, and they can't reach agreement.

What is happening is—and the Senator from Michigan makes this point, too. I don't know if she did in her statement; I regrettably had to leave the Chamber—there is a lot of inventiveness out there. We have turned loose the creative juices of America on this because there is a lot of money in the pipeline, and a lot of people want to participate in it. There are a lot of good ideas coming up quickly as to how to do interoperability without having to do massive hardware changes, and how you can get different systems built by different contractors to communicate with each other. They are not in place yet, but the dollars are there to buy them. A lot of money is there to buy them. We do not need this money at this time.

At some point in the future, we are going to need the money—when the house starts to get in order and there is a sugaring off of what the proper technology is and maybe there is an agreement on a national standard or something, then we will need some more money. We will put more money in at that time. To put more money in at this time is unnecessary, to be very honest. I am afraid we will simply overwhelm the system with dollars and end up with a lot of blue lights and cruisers being purchased and not a lot of good, standardized, interoperable communications systems. That is one reason I oppose it.

The other reason I oppose the amendment is it would raise the caps. I don't think we should be raising the caps in this budget. I made that case about 15 times in the last 2 days, so I won't state that case. It is a pretty valid case. We are opposed to this amendment. I appreciate the energy of the Senator from Michigan on this issue. I think she has had an impact already, and I believe it is reflected in the fact that there is so much money presently in the pipeline. But it has not been spent. Until there is a better plan to spend it, I don't think we need additional funds.

I yield back our time on this amendment. I think the Senator's time has expired; is that correct?

The PRESIDING OFFICER. The Senator has 1 minute 24 seconds.

Mr. GREGG. I yield back our time.

Ms. STABENOW. I yield back our time.

Mr. GREGG. Mr. President, we are ready to go to the next amendment. 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. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3054

Mr. MENENDEZ. Mr. President, I call up amendment No. 3054 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ], for himself, Mrs. CLINTON, Mr. DURBIN, Mrs. BOXER, Mr. NELSON of Florida, Mr. LIEBERMAN, Mr. INOUYE, Mr. REED, and Mr. SCHUMER, proposes an amendment numbered 3054.

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

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

The amendment is as follows:

(Purpose: To provide an additional $965 million to make our ports more secure by increasing port security grants, increasing inspections, improving existing programs, and increasing research and development, and to fully offset this additional funding by closing tax loopholes)

On page 3, line 13, increase the amount by $704,000,000.

On page 3, line 15, increase the amount by $517,000,000.

On page 3, line 17, increase the amount by $445,000,000.

On page 3, line 19, increase the amount by $264,000,000.

On page 4, line 1, increase the amount by $704,000,000.

On page 4, line 2, increase the amount by $517,000,000.

On page 4, line 3, increase the amount by $445,000,000.

On page 4, line 4, increase the amount by $264,000,000.

On page 4, line 13, increase the amount by $965,000,000.

On page 5, line 4, increase the amount by $352,000,000.

On page 5, line 6, increase the amount by $259,000,000.

On page 5, line 8, increase the amount by $223,000,000.

On page 5, line 10, increase the amount by $132,000,000.

On page 5, line 19, increase the amount by $352,000,000.

On page 5, line 21, increase the amount by $258,000,000.

On page 5, line 23, increase the amount by $222,000,000.

On page 5, line 25, increase the amount by $132,000,000.

On page 6, line 8, decrease the amount by $352,000,000.

On page 6, line 10, decrease the amount by $610,000,000.

On page 6, line 12, decrease the amount by $832,000,000.

On page 6, line 14, decrease the amount by $964,000,000.

On page 6, line 16, decrease the amount by $964,000,000.

On page 6, line 22, decrease the amount by $352,000,000.

On page 6, line 24, decrease the amount by $610,000,000.

On page 7, line 2, decrease the amount by $832,000,000.

On page 7, line 4, decrease the amount by $964,000,000.

On page 7, line 6, decrease the amount by $964,000,000.

On page 17, line 22, increase the amount by $600,000,000.

On page 17, line 23, increase the amount by $60,000,000.

On page 18, line 3, increase the amount by $222,000,000.

On page 18, line 7, increase the amount by $186,000,000.

On page 18, line 11, increase the amount by $132,000,000.

On page 24, line 24, increase the amount by $365,000,000.

On page 24, line 25, increase the amount by $292,000,000.

On page 25, line 4, increase the amount by $37,000,000.

On page 25, line 8, increase the amount by $37,000,000.

On page 53, line 1, increase the amount by $965,000,000.

On page 53, line 2, increase the amount by $352,000,000.

Mr. MENENDEZ. Mr. President, I offer this amendment on behalf of not only myself but Senators CLINTON, DURBIN, LAUTENBERG, BOXER, NELSON of Florida, and LIEBERMAN. I also ask unanimous consent to add Senator REED of Rhode Island and Senator SCHUMER as cosponsors.

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

Mr. MENENDEZ. Mr. President, the 9/11 Commission told us that to prevent a terrorist attack, we had to think outside the box. If an ordinary envelope could be turned into a biological weapon and a passenger plane into a weapon of mass destruction, then it takes little imagination to see how a container could be used to transport a nuclear weapon to the port of New York and New Jersey, or any other seaport, causing tens of thousands of casualties.

The 9/11 Commission told us to think outside the box, but when it comes to port security, I believe we must think inside the container. The bottom line is, we don't know what is inside the vast majority of containers entering this country because despite repeated warnings from security experts from both within and without our Government, only 1 of every 20 containers that passes through our ports is inspected—inspected. That is very important. Not screened but inspected. Ninety-five percent of the cargo received no inspection other than a cursory glance at the cargo manifest.

Now, let me point out what the Government Accounting Office said when it stated that the manifest information, the listing of what goes into these containers ''may be unreliable and incomplete. There is no method to routinely verify whether the manifest data accurately reflects the contents within the cargo container.''

That is why I am offering this amendment with our colleagues, which will put us on the road to 100 percent container scanning.

As port security experts Stephen Flynn and James Loy point out—James Loy was the former Deputy Secretary of Homeland Security and the Commandant of the Coast Guard, and Stephen Flynn is well known in this field. They said:

To ensure port security, we must construct a comprehensive global container inspection system that scans the contents of every single container destined for America's waterfront before it leaves a port.

We need to take advantage of existing technologies that can scan the inside of a container and create a downloadable image of what is inside. That image can be viewed in real time back here in the United States so we know what exactly is in these containers. When this technology is combined with scans for radioactive materials, we can find dangerous materials before it is too late.

That is why our amendment provides $105 million for this dual technology in the United States. It provides $50 million to help developing countries which may not have the funds to buy this new technology. In fact, these ports could be the weakest link in our international port security chain. We must be sure they do not become easy targets for terrorists looking for lax security practices. And it provides $10 million to make sure the United States can integrate these new technologies into our existing scanning and inspection system.

While we are waiting for this new international scanning system to become fully operational, we must make sure we increase inspections through our existing programs and improve on-the-ground security at our ports. That is why this amendment provides $100 million for at least 400 additional inspectors, both here and abroad. I would note the funding in my amendment is specifically for staff at ports, both here and abroad. I believe we need to make this increase in port security and staffing explicit in our budget.

I would also note that the Government Accounting Office—in a report on the container security initiative, which is supposedly this administration's focus on how we do the best we can as it relates to port security, and which is designed to target and inspect high-risk cargo before it leaves the ports, pointed out that staffing problems—the GAO specifically noted that:

> Staffing imbalances are one of the factors which limit the Custom and Border Patrol's ability to successfully target containers to determine if they are high-risk.

The Government Accounting Office went on to say:

> As a result of staffing shortages abroad, 35 percent of U.S.-bound shipments from these CSI ports were not targeted and were not subject to inspection overseas . . .

The essence, the key goal of the CSI program, they said it wasn't accomplished.

In the Customs-Trade Partnership Against Terrorism, the C-TPAT Program, staffing was also a problem. Specifically, the GAO report points out that the Customs and Border Patrol is not able to validate the self-reported information of C-TPAT members because of ''staffing constraints.'' This means companies which receive less scrutiny and inspection under the C-TPAT Program receive these benefits before ''they undergo the validation process, which is the Custom and Border Patrol's method to verify that members' characterization of their security measures are accurate and that the security measures have been implemented.''

We also provide $600 million for the Port Security Grant Program, more than tripling last year's budget. As this budget reflects no changes over the President's request, we can only assume there is no specific money going to port security grants. The American Association of Port Authorities notes that their recommendation to double the funds is only ''a modest investment.'' In fact, they point out that doubling these funds would represent ''36 percent of the Coast Guard's projected cost of the facility improvements.'' I believe that falls short of the mark.

> Security experts tell us that we could more than triple the funding for these grants, and we still wouldn't meet the requirements to implement security measures at our Nation's ports.

Finally, we must make sure that we have cutting edge technology to safeguard our ports. This amendment provides $100 million for research and development. Up to now, we have not focused enough on creating second generation technologies for nonintrusive inspections, which the private sector is unlikely to develop. It is time for that to change.

Strengthening security at our ports will not be cheap, and given the budgetary challenges our Nation faces, every dollar is hard to come by. But the status quo is unacceptable. An attack on one of our ports would not just cause a tremendous loss of life that has no monetary equivalent, but would also shut down a port and all of the economic activity it generates at a cost of billions of dollars to our economy.

If we could roll back the clock 10 years and spend a few billion dollars to raise the levees in New Orleans to be able to withstand a category 5 hurricane, we could have saved hundreds of lives, as well as the billions of dollars it will take to rebuild the city. I don't want this country to look back in hindsight a few years from now with the realization that had we spent the necessary dollars to improve the security at our ports now, we could have prevented a major terrorist attack.

Who among us would be satisfied in the aftermath of an attack that we did not take the steps that could have prevented it because we were unwilling to dedicate the necessary resources? That is the choice the Congress faces, and for the security of our country it is essential that we make the right one.

This amendment is also fully paid for by closing corporate tax loopholes that this body has supported before. I urge all of our colleagues to join me in supporting this amendment. I reserve the remainder of my time.

Mr. GREGG. Mr. President, this amendment, as the Senator from New Jersey mentioned at the end, raises taxes. It raises the cap, so it spends a lot more money. And in the context of overall port security, although it makes a statement, it is not necessarily going to do a whole lot more than what we are doing already.

There is, of course, because of the Dubai Ports World situation, a human cry for more port security. We have attempted over the last few years to try to address port security, and there is still a lot more to do. But there has been a very large commitment to port security, and there has been a lot done. Over $10 billion has been committed to port security since 9/11. By next year, 2007, 85 percent of all cargo coming into the United States will be screened. We have in place at the 42 largest shipping ports that ship to the United States significant infrastructure which actually checks the cargo that is going on those ships.

What has happened here is that there has been a decision made, and it is the right decision, that the best way to protect ourselves is not to wait for the cargo, the container to end up on a shipping dock in Newark or a shipping dock in Long Beach, but to have that container checked before it gets on the boat that is going to bring it across the ocean to Long Beach or to Newark.

So a huge amount of infrastructure commitment, people and personnel and technology, is being put into that goal. Of course, it doesn't get scored as port grants, which is what this amendment is offering up, a port grant. Rather, it actually does what the port grant money can't do: it gives us offshore protection of cargo coming into the United States.

As I said, by 2007, as a result of this initiative, 85 percent of all cargo will be screened. In addition, the Coast Guard has been tooled up so that it can actually physically go out and stop a container vessel or a tanker on the open ocean if it is concerned that the vessel is coming from a port that doesn't have adequate security relative to the loading of the ship, or if it has some other concern, such as information that the ship might have some threatening cargo. We have put in place an outer curtain, which the Coast Guard is pursuing. So a lot has been done.

Not only has a lot been done, but we are still doing more. In the last budget from Homeland Security, we dramatically increased port security funding for this type of a grant program that the Senator from New Jersey has proposed. In this budget, we propose $2 billion of new spending for border security, which can be used for port security in the underlying budget over what the President asked for, and then we proposed another $2 billion of border security which can be used for port issues in the supplemental budget, which runs parallel to this basic budget.

So that is $4 billion of new funds which are going to flow into border security, of which a fair amount will go into the ports. So the commitment has been significant and continues to be

significant, and it is hard to claim that we aren't actually starting to get results from what we are buying.

A lot of this port grant money, on the other hand, which goes to the port that is in place, that goes to the facility on American soil, is ending up, unfortunately—maybe not so much going to—it is going to security needs, but it is going to security needs which traditionally would have been paid for by the managers of these ports. Basically what they are doing is they are taking the Federal grant money, and instead of building a fence, which they should have built anyway and they needed anyway, or instead of building major lighting which they needed and should have put in place anyway out of their own funds, they are replacing those funds with Federal dollars and using Federal dollars to do what they should have done anyway. So there is an issue there as to whether we are getting the most bang for the buck through the Port Security Grant Program.

But, in any event, independent of that, to represent that this has not been a very robust effort in the area of port security is wrong. Is there a way to go? Of course there is a way to go.

The Senator from New Jersey is suggesting that we should physically inspect every cargo container coming into the United States. We don't physically inspect every car that comes across our border. We don't physically inspect every individual who comes across our border, or every piece of luggage that comes across our border. And there is a reason for that. It is called: You can't do it and still have an economy that is going to function.

What we do, however, is set up a very aggressive regime at these various ports around the world that are shipping to us, especially the major ports where we check for what we think is the most threatening potential cargo, which we all know what it is. And we are expanding that regime out beyond those shipping ports to the actual place where the containers are filled and putting in place certification programs which are reviewed and which have on-the-ground inspection capability.

Is there more to do? Yes, there is more to do, no question about it. But the point is, this budget assumes there is more to do and puts the money in it to do more, significantly more. However, this is the cause du jour—I recognize that—and the relevance of what is actually being done isn't considered. The relevance of the money that is in the pipeline isn't considered. It simply becomes an issue of throw more money at it and therefore claim that we are resolving the problem faster.

As a practical matter, the $4 billion that we have allocated towards border security in this bill is a huge increase, and it significantly increases accounts. The $10 billion that we have already put into this effort is showing results, and we are on the path to a very organized approach toward how we deal with our ports. We intend to do more, and we believe we have funded that adequately in this bill.

However, I know there are going to be additional amendments. I think the leader has an amendment on this point which is at least paid for directly. The biggest problem with this amendment is it is not only a large number, especially in the context of the $4 billion that is already there on top of that, but it is a number that is paid for with a tax increase. I do not believe increasing taxes is the right way to go, nor do I believe breaking the cap is the right way to go.

Mr. President, how much time is remaining on this amendment?

The PRESIDING OFFICER. The sponsor has 5 minutes 45 seconds, and the manager has 6 minutes 30 seconds.

Mr. GREGG. I reserve the remainder of my time.

Mr. MENENDEZ. Mr. President, I yield 3 minutes to the distinguished Democratic whip.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, this is an interesting amendment. I am happy to cosponsor it with Senator MENENDEZ, Senator SCHUMER, and Senator CLINTON.

Consider this: When you went to the airport this week and you wanted to get on an airplane, they asked you to take your shoes off, right? That is what we do every week around here. That is what we do in America to make sure we are safe on an airplane.

Now comes the Senator from New Jersey with a request and a suggestion that, in the scheme of things, is much more valuable to our security. Millions of containers come into the United States every year. The General Accounting Office took a look at the containers we inspect and found that fully one out of three of the most risky containers are not even being looked at. We are not inspecting them. So the next time you take your shoes off at the airport, you might ask yourself: Is this keeping America safe? Or would it be keeping America safe to have our containers inspected, as Senator MENENDEZ is suggesting with his amendment?

The Senator from New Hampshire says it is a lot of money. It is a lot of money. It is $900 million for new technology, for new inspectors, for better approaches to looking at these containers. But when you talk about the security of America and the expense we are going through and the lives that are at risk across this Nation and overseas in keeping America safe, can we do anything less? I think the Senator from New Jersey has an excellent suggestion to make America safer.

Improving port security is an important part of homeland security because the U.S. maritime system includes more than 300 sea and river ports. The system also has more than 3,700 cargo and passenger terminals and more than 1,000 harbor channels spread along thousands of miles of coastline.

Port security is a multi-layered system of defenses that includes monitoring the people, cargo and vessels entering our ports from the time they leave a foreign port to the time they arrive in the United States. Additional port security funding is needed to improve dockside and perimeter security, provide important security upgrades such as surveillance equipment, access controls to restricted areas, communications equipment, and the construction of new command and control facilities.

This funding is crucial because our Nation's ports were identified by GAO as the remaining ''vulnerability'' in our transportation system and that efforts to secure our Nation's ports ''lacked clear goals and measures that track progress.'' GAO has also stated that, as a result of staffing imbalances, 35 percent of high-risk containers were not inspected.

In addition, GAO reported that the security checks performed by Customs and the Border Patrol are not rigorous enough and that staffing problems have kept Customs from validating participant's security information.

In Illinois, the Chicago Port is the 36th largest port in the Nation and the largest on the Great Lakes. Chicago is also the largest inland general cargo port in America, and the city as a whole is the commercial transportation crossroads of the Nation. Illinois and the Port of Chicago link waterborne commerce, foreign and domestic, via our vast rail and highway systems for distribution throughout all of North America, Canada, Mexico, and the world. Global cargo movement through the Chicago area in containers, barges, vessels, trucks, airplanes, and railcars totals hundreds of millions of tons annually. Chicago ranks seventh in the Nation among the United States Census Bureau 2004 statistics of the ''Top Twenty-Five Customs Districts. Chicago's total dollar value of goods imported and exported is about $94 billion.

The City of Chicago and the Chicago police department provide local security and the Coast Guard patrols the waterways but additional funding is needed for patrol vessels, security enhancements and cameras, and inspection equipment.

The Coast Guard estimates that over $7 billion is needed through 2012 for ports to comply with Federal security standards and to date, only 13 percent of that amount has been provided.

In 2006, $175 million was provided for port security which is not nearly enough to secure all of the Nation's ports.

In 2006, $138 million was provided for the Container Security Initiative—CSI—which is not enough to examine high-risk containers at every foreign port with vessels destined for the U.S.

I am concerned that 6 percent of the 9 million containers arriving at U.S. ports are scanned or inspected each year due to a billion dollar funding

shortage for critical port security needs. Until the administration is willing to work with Congress to fund, equip and hire the needed personnel to protect our ports from being used by terrorists, it will not matter if a U.S. or a foreign company is in charge of our ports. In that regard, our Nation's ports and infrastructure are so important to the security of our homeland that the approval process for foreign companies that want to manage U.S. infrastructure should include greater Congressional oversight and involvement.

The President's budget folds port security in with all other transportation and critical infrastructure needs, eliminating the port security grant program in favor of a Targeted Infrastructure Protection Grant.

The budget also forces ports to compete for limited resources with mass transit, rail, and other critical infrastructure sectors.

The President's budget requests $139 million for CSI whereby containers deemed to be high risk are opened and inspected. The President's budget also requests $76 million for the Customs Trade Partnership Against Terrorism—C–TPAT—program which screens shipping companies and the companies that provide them with any services. More money is needed than is provided in the President's budget for the CSI and C–TPAT programs to inspect containers at foreign ports and validate security information.

The Menendez-Clinton-Durbin Port Security Amendment moves the U. S. toward the goal of 100 percent scanning of containers. Currently, Customs screens all cargo coming into the U.S. using a combination of intelligence information and data provided on shipping manifests. The amendment provides an additional $600 million for port security grants, $100 million for at least 400 new staff to increase inspections and identify high-risk containers as part of CSI and C–TPAT, and $105 million for radiation portal monitors and gamma/x-ray imaging technology.

Specifically, the amendment triples the current amount of funding for the Port Security Grant Program to $600 million. These funds are highly sought by local port authorities such as the Port of Chicago.

The amendment provides $100 million to increase the number of inspectors at foreign ports and improve the process for validating security information.

The amendment also provides $100 million in funding for more finely tuned technologies that can locate contraband material in shipping containers.

The amendment provides $105 million for U.S. ports to install cargo imaging and radiation portal monitors to detect radiation and identify high density shielding used to block radiation emissions.

In addition, the amendment provides $10 million for U.S. ports to update technology so that officials can receive and integrate downloadable images of containers at foreign ports into our existing scanning and inspection system.

Finally, the amendment provides $50 million to help developing countries purchase equipment to scan and inspect containers.

I ask all my colleagues to stop and reflect for a moment. This is about more than Dubai and who is going to manage our ports. It is about the safety of America. God forbid something happens, let's be on the right side of history. Let's support the Menendez amendment and make sure these containers are inspected.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. It is my understanding the Senator from New York and the Senator from New Jersey wish to speak, and the junior Senator from New Jersey only has 2 minutes remaining or something like that?

The PRESIDING OFFICER. There is 3 minutes 39 seconds remaining to the Senator from New Jersey.

Mr. GREGG. My understanding was the Senator from New York wanted 2 minutes and the Senator from New Jersey wanted 2 minutes. Does the junior Senator from New Jersey desire more time?

Mr. MENENDEZ. One minute.

Mr. GREGG. I will yield 2 minutes off my time, even though I disagree vociferously with their position, but out of the kindness of my heart, I yield a minute to the Senator from New York, the senior Senator from New York, so they can make their case, which is only worth about 2 minutes, anyway.

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

Mr. SCHUMER. Mr. President, first I thank my colleague from New Hampshire. He is a tough old New Englander, but he has a heart of gold, even when he is wrong on the merits.

Mr. President, I salute my colleague from New Jersey for offering this amendment. It says one thing loudly and clearly. Even though, as we hope and believe, the Dubai Ports World deal is now scuttled as far as American ports, we have miles and miles to go on port security. This is not new to this Chamber. I have introduced amendment after amendment. I know my colleague from Washington, PATTY MURRAY, and the Senator from Maine, SUSAN COLLINS, and others have all tried to do more for port security. This amendment does much of the job. We have to inspect more than 5 percent of the containers. We need a crash research project so we can develop devices that can scan for nuclear or biological or chemical weapons. We need our ports to have employees who cannot forge documents and get a job for bad purposes.

The PRESIDING OFFICER. The Senator has consumed the 1 minute given to him by the Senator from New Hampshire.

Mr. MENENDEZ. Mr. President, I yield the Senator 1 additional minute.

Mr. SCHUMER. Mr. President, we need to make sure, for those who operate the ports, when they are checked for security that it is a real check and they can't forge documents or sneak in.

There are so many things to do on port security. Even if every port were owned by an American company that had the best of intentions, we would not be doing close to enough.

So I urge my colleagues to support the amendment of my colleague from New Jersey because we have such a long way to go on port security. It is a neglected stepchild of our homeland security project, and you cannot do it, you cannot do it without the dollars the Senator from New Jersey has suggested.

I urge my colleagues to support this amendment to make sure more cargo is scanned, to have better screening equipment, tighter security among employees, and the other many good things this amendment does.

I yield my remaining time back to my colleague from New Jersey.

The PRESIDING OFFICER. Who yields time?

Mr. MENENDEZ. Mr. President, can you tell me how much time there is on both sides?

The PRESIDING OFFICER. The Senator from New Jersey has 2 minutes 25 seconds. The Senator from New Hampshire has 4 minutes 3 seconds.

Mr. MENENDEZ. Mr. President, I yield 2 minutes to the senior Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, when you look over at this section of the Chamber, you see three Senators who were front and close to what results from an act of terrorism. We saw it in the World Trade Center. We lost over 700 people from the State of New Jersey, and the combination was almost 3,000 people. We know what you have to do to prevent anything like that from ever happening.

We are going to spend up to $500 billion before this year is over on our security interests in Iraq and Afghanistan, and we have an obligation to do as much as we can for people we serve in an area that has been subjected to terrorism and is classified as the worst 2 miles in the country for terrorist attack. Much of that will come as a result of the activity in our harbors and our ports.

I salute my colleague, new to this body but leaderly in his actions that we have seen thus far, and particularly with this, stepping up, as we say in the vernacular, to the plate to say: OK, Mr. President, you want to protect our people? The leadership here in the Senate certainly says they want to protect our people. Then, by golly, spend the money. We are looking for $900 million for the additional port security funds. Let's do it.

We survey 5 percent of the cargo that comes in, in containers, to the country.

That is nothing, on a relative basis. We ought to spend the money and say to the people in those neighborhoods, the people across the country who would be affected by a terrorist attack: We are going to do what we can to protect you. We say it all the time. Now we have to put up or, as they say, be quiet.

I yield my time.

The PRESIDING OFFICER. The time of the sponsor has expired.

Mr. GREGG. Mr. President, I yield a minute to the junior Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 1 minute.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to include Senator MURRAY as a cosponsor.

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

Mr. MENENDEZ. Mr. President, let me make three quick points.

No. 1, we don't raise taxes here. We fully pay for it by closing corporate tax loopholes that the Senate has voted on before. That is much more important to be done, closing those loopholes in favor of security, than keeping them open.

Second, this is not about physically going into each container, but it is about scanning each container so we can see its contents, because only 5 percent get screened. Screened is not an inspection, physical or otherwise. That means 95 percent of the cargo that comes into the United States is really untouched.

Last, we cannot have it both ways. Either that $4 billion that the distinguished Senator from New Hampshire talks about is about the northern and southern border and border patrol and inspection and the Iraq contingency funding, or it is about port security. But it cannot be about both. If you want to protect the ports of the United States, if you want to make sure the economic consequences of an attack do not take place, if you want to make sure that we save lives, the only way to do that is to adopt the Menendez amendment.

I urge our colleagues to do so. We believe in doing so we will have come a significant way on securing the ports of the Nation and, most importantly, securing the citizens of this country.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 3061

Mr. MCCONNELL. I send an amendment to the desk on behalf of myself and Senator HUTCHISON and Senator FRIST.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for himself, Mrs. HUTCHISON, and Mr. FRIST, proposes an amendment numbered 3061.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide funding for maritime security, including the Container Security Initiative, improved data for targeted cargo searches, and full background checks and security threat assessments of personnel at our nation's seaports)

On page 16, line 21, increase the amount by $978,000,000.

On page 16, line 22, increase the amount by $782,400,000.

On page 17, line 1, increase the amount by $195,600,000.

On page 27, line 23, decrease the amount by $978,000,000.

On page 27, line 24, decrease the amount by $782,400,000.

On page 28, line 2, decrease the amount by $195,600,000.

Mr. MCCONNELL. Mr. President, this amendment will provide funding for maritime security, including the container security initiative, improved data for targeted cargo searches, and, most important for purposes of this amendment, full background checks and security threat assessments of personnel at our Nation's seaports. It makes no sense to be obsessed with what is in the containers and ignore those in our own ports who will handle the containers.

In the past few weeks, there has been a new focus on national security concerns surrounding our seaports. We have had a lot of discussion about that issue. Many have called for greater limitations on foreign ownership as well as increased oversight and inspection of cargo ships and loading facilities. This amendment says: Yes, fund port and maritime security. But if this is truly a national security issue, we should ensure that we have background checks and security threat assessments of the personnel at our seaports.

So I repeat, unless we are certain of the individuals who are handling this cargo at our own seaports here in the United States, we clearly have not done the job. This amendment provides $978 million to initiate an enhanced maritime security. Of that amount, $728 million is provided as recommended by the Commerce Committee for maritime security in S. 1052, the Transportation Security Act, and another $250 million is provided to fund these background checks that I was just talking about of the people in our ports who are handling the cargo, the security of which and the contents of which we have all indicated we are so concerned about. The cost of this amendment is offset within the budget's overall discretionary allocation.

So if we really believe, as I know we all do, that our Nation's seaports are a national security issue, we ought to enhance port security, of course, but all that is completely meaningless unless we are certain of the qualifications, the integrity of the individuals in our ports here in the United States handling this cargo when it comes in. When it comes to port security, you can check all the containers you want, but it does no good unless you have also checked those who handle the containers. We have seen numerous reports of false ID's, criminal activity, and organized crime right here in our own country at our seaports. We can't place Americans at risk because we turn a blind eye to this risk.

Let me just sum it up before yielding the floor. What this is about is making sure that these individuals at our ports here in America who are handling this cargo we have all indicated we have enormous concern about, coming from overseas into the United States, into our ports—that the people handling this cargo in our ports meet the highest standards of integrity because it does not make any difference in the world if we have made sure that the container at its original port of embarkation is OK, it doesn't make any difference if we have made sure it is OK on the ship on the way over here. If we have the wrong people handling the cargo here in the United States, America is at risk.

The amendment I have offered on behalf of Senator HUTCHISON and Senator FRIST would secure the funding for these background checks and assessments of employees here in our own country handling the cargo in our ports.

I yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. BYRD. Mr. President, I ask unanimous consent that the pending amendment be set side so I may offer an amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 3062

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. ROCKEFELLER, and Mr. KENNEDY, proposes an amendment numbered 3062.

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

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

The amendment is as follows:

(Purpose: To provide $184 million over five years for the Mine Safety and Health Administration to hire additional mine safety inspectors, paid for by closing corporate tax loopholes)

On page 3, line 13, increase the amount by $32,000,000.

On page 3, line 15, increase the amount by $35,000,000.

On page 3, line 17, increase the amount by $36,000,000.

On page 3, line 19, increase the amount by $36,000,000.

On page 3, line 21, increase the amount by $37,000,000.

On page 4, line 1, increase the amount by $32,000,000.

On page 4, line 2, increase the amount by $35,000,000.

On page 4, line 3, increase the amount by $36,000,000.

On page 4, line 4, increase the amount by $36,000,000.

On page 4, line 6, increase the amount by $37,000,000.

On page 4, line 13, increase the amount by $36,000,000.
On page 4, line 15, increase the amount by $36,000,000.
On page 4, line 17, increase the amount by $37,000,000.
On page 4, line 19, increase the amount by $37,000,000.
On page 4, line 21, increase the amount by $38,000,000.
On page 5, line 4, increase the amount by $32,000,000.
On page 5, line 6, increase the amount by $35,000,000.
On page 5, line 8, increase the amount by $36,000,000.
On page 5, line 10, increase the amount by $36,000,000.
On page 5, line 12, increase the amount by $37,000,000.
On page 19, line 24, increase the amount by $36,000,000.
On page 19, line 25, increase the amount by $32,000,000.
On page 20, line 3, increase the amount by $36,000,000.
On page 20, line 4, increase the amount by $35,000,000.
On page 20, line 7, increase the amount by $37,000,000.
On page 20, line 8, increase the amount by $36,000,000.
On page 20, line 11, increase the amount by $37,000,000.
On page 20, line 12, increase the amount by $36,000,000.
On page 20, line 15, increase the amount by $38,000,000.
On page 20, line 16, increase the amount by $37,000,000.
On page 53, line 1, increase the amount by $36,000,000.
On page 53, line 2, increase the amount by $32,000,000.
On page 53, line 4, increase the amount by $36,000,000.
On page 53, line 7, increase the amount by $37,000,000.

Mr. BYRD. Mr. President, historian and author Henry Adams wrote that ''practical politics consists in ignoring facts.''

Here is a fact.

Without offsets, we cannot afford to continue to cram hundreds of billions of dollars of new tax cuts into the federal budget. To create the illusion of affordability, this budget already excludes the costs of the war in Iraq beyond next year. It excludes the costs of protecting middle-income taxpayers from the alternative minimum tax beyond next year. It excludes the costs of putting Social Security and Medicare on sounder footings. It excludes a host of critical domestic investments—everything from education funding to highway maintenance—and continue to postpone them year after year. Even while it excludes or hides all of these inevitable costs, this budget still projects that our national debt will continue to rise to stratospheric levels.

Here is another fact.

Relying primarily on domestic discretionary funding cuts will never, never seriously reduce the annual spending-spree deficits of this administration. The part of the federal budget known as domestic discretionary spending comprises only one-sixth of the total federal budget. The squeeze on domestic discretionary spending these past few years has already produced funding shortfalls that are not only impractical, but also wholly irresponsible and damaging to our country's future.

These cuts have real-world consequences. They are not just accounting exercises. Look at what happened to FEMA's ability to respond to natural disasters. Look at the shortfalls in the LIHEAP program affecting so many needs of our citizens in our States. Look at the costly reduction of federal mine safety inspectors, and at the spike in mine fatalities this year.

Look at the paltry amount included in the budget to prepare and respond to a possible Avian Flu Pandemic—one of the most dangerous health threats confronting the United States today. Medical experts warn that a global, cataclysmic pandemic is not a question of ''if,'' but ''when.'' Like any natural disaster, it could strike at anytime. Avian flu could take the lives of tens of millions of people, and deliver a devastating $675 billion blow to the U.S. economy. Yet, we are failing to adequately safeguard the American people because of political convenience and lust for cuts in domestic spending.

Look, for instance, at the shortfalls in veterans funding, with the administration trying to backfill by raising copayments and fees for veterans health care services, not to mention the submission of a supplemental budget amendment last year to avoid emergency cuts in VA medical care and services.

Witness the gaping holes in our border security, marked by federal agents releasing or not even bothering to pursue illegal aliens because of lack of detention space and personnel. We can only hope and pray that those determined folks who daily circumvent our border security are not al-Qaida operatives.

Congested roads, overcrowded schools, deteriorating rail and transit systems, corroding and structurally deficient bridges, functionally obsolete locks and dams, overflowing sewers and wastewater mismanagement, energy bottlenecks causing higher prices and electricity failures and power outages—these are the festering signs of a nation's infrastructure being slowly starved. Meanwhile, our once strong and proud manufacturing sector is buckling from intense foreign competition by companies heavily subsidized by their governments. Health care and education expenses are both rising to prohibitive levels for families and their employers, and the United States of America is becoming more and more addicted to foreign capital and immigrant labor to power our economy.

For years we have been determinedly squeezing the wrong pieces of the federal budget in order to fund other pieces, and believe me the chickens are coming home to roost.

This week, the Congress will vote to raise the debt ceiling to $9 trillion—the fourth nasty increase in 5 years. President Reagan said a $1 trillion debt ''can only be compared to the universe because it, too, is incomprehensible in its dimensions.'' One way to put that number in perspective is to imagine counting $1 trillion at the rate of $1 per second. At that rate, it would take 32,000 years to count $1 trillion. Imagine, 32,000 years to count $1 trillion, and then, when finished, counting it eight more times to reach the total debt of this country. Such massive debt, and what have we to show for it?

An editorial in The Washington Post last year described the situation: ''[We] have let the nation's plumbing rust, its wiring fray, its floor joists warp and its walkways crumble . . . Sooner or later, though, we're going to have to pony up . . . If you continue to ignore that drip, drip, drip in the upstairs bedroom, pretty soon you're going to be pricing a new roof.'' And don't forget, we will have to borrow to pay for that roof.

This editorial appeared only weeks before Hurricane Katrina. The investments we delayed and postponed for years in New Orleans are now costing tens of billions of dollars in repairs and new building. It is a painful lesson, and the government of this country does not seem to learn very fast. We are foolishly ignoring the drip, drip, drip in the upstairs bedroom, while the plaster weakens and costs for repairs mount.

I sympathize with the plight of the chairman of the Budget Committee. Chairman GREGG didn't craft the budget submitted by the administration, but he has made the loyal decision to adopt and defend the president's discretionary spending limits. I say to my colleagues that the Congress cannot fund this great country's essential needs within those limits. Too much of that money is eaten by fighting wars without allied assistance, and by waste in the defense discretionary budget for contracts that rip off the taxpayer and skimp on essential services for our troops.

Within a few days, I will offer two amendments to accommodate the critical investments that we must not continue to postpone. I will propose amendments for mine safety, and Amtrak.

Today, I offer the first of those two amendments, which would add $184 million to the budget for mine safety inspectors and rescue technology.

West Virginia has lost 16 miners this year. Their emergency communications and breathing equipment proved insufficient, and the federal mine regulator, known as the Mine Safety and Health Administration, MSHA, of the U.S. Department of Labor, is operating on an insufficient budget.

There is no question that the federal coal enforcement budget has been squeezed in recent years, and that the attrition of federal mine safety inspectors has been ignored as part of an effort to carve out more room in the budget for non-essential tax cuts. Those budget cuts have resulted in gross deficiencies at the Department of Labor.

The miners trapped underground at the Sago and Alma mines had only a one-hour oxygen supply to last through a 40-hour rescue. The miners trapped underground could not communicate with the rescue effort on the surface, and the rescue effort on the surface could not locate the miners trapped underground. Meanwhile, the number of safety inspectors charged with enforcing the Mine Act has dwindled since 2001, with 217 fewer inspectors today to ensure the safety of miners, and the vigorous enforcement of the Mine Act.

These budget cuts have had real and deadly consequences for coal miners. Ask the families about how that feels.

This amendment, which I offer with Senators ROCKEFELLER and KENNEDY, would be sufficient to replace the 217 safety inspectors that have been lost since 2001, and to help get emergency communications and breathing equipment into the mines rapidly.

In the wake of 21 coal mining deaths this year, and the closure of mines for emergency safety inspections, it is essential that the Congress provide the Department of Labor with the funds it needs to keep our nation's coal mines operating safely.

I am also hopeful that we will soon see legislation from the Health, Education, Labor, and Pensions, HELP, Committee to address the other mine safety initiatives that still have not been implemented by the Department of Labor—emergency communications and tracking requirements, increased and minimum penalties for habitual violators, a suspension of belt-air ventilation for the working areas of mines. These components are addressed by the West Virginia Delegation mine safety authorization bill that still awaits action by the HELP Committee and the Senate. I, and the miners and mining widows of my state, continue to urge the HELP Committee to act quickly on this essential legislation. We could have more deaths in the mines any day.

In the meantime, we have an opportunity today to address the mine safely budget. It is a critical piece of our infrastructure that we dare not continue to ignore. The fact is that cuts in domestic discretionary spending are weakening mine safety efforts. Decency demands that we not wait until more miners die before we do something about it.

I urge Senators to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator's time is expired.

The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the amendment of the Senator from West Virginia. I understand the personal involvement and concern he has for the mine safety in his State and the extraordinary tragedies they have experienced. I hope there is a way we can work this amendment out. In its present form it does raise taxes to pay for it, which I will not be able to support, but I am hopeful we can work something out.

I yield back the balance of our time in opposition to this amendment.

Mr. KENNEDY. Mr. President, I support the amendment offered by the senior Senator from West Virginia and am pleased to cosponsor this amendment. This amendment would add $184 million to the budget for mine safety inspectors.

The need for this type of investment is clear. Twenty-four miners have already died this year, 21 of them in coal mines, just one of the total number of coal mine deaths for all of last year.

We know that coal plays a vital role in meeting the Nation's need for energy. Over half of Americans get their electricity from coal. It is essential for mines to remain productive. But safety can't yield to production goals.

Protecting our miners is a moral obligation and a national priority. We must do everything in our power to minimize the risk of injuries and deaths.

This January, I joined Senator ISAKSON, Senator ENZI, and Senator ROCKEFELLER on a trip to the Sago Mine. We met with the families of the fallen miners, and they shared their thoughts and memories in a way that deeply touched us all, and made action by Congress all the more essential.

We need strong mine safety enforcement and inspections. The Bush administration has jeopardized the safety of our Nation's miners by continuing to cut the number of positions from coal mine safety enforcement. The administration's fiscal year 2007 budget continues this trend by proposing a cut of 27 more positions, for a total of an 18 percent reduction in staff since fiscal year 2001. And there are now 217 fewer mine safety inspectors than we had in 2001.

NIOSH warns that our Nation's mine safety inspectors are aging. Approximately 44 percent of the MSHA's underground coal mine inspectors employed in 2003 will be eligible for retirement by 2008. MSHA has not adequately prepared for their departure from the workforce.

This amendment will help us restore the critical funding needed to provide more mine safety inspectors and ensure that our Nation's miners are safe now and in the future, and I urge my colleagues to join me in supporting it.

Mr. GREGG. The next amendment in order, I believe, is the amendment of the Senator from Georgia.

The PRESIDING OFFICER (Mr. THUNE). The Senator from Georgia.

AMENDMENT NO. 3018

Mr. CHAMBLISS. Mr. President, I ask unanimous consent 3018 be called up at this time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. CHAMBLISS], for Mr. DAYTON, for himself and Mr. CHAMBLISS, Ms. STABENOW, Mr. TALENT, Mr. OBAMA, Mr. HAGEL, Mr. NELSON of Nebraska, Ms. SNOWE, Mr. LEVIN, Mr. KERRY, Mr. SALAZAR, Mr. KOHL, Mr. BINGAMAN, Ms. MIKULSKI, Mr. BAUCUS, Mr. HARKIN, Mr. NELSON of Florida, Mr. BIDEN, and Mr. DURBIN, propose an amendment numbered 3018.

Mr. CHAMBLISS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To restore funding for the Byrne/JAG grant program to the FY 2003 level of $900 million, offset with an across the board cut to administrative expenses, travel, and consulting services)

On page 24, line 24, increase the amount by $900,000,000.

On page 24, line 25, increase the amount by $198,000,000.

On page 25, line 4, increase the amount by $270,000,000.

On page 25, line 8, increase the amount by $180,000,000.

On page 25, line 12, increase the amount by $135,000,000.

On page 25, line 16, increase the amount by $117,000,000.

On page 27, line 23, decrease the amount by $900,000,000.

On page 27, line 24, decrease the amount by $198,000,000.

On page 28, line 2, decrease the amount by $270,000,000.

On page 28, line 5, decrease the amount by $180,000,000.

On page 28, line 8, decrease the amount by $135,000,000.

On page 28, line 11 , decrease the amount by $117,000,000.

Mr. CHAMBLISS. Mr. President, this amendment is offered by Senator DAYTON and myself, along with Senators TALENT, HAGEL, BEN NELSON, STABENOW, OBAMA, SNOWE, MIKULSKI, LEVIN, KOHL, KERRY, BINGAMAN, SALAZAR and BAUCUS. It restores funding to Fiscal year 2003 funding levels for the Byrne-JAG law-enforcement grant program. I have worked closely with Senator DAYTON on this issue for some time. Last year we succeeded in amending the CJS Appropriations bill in the Senate to restore funding to the 2003 level, only to see the funds thereafter again removed from the final appropriations bill.

The increasingly sophisticated techniques employed by drug traffickers requires a coordinated response by State, local and Federal law-enforcement. Multijurisdictional cooperation is an essential component of any national response.

The Byrne Justice Assistance Grants, have been an important part of this essential coordinated response. Programs funded by Byrne/JAG grants have shown dramatic results in reducing crime, particularly drug and firearm trafficking, gangs, pharmaceutical diversion, and organized crime. According to data compiled by the National Criminal Justice Association from self-reported metrics submitted by individual State Administering Agencies for the 2004 grant year, task forces funded in part by Byrne-JAG were responsible for: 54,050 weapons seize, 5,646 methamphetamine labs seize, $250,000,000 in seized cash and personal

property, and massive quantities of narcotics removed from America's streets, including: 2.7 million grams of amphetamines/methamphetamine, 1.8 million grams of powder cocaine, 278,200 grams of crack, 73,300 grams of heroin, 75 million cultivated and non-cultivated marijuana plants, and 27 million kilograms of marijuana.

These are real results which have made America safer and contributed greatly to a 30 year reduction in violent crime in America.

Our amendment restores funding to fiscal year 2003 levels, and provides an offset from administrative expenditures. It is money well spent to protect Americans from criminal activities.

I appreciate greatly the cooperation of the Senator from Minnesota and his working together with me on this issue. He has been tireless in his efforts to make sure this amendment has been passed in the budget process and that we have it included in the appropriations process. While we were successful last year in the budget and in appropriations, in the end it lost this year. We will work harder together to make sure the full spending for the Byrne/JAG grants is included.

I yield to the Senator from Minnesota for such time as he may consume of the time remaining.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I thank my distinguished colleague and friend, the distinguished Senator from Georgia, for his leadership on this amendment. It has been a privilege to work with him during the last couple of years. I appreciate his deep commitment to this program. It means a great deal because it demonstrates very clearly to our colleagues that this is a bipartisan commitment, as demonstrated by the cosponsors for our amendment.

I ask unanimous consent to add Senators HARKIN, ROCKEFELLER, NELSON of Florida, BIDEN, and DURBIN as cosponsors of this amendment.

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

Mr. DAYTON. Mr. President, I am astonished that there is any disagreement about the need for increased funding for the Byrne grants. This is one of the critical programs we fund through the Congress. I am amazed, as my colleague from Georgia said, that last year the amendment we passed together, which the Senate passed unanimously, was then basically gutted entirely in the conference committee at the insistence of the House and the administration. And, in fact, the funding for the Byrne grant program for this year is cut by one-fourth from what it was the previous year.

I have heard suggestions from people that this money is not well spent or that it is not needed in particular States. To them, I say, please, please, send your money back. Send it to Minnesota, send it to Georgia. I can assure Members the money in Minnesota is extremely well used. It is absolutely necessary.

Let me quote, as evidence of that, Mr. Robert Bushman, president of the Minnesota Police and Peace Officers:

> Without the support of the Byrne Justice Assistance Program funding, these drug task forces face reductions that will decrease their abilities and effectiveness. Should this occur, Minnesota's ability to fight the war on drugs would undoubtedly be diminished, with potentially dangerous consequences.

We talk of the need to protect this country from terrorists. I support that as strongly as anyone. We have terrorists operating on the streets of Minnesota and I suspect through this country every day. They are drug-dealing terrorists.

The methamphetamine epidemic which is plaguing my State—small communities, large cities, rural, urban, everywhere, drugs that I am told are coming in from Mexico in increased numbers, concentrations, and potency—is destroying the lives of children as young as 10 years old and senior citizens who are in their eighties. It is an equal opportunity destroyer.

These drug-dealing terrorists are operating with impunity because our local law enforcement officers do not have the resources, do not have the funds, do not have the numbers, do not have all the resources necessary to combat it and defeat it. That is shameful. This is a matter of priorities.

Again, I thank the Senator from Georgia. I commend the distinguished chairman of the Senate Committee on the Budget and the ranking member for their support. I hope we can have this pass as a voice vote, one that will demonstrate clearly to the House overwhelming support. I ask they do their utmost to preserve our position in conference so we can get this funding back up from its devastating cut last year to where it needs to be.

I yield the floor.

Mr. OBAMA. Mr. President, I know I speak for the entire Senate when I say we fully understand the importance of supporting our Nation's law enforcement officers and that we all want to do everything possible to make the safety of our communities one of our top budgetary priorities. This is why I rise today to support the amendment offered by my colleagues, Senators DAYTON and CHAMBLISS, to restore funding for the Byrne Justice Assistance grants program.

Unfortunately, once again, the President's budget request for fiscal year 2007 does not recognize this priority. In fact, it cuts the entire program for the second year in a row.

During Senate debate on the fiscal year 2006 Department of Commerce, Justice, Science and State Appropriations Act, I cosponsored a Byrne grant amendment with Senators DAYTON and CHAMBLISS that would have increased the funding for the JAG program to $900 million. That amendment passed the Senate, but was stripped in conference.

I am disappointed that the President's fiscal year 2007 budget request once again cuts this important law enforcement program, a program that has suffered significant cuts in the last few years, despite providing real results and benefits around the country. For fiscal year 2005, the Byrne/JAG program was appropriated $634 million, an overall cut of 12 percent for both programs from fiscal year 2004, and a 30 percent cut from the fiscal year 2003 funding.

As for fiscal year 2006, the President's budget request proposed the elimination of the Byrne/JAG program, but Congress refused. However, the Byrne/JAG program still received a $218 million cut from fiscal year 2005 level.

This year, the President's budget request once again eliminates the Byrne/JAG program from the $416 million—a 34 percent cut from fiscal year 2005 funding level—passed by Congress last year.

In Illinois, these cuts will have an immediate and direct effect on the ability of law enforcement to use Byrne grant funds to fight one of the gravest drug threats facing the nation today—methamphetamine.

In downstate Illinois, as in other rural communities around the country, there has been a tremendous surge in the manufacture, trafficking, and use of meth. Illinois State Police encountered 971 meth labs in Illinois in 2003, more than double the number uncovered in 2000. According to the Illinois Criminal Justice Information Authority, the quantity of meth seized by the Illinois State Police increased nearly tenfold between 1997 and 2003. This surge is placing enormous burdens on smalltown police forces which are suddenly being confronted with a large drug trade and the ancillary crimes that accompany that trade.

These police departments rely on Byrne grant funding to participate in meth task forces, such as the Metropolitan Enforcement Group or the Southern Illinois Enforcement Group. These task forces allow police in different communities to combine forces to battle a regional problem. There are a total of seven meth taskforce zones in Illinois, and these task forces have seen real results with Byrne grant funding.

In 2004, the Southern Illinois Enforcement Group accounted for more than 27 percent of the State's reported meth lab seizures, and in that same year alone, Byrne/JAG grants helped Illinois cops make over 1,200 meth-related arrests and seize nearly 350,000 grams of meth.

In towns like Granite City and Alton, cuts in Byrne grant funding will force them to make difficult choices about how to allocate already scarce police resources. Indeed, the chief of police in Granite City told my staff last year that cuts in Byrne/JAG grant funding would threaten the fundamental viability of his meth task force.

While meth use continues to grow, it is inconceivable to me that the President would propose another cut to the resources needed by law enforcement to fight crime and clean up the streets. To me, this is yet another example of the misplaced priorities of this administration.

We all know that we are facing a real budget crisis in this Nation. The deficit is growing, and we must enforce some fiscal discipline. But I don't believe we should be balancing the budget on the backs of our Nation's law enforcement officers who keep our families and communities safe every day.

I am disappointed by the President's fiscal year 2007 budget request and hope that the Senate will support my colleagues' amendment and find the necessary funding that local law enforcement needs.

Mr. KOHL. Mr. President, I rise in support of the Dayton amendment that increases funding for the Byrne grant program by $900 million. This is a straightforward amendment worthy of unanimous support.

As most of us know, the Byrne grant program is a law enforcement funding program run by the Department of Justice. For 20 years, Byrne grants have funded State and local drug task forces, community crime prevention programs, substance abuse treatment programs, prosecution initiatives, and many other local crime control programs. Unfortunately, all of this funding is eliminated in the Senate budget resolution which follows the administration's budget proposal.

This marks the second year in a row in which President Bush has tried to kill the Byrne grant program. Given the Bush administration's attack on law enforcement funding, this proposed cut should come as no surprise. That said, the Byrne Justice Assistance Grant Program was appropriated a little more than $416 million last year in formula funds—despite the administration's desire to eliminate it. But this amount is less than half of what the program received just a few short years ago.

Quite simply, funding for local law enforcement has taken a nosedive under this administration, and it is our local police chiefs and sheriffs who are feeling the pain of these cuts. Consider this: since President Bush has taken office, funding for local law enforcement in Wisconsin via the Byrne grant program has been cut by more than two-thirds. As recently as 2001, Wisconsin received more than $9.2 million from the Byrne grant program. Thanks to this administration, Byrne grant funding has been steadily declining ever since, with Wisconsin receiving just a little under $3 million last year. Nonetheless, President Bush wants to go even further and eliminate this funding entirely. Of course, this would leave Wisconsin law enforcement nothing from the Byrne program.

What do these cuts mean? It means law enforcement personnel are getting laid off, and that translates to fewer cops patrolling the beat, fewer assistant district attorneys prosecuting cases, and fewer detectives working drug cases, to cite just a few examples. Talk to any police chief, sheriff, or prosecutor back in your home State and they will tell you that the Byrne program is the backbone of Federal Aid for local law enforcement. Do we really want to walk away from a program with twenty years of success supporting our local police chiefs, sheriffs, and district attorneys? We can and must block the elimination of the Byrne grant program. The Dayton amendment would achieve this by boosting Byrne grant funds back to the fiscal year 2003 level of $900 million. I urge my colleagues to vote in favor of this amendment which supports our local law enforcement agencies.

Mr. GREGG. How much time remains on the measure?

The PRESIDING OFFICER. The sponsor has 8 minutes 20 seconds and the opposition has 15 minutes.

Mr. GREGG. I don't believe there is opposition. The Senator from Missouri is ready to go and then we go to the Senator from Washington for her amendment.

Mr. TALENT. I have no objection to the Senator from Washington going ahead because she was here.

Mr. GREGG. I don't think she is speaking on this amendment.

Mrs. MURRAY. I am ready to go with my amendment which follows this.

Mr. GREGG. Complete your statement on this topic.

Mr. TALENT. Mr. President, I rise to speak in support of the amendment offered by Senator CHAMBLISS and Senator DAYTON, to congratulate them on their efforts in this important area to restore funding for the justice assistance grants, which we have known in the past as the Byrne grants, and the local law enforcement program to the fiscal year 2003 level of $900 million. I am pleased to be a cosponsor of the important amendment.

The amendment is almost identical to what was offered on the relevant appropriations bill last fall. That amendment passed unanimously. It raised the funding amount at that time to $900 million. Unfortunately, as Senators have noted, the final appropriations more than stripped the amendment. It cut Byrne/JAG grants by 34 percent from fiscal year 2005 which resulted in only $416 million for the program. It is even more unacceptable that the administration has zero funded the program in its 2007 budget request.

Justice assistance grants fund a number of local drug education and drug law enforcement programs. These include the crucial multijurisdictional task forces which are especially important in combating the rising rates of methamphetamine production and distribution in communities across the country. Over the past 5 years, funding for Byrne grants and the local law enforcement block grants, which again are JAG predecessors, have been cut significantly despite the fact that State and local law enforcement have not only been saddled with the additional burden of homeland security but also with fighting the methamphetamine scourge that has grown in rural and urban communities across the Nation.

These grants are an essential component of statewide efforts to address violent crime and drugs in my State of Missouri. They funded vital projects in the State, including a multijurisdictional task force program that worked to integrate Federal, State, and local law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence.

To cut this funding would severely damage law enforcement's ability to address the methamphetamine crisis in Missouri and would place communities at risk across the country. That is why major law enforcement organizations, including the National Sheriffs Association, the National Police and Peace Officers, and the National Narcotics Coalition have all endorsed the amendment.

In short, the funding is crucial in fighting the Nation's war against methamphetamine and other drugs and necessary for keeping America's neighborhoods safe. So I congratulate Senator DAYTON and Senator CHAMBLISS for offering this amendment and urge the Senate to approve it.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. Is all time yielded back?

Mr. GREGG. Mr. President, I will claim the time in opposition and yield it back.

The PRESIDING OFFICER. All time is yielded back.

Mr. GREGG. Mr. President, I think Senator MURRAY is next to be recognized.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 3063

Mrs. MURRAY. Mr. President, I send an amendment to the desk on behalf of myself, Senator SARBANES, and Senator LEAHY, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself, Mr. SARBANES, and Mr. LEAHY, proposes an amendment numbered 3063.

Mrs. MURRAY. 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 restore funding for the Community Development Block Grant Program to the fiscal 2004 level by closing tax loopholes previously slated for elimination in Senate-passed legislation)

On page 3, line 13, increase the amount by $26,000,000.

On page 3, line 15, increase the amount by $416,000,000.
On page 3, line 17, increase the amount by $546,000,000.
On page 3, line 19, increase the amount by $182,000,000.
On page 3, line 21, increase the amount by $65,000,000.
On page 4, line 1, increase the amount by $26,000,000.
On page 4, line 2, increase the amount by $416,000,000.
On page 4, line 3, increase the amount by $546,000,000.
On page 4, line 4, increase the amount by $182,000,000.
On page 4, line 6, increase the amount by $65,000,000.
On page 4, line 13, increase the amount by $1,300,000,000.
On page 5, line 4, increase the amount by $26,000,000.
On page 5, line 6, increase the amount by $416,000,000.
On page 5, line 8, increase the amount by $546,000,000.
On page 5, line 10, increase the amount by $182,000,000.
On page 5, line 12, increase the amount by $65,000,000.
On page 17, line 22, increase the amount by $1,300,000,000.
On page 17, line 23, increase the amount by $26,000,000.
On page 18, line 3, increase the amount by $416,000,000.
On page 18, line 7, increase the amount by $546,000,000.
On page 18, line 11, increase the amount by $182,000,000.
On page 18, line 15, increase the amount by $65,000,000.
On page 53, line 1, increase the amount by $1,300,000,000.
On page 53, line 2, increase the amount by $26,000,000.

Mrs. MURRAY. Mr. President, I ask unanimous consent to add as cosponsors to the amendment Senators REED, KENNEDY, LAUTENBERG, STABENOW, SCHUMER, MIKULSKI, DURBIN, ROCKEFELLER, and AKAKA.

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

Mrs. MURRAY. Mr. President, the amendment I have sent to the desk tonight, that we will vote on tomorrow, restores the $1 billion cut in funding for Community Development Block Grant Programs that are assumed in the budget resolution that is before the Senate this week.

For more than 30 years, the Community Development Block Grant Program, known as the CDBG, has served as a tremendous catalyst for change in communities across the Nation. It has brought hope and opportunity to families and to residents and to communities everywhere we look in this country. For both cities that are urban and rural, CDBG has supported efforts to expand affordable housing. It invests in neighborhoods, and it supports local economic development projects that have literally revitalized communities.

But tonight, as we look at this budget resolution, that future, that hope is really being diminished. The actual opportunity that so many families have seen is threatened by the work that will not be done if this budget resolution passes in its current form.

The budget resolution we are now considering assumes the President's proposed cap on domestic discretionary spending. And that includes a $1 billion cut to the Community Development Block Grant Program. By the way, that is on top of a $500 million cut that this program received last year.

Now, every one of my colleagues knows how successful this CDBG Program is. You can see its impact in every community back home. Over the past 4 months, I have had the opportunity to talk with mayors and housing authority officials and other local leaders to see how they are using CDBG, and there are some great examples I want to share with the Senate tonight.

The city of Spokane, WA, used $220,000 in CDBG funds and helped remodel and expand the Native Health Clinic and Community Center. This is a clinic in Spokane that provides medical care, substance abuse treatment, mental health and counseling services to economically disadvantaged children, youth, and adults. This money made a difference.

In Vancouver, WA, in the other corner of my State, the Vancouver Housing Authority used CDBG funds to help fund the Esther Short Commons. This is a mixed-use, mixed-income building with 160 units of affordable workforce housing. It is home to businesses in the Vancouver Farmers Market. That building is a very important part of downtown Vancouver's redevelopment. Those funds made a critical difference.

In Bremerton, in Kitsap County, Kitsap Community Resources is using $950,000 in CDBG funding to help build a new facility that will serve the needs of low-income people in Bremerton and Kitsap County. That facility houses a WIC clinic and employment and education programs and is a great addition to the city's efforts to revitalize its downtown. It is a great investment of Federal dollars.

And in Seattle, the Delridge Neighborhoods Development Association received $850,000 in CDBG and home funds from the city of Seattle and developed the Croft Place Townhomes. That is a development that is now providing good housing for 21 families at or below the 30- and 50-percent of median income, including families who were previously homeless.

These are just a few examples of how these Federal dollars leverage a difference in our home States. I know every one of my Senate colleagues has heard from their mayors and their communities about the importance of the flexibility of this money and the critical difference it makes in the lives of so many.

As I have said on this floor many times, if we want to be strong abroad, we have to be strong at home. And investing in our infrastructure, bringing new economic revitalization, making sure that affordable housing is available for families, is an absolutely essential part of making sure our country is strong at home.

Any one of us can tell you that if a family does not have a place to call home, then they are not going to be strong, and they are not going to feel their family has opportunity in the future. If you are a young woman trying to raise a family alone, you know you need to have a place to live or those kids are not going to do well in school and your opportunity to send them to college is minimized.

Every one of us knows that a senior citizen who does not have a place to call home that is convenient to services they need—whether it is their doctor or physical activities—is not going to be able to have the dignity they deserve at the end of their life.

And every one of us knows that for families who cannot afford housing in many communities across our States—my State and across the Nation—if they do not have a place to call home that is close to a job, they are not going to be economically self-sufficient.

These CDBG funds have made an incredible difference in people having the security of housing, a place to call home, and financial stability. At the same time, they are bringing economic development, new jobs, new businesses, new economic revitalization, to many of our communities.

Cutting these programs by $1 billion is a disservice to those families, but it is a tragedy for this Nation because we cannot be strong if our families are feeling insecure at home because of the lack of housing. These dollars, we all know, make an incredible difference. This program has changed lives and changed communities.

Now, tomorrow our colleagues on the other side are going to offer an amendment they say will do the same thing. First of all, I thank them for recognizing the budget resolution is not sufficient and does not do the job when it comes to CDBG. But I will call them on how they are going to fund it. Once again, we will see them funded with funny money, saying: We are going to take it from section 920.

Well, already today, this Senate has gone on record taking $6.5 billion from the so-called 920 fund. And it is not there. Why do I know this? Because last year, at this same exact time, Senators on the other side offered an amendment to restore funding for CDBG, and come October, November, and December, when we were doing appropriations bills, this Senate cut half a billion dollars from CDBG. Why? Because the money offered in the amendment on their side was not real.

The same thing is going to happen tomorrow. Senators will have an opportunity to pass a phony amendment and to go home and say to their constituents: Oh, I voted for CDBG. But the bill will come due in the fall, when we do an appropriations bill and that money is not available, and we will see CDBG cut dramatically.

As ranking member on the TTHUD Subcommittee that has the funding on

this, I know where this is going to go. I urge my colleagues, and I will tell this country, if you vote for the Murray amendment, you are asking for real dollars. You are telling your communities you are going to be there to help families with affordable housing and communities with redevelopment. If you vote for the amendment from the other side offered by Senator SANTORUM, you are going to get a nice vote for the day. All Senators will support it. But all it does is say, politically: Yes, I think CDBG is good. It will not provide one single additional dollar when we come to actually appropriating these funds.

So this is extremely critical. Everywhere I go in neighborhoods across my State, I see the insecurity of so many families. They are worried about their jobs. They are worried about whether their kids can go to college. They are worried about whether their pension is going to be there. They worry about whether transportation infrastructure is going to be capable of getting them to their job or back home again. Part of that insecurity, and the most basic part of that insecurity, is housing.

That is what these CDBG funds do. Every Senator on this floor knows it. When you invest in our infrastructure, whether it is housing or transportation, especially through funds such as this, you are creating new jobs, new economic development, and revitalizing communities in ways that I have seen no other dollars do.

Mr. President, tomorrow, again, we will have an opportunity to do a political move if we vote for the Santorum amendment and say we are going to take money from this 920 fund that does not exist, or we can raise the cap, and then, when we are here next fall, actually fund CDBG at a promised level that this Senate will go on record on. It is a critical amendment. I urge its adoption by my colleagues tomorrow.

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

The PRESIDING OFFICER. The Senator from Washington has 5 minutes 20 seconds.

AMENDMENT NO. 3054

Mrs. MURRAY. Mr. President, I will take one additional minute and then yield back my time. But I did want to say, while I had the floor, that I added myself as a cosponsor to the Menendez port security amendment. This is a critical amendment. It is an issue I have been working on since September 11. I have joined with Senator COLLINS to introduce the GreenLane Maritime Cargo Security Act.

I think what we have all learned over the past week is that our ports and our cargo containers are a huge hole in our Nation's security. We cannot fix it with more rhetoric from this floor. We can fix it if we fund it adequately. This Senate will have an opportunity to vote on that tomorrow. I urge my colleagues to support that amendment when it comes to the floor.

Thank you, Mr. President. I will yield back my time in order to move to the next amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 3063

Mr. GREGG. Mr. President, in a second we are going to go to the Senator from Ohio, who is going to speak relative to the resolution. But I want to quickly respond.

The Senator from Washington has proposed an amendment which raises the cap, and it raises taxes. There is a better way to do it. The better way is Senator SANTORUM's amendment, which will come tomorrow, which says we identify CDBG as a priority, and within the caps we find the money for CDBG recognizing we may have to do an across-the-board cut of other accounts. That is the right way to do this. It sets priorities.

The Senator from Washington is the ranking member on the appropriating committee which will have responsibility for this. Historically that committee has always funded this account. They have always found this to be a priority, and they have always found the money to do it. I do not think that history is going to change this year.

I do think Senator SANTORUM has the right way to do this. We should not be passing a tax-and-spend amendment, which is what this amounts to.

At this point, I will yield back the remainder of the time in opposition to the Murray amendment and yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I rise today to speak not only on the fiscal year 2007 budget resolution that has been placed before this body but also on the environment in which Chairman GREGG has had to write the resolution.

First of all, I thank our chairman for his yeoman effort to bring this budget to the floor. Chairman GREGG has produced a very strong effort under difficult circumstances.

For once, I am excited to see the chairman's limitation on the use of ''emergency'' designations for the fiscal year 2007 budget. While utilizing ''emergency'' spending may be necessary, Senator GREGG has put in place a process to force us to reflect on what should be deemed as an ''emergency'' and consequently sidestep the regular budgetary process versus what should be moved as part of the regular appropriations process. In other words, all of us feel that in terms of our emergency spending, much of it should be actually in the regular budget resolution rather than considered as emergency spending.

I also applaud the chairman's inclusion of a new point of order against direct spending that would apply once it was determined that the general fund would contribute more than 45 percent of total Medicare outlays. This new point of order serves to highlight what all of us know is decimating future budgets—the impending costs of Medicare and other entitlements.

While I respect the efforts required in producing this budget, and the effort to try to comply with the cap that the President issued, it is the view of this Senator that the budget falls short of meeting the current pressing needs of our country, and those sentiments are reflected in some of the amendments that have and will later be offered to the budget.

Each of us must be able to justify our actions on behalf of our constituents. During my first biennial budget, as Governor of Ohio, I had to go back to the budget four separate times to find additional areas to cut. But after cutting program after program, I could not justifiably say I provided for the public good by slashing more. Indeed, I made the difficult choice to ask the legislature to increase taxes at the margins. After keeping spending to its lowest growth in 30 years, we were able to reduce taxes my last 3 years in office. But we did take care of the needs of the people of the State of Ohio.

I am not calling for raising revenues at this time. However, I am calling attention to what I view as a lackadaisical attitude toward what I believe is a freight train bearing down on our fiscal house. I voted for tax cuts in 2001, 2002, and 2003. In 2001, we were projecting surpluses beyond the horizon, I think a $5.4 trillion surplus in 10 years. We believed those surplus funds were better utilized in what I called the three-legged stool of fiscal responsibility—pay down the debt, spending restraint, and returning excess funds to households so as not to be unwisely spent.

In 2002, I supported additional tax cuts to stimulate our economy in the aftermath of September 11. And in 2003, our country was still reeling from September 11, the war against terror, and corporate accounting scandals. We needed additional stimulative medicine. I fought to ensure that the amount we passed was the right amount. I said that $350 billion in tax cuts would be enough to get the economy moving, and I believe that it worked.

However, the world does not stand still, and we now face different challenges. Since that time, the economy has grown. The Nation's GDP grew by 4 percent in both 2003 and 2004 and 3.5 percent in 2005. Unemployment has dropped since we enacted the tax cuts from 6.6 percent to the current 4.8 percent. I wish it were as good in the State of Ohio as that, but overall that is what it is. While the tax cut stimulation worked, making these tax cuts permanent should be subject to pay-go. I am sorry today that we didn't have the votes to do that.

While the economy has been renewed, our Nation has had to pay for the extraordinary expenses of Iraq and Afghanistan, as well as responding to our concern for homeland security for

which, since 2001, we have tripled governmentwide spending related to nondefense homeland security, and on top of that add in the expenses of Hurricane Katrina. What I am saying is that with the 22 agencies we brought together after 2001, 180,000 people, we have tripled the budget of those agencies since 2001. While we are dealing with all these expenses, we are ignoring the 800-pound gorilla in the room: the impending tidal wave of entitlements coming due. In his State of the Union Address, President Bush acknowledged that:

> The retirement of the baby boom generation will put unprecedented strains on the federal government. By 2030, spending for Social Security, Medicare, and Medicaid will be almost 60 percent of the entire federal budget. And that will present future Congresses with impossible choices—staggering tax increases, immense deficits, or deep cuts in every category of spending.

I am pleased that the President decided to focus on what some have called the demographic tsunami coming our way and the necessity to reform entitlement programs before it hits. The 77 million baby boomers coming into Social Security and Medicare Programs will put the Federal budget under unprecedented pressure. Chairman GREGG took the courageous step to take on entitlement spending through the Deficit Reduction Act of 2005, and I supported those efforts. However, this was just the tip of the iceberg. I would support greater efforts to continue to debate on entitlement reform so that we may make wise decisions and not decisions stemming from unneeded dawdling and delay.

No matter which way you look at it, if we leave reform of entitlement programs to future Congresses to handle as well as a mountain of national debt to pay off, it will have devastating consequences on the economy and our children.

We owe it to the American people to let them know the true condition of our Federal budget. Currently, governmental expenditures absorb about 20 percent of the GDP, while our tax receipts are only 17.5 percent of GDP. The debt has grown from about $5.5 trillion when I first came into office in 1999 to a staggering $8.1 trillion today. That is a 47-percent increase. The debt service alone threatens to gobble up revenues in the near future.

According to the CBO, in fiscal year 2005, interest on the public debt grew more rapidly than any other major spending category, rising 14 percent above the fiscal year 2004 level. Without major spending cuts, tax increases, or both, the national debt will grow more than $3 trillion through 2010 to $11.2 trillion according to GAO—nearly $38,000 for every man, woman, and child in the United States. The interest alone will cost $561 billion in 2010, the same as today's budget for the Pentagon. Think of that.

However, we all know that the real problem is our long-term debt. I might mention in terms of our interest costs, if the central banks of foreign countries that are investing in our debt decide to redo their portfolios, we are really going to be in trouble because we will see our interest costs spike dramatically.

By the General Accounting Office's own estimates, about 35 years from now, when my grandchildren have their own children to care for, balancing the budget will require actions as large as cutting total Federal spending by 60 percent or raising taxes to 2½ times today's levels. Think about that. And if we are going to be honest with the American people about the shape of our fiscal house, we should be honest on budgeting. Accrual accounting is what we require private businesses to use in presenting their finances to give an honest snapshot. On an accrual basis, our Federal deficit for fiscal year 2005 was $760 billion, representing an increase of $144 billion or 23 percent over the previous year's deficit of $616 billion. That is a stark difference from the $319 billion deficit that was reported. That is what we told the American people: It is $319 billion. Under this convenient Government accounting, it made it look as if we had a decrease in the deficit of $93 billion from the previous year's deficit of $412 billion.

Frankly, if the Treasury Department already has the numbers, why don't we use the accrual method of accounting for our budget? I want to remind the American people again, as well as my colleagues in the Senate, that the true deficit in 2005 was $760 billion—an increase of $144 billion or 23 percent over the previous year's deficit.

I have also introduced a bill called the Truth in Budgeting Act, cosponsored by Senator CONRAD, which stops the Federal Government from using surplus trust fund revenues to hide the true size of the Government's deficit and highlighting the true size of the Federal debt by forcing the Government to increase borrowing from the public to cover general fund expenses. It is important to have an honest accounting of where we are and where we are headed from a fiscal perspective. We need to change the current Federal accounting and reporting model and budgeting systems to better reflect the Government's true financial condition. This will bring about greater transparency and accountability in Government operations and really let the American people know what is happening here in Congress.

Additionally, if we are to be honest about the budget, we should make reasonable assumptions. The administration's budget assumes enactment of more than a dozen user fees totaling $3.2 billion in 2007 to offset discretionary spending increases. The user fee proposals in the budget include an increase in airline passenger security fees, changing some veterans' enrollment fees for medical care—which, by the way, was rejected by the Senate today 100 to 0—increased TRICARE enrollment fees and deductibles for military retirees under 65, regulatory fees for explosives, and Food Safety and Inspection Service user fees. These proposals have been rejected by Congress in the past and are unlikely to materialize. What they will do is, because that money is not going to come in, it is just going to squeeze other priorities.

Additionally, we are not being honest about the Medicare physician fee schedules. Physicians are reimbursed for treatment of Medicare patients through that fee schedule. Right now, physicians are facing another 5 percent decrease in their Medicare payment on January 1, 2007. Reducing physician payments will have a direct negative impact on seniors' access to quality health care. Last year, we responsibly offset funding to avoid a scheduled 4-percent reduction. We included a freeze in their payment rates in the deficit reduction bill. It has become evident that we must face this annually, but never truly budget for it. In other words, we know that we can't cut the reimbursement for doctors in this country for Medicare patients, but we just assume that we are going to do it, at least the administration does, knowing full well that Congress is going to have to come in with that additional money—in this case, $1.5 billion—and that means that there is just going to be less money for other priorities that we have on our domestic side of the budget.

The administration's budget also accounts for an extension of AMT relief in 2006 but not for 2007 or the rest of the 5-year budget window. The administration says that a permanent solution to the AMT issue should be enacted as part of tax reform. However, the likelihood of Congress passing tax reform this year, as much as I would like to see it since I offered the legislation calling for the blue ribbon panel on tax reform, is slim to none. I feel bad that the administration has backed away from tax reform as a priority since simplifying the Code to make it more simple, fair, and honest could, by some estimates, save taxpayers $260 billion in costs associated with preparing their taxes. That is across the country. Saving that cost would be a real tax reduction and not cause the Treasury to lose one dime of lost revenue.

The question we must ask ourselves is, If we don't have enough revenue to pay our current bills, how in the world are we going to prepare to cover much larger future promises? The simple fact is that we can't have it all. We need to set priorities. We need to make choices; otherwise, our children will end up paying for it.

Our forefathers recognized the inequity of passing on debt to future generations. George Washington in his farewell address stated:

> [likewise avoid] the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts which unavoidable wars

may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear.

In other words, throwing the cost of a war on to the next generation. Frankly, if we are willing to be honest with ourselves and make the hard decisions, the last thing we should be doing is talking about making tax cuts permanent. If we are to be honest and forthright with the American people, we should be asking them to pay for the extraordinary cost of the war and improving our homeland security. Because if we are not willing to do so, it will not be Members of this body who are going to be paying the tab. We will be gone. Instead, repayment of the debt will land squarely in the lap of our children and grandchildren. I don't know any parents or grandparents who would think it was a good idea to run up huge personal debts that their children and grandchildren would have to pay at the time of their death, but that is exactly what we are doing with our Federal budget—passing it on to our children and grandchildren. The major reason I sought reelection to this venerable body was to make sure that was not going to be our legacy or the legacy I left my three children and seven grandchildren and my fellow Americans.

According to the administration's fiscal year 2000 budget, mandatory spending will take up 54 percent of the $2.8 trillion budget; net interest we will have to pay on the debt will eat up 9 percent; 18 percent would be allocated for the defense discretionary budget, leaving 19 percent for all the discretionary programs or about one-fifth of the budget. And what we have been doing the last couple of years is flat-funding discretionary spending, the real increases in this budget. People say: You are spending money. The money is being spent on the war and on homeland security. And in terms of discretionary nondefense spending, we basically have flat-funded that.

As I quoted, by the administration's conservative estimate, the programs on auto-pilot, such as Social Security, Medicare, and Medicaid, will account for over 60 percent of the budget by 2030. That does not leave much for all other governmental obligations we have. We are putting the squeeze on just one-fifth of the budget while the rest sees large increases.

We must make entitlement reform a priority, but in the meantime, we should not pretend that by flat funding or cutting nondefense, nonhomeland security needs or programs that work and serve a critical governmental purpose will get the job done. Some of these programs actually save the Government money by benefiting the economy or avoiding further costs down the road.

The point is that in this global economy, we are confronted with the most competitive environment our Nation has ever faced, at least in my lifetime. Anyone who has read Tom Friedman's book ''The World is Flat'' or read the National Academy of Sciences report ''Rising Above the Gathering Storm'' gets it. They get it.

In the big picture of where the United States stands, it is clear to me that the economic framework of our Nation needs to be refurbished. There are certain investments and responsibilities that this Senator believes we can no longer ignore and must address. We should be rebuilding an infrastructure of competitiveness so that future generations can compete in that global marketplace and have at least the same opportunity to enjoy our standard of living and quality of life.

We cannot remain competitive without a workforce full of educated and motivated young Americans. As a nation, we have to invest in our children and enable them to fully develop their God-given talents in order to compete in a knowledge-based global economy. This means we have to place more emphasis on careers in science, engineering, and math. And right now we are not getting the job done.

Globally, the United States ranks 17th in proportion to college aid population earning science and engineering degrees, down from third place several decades ago. In fact, the percentage of 24-year-olds with science or engineering degrees is now higher in many industrialized nations, including England, South Korea, Germany, Australia, Singapore, Japan, and Canada. All produce a higher percentage of science and engineering graduates than the United States.

The National Academy of Sciences released a report this fall that recommends action that the Federal Government should take to enhance our ability to compete in our global economy. The recommendations range from those that will improve our Nation's math and science coursework and establish a workforce of qualified teachers who will prepare our students for futures in highly innovative careers, to the crucial need for energy independence, and an investment in research.

I am encouraged the President recognized that America needs to wake up and build a new infrastructure for competitiveness, and I applaud his American competitiveness agenda.

Also, I have joined a number of my colleagues as an original cosponsor of the Protecting America's Competitive Edge Act of 2006, PACE. This legislation is aimed at improving our Nation's competitiveness through advancements in and emphasis on math and science education. Like the President's initiative, this legislation is comprehensive in its aim to increase our Nation's research capacity, emphasize strong science and math education, but it will require a national commitment to reengage our Nation's youth in science and math, similar to our response in the late 1950s to Russia's launch of Sputnik and the ensuing space race.

In order to implement PACE, it is going to take $10 billion a year for the next 10 years, including making the research and development tax credit permanent. That money is not in this budget. That money is not in this budget.

Funding for nuclear engineering programs truly showcases the disconnect between our stated priorities and the budget. The administration and numerous Members in this body are supportive of the recommendations in the National Academy's report, which also highlighted the importance of moving toward greater energy independence. However, the administration's budget zeroes out funding for the Department of Energy's University Nuclear Reactor Infrastructure and Education Assistance Program from $27 million in fiscal year 2006—it is a relatively innocuous amount within the context of a $2.6 trillion budget. But with our renewed focus on our Nation's competitiveness and the need to address our education and energy policies, it doesn't make sense to eliminate this program. That is what we see all the way through this budget.

Additionally, beyond our human capital infrastructure needs, our physical infrastructure needs are facing a real dilemma as well. In other words, we have to build that infrastructure of competitiveness. We are not getting it done. We desperately need to provide increased funding for the Army Corps of Engineers, including funding for levees and additional civil engineers. This Nation has an aging national water resources infrastructure. If we continue to ignore the upkeep, the deterioration of locks, dams, flood control projects, and navigation channels, we risk disruptions in waterborne commerce, decreased protection against floods, as we saw in Katrina, and other environmental damage.

I have been concerned about the backlog of unfunded Corps projects since I was chairman of the Subcommittee on Transportation and Infrastructure in 1999 and 2000 on the Environment and Public Works Committee. When I arrived in the Senate in 1999, the operation and maintenance deficit was about $250 million. Today it is $1.2 billion. In 2001, there was $38 billion in active resources projects waiting to be funded. Today there is $41 billion in active construction general projects that need to be funded. This budget is only going to increase this backlog.

This budget proposes a 33-percent cut in the Corps construction budget and a 42-percent cut in the Corps investigations budget. Currently, the Corps is able to function only at 50-percent capacity at the rate of funding proposed by this budget. Listen to this: Currently the Corps is able to function only at 50-percent capacity at the rate of funding proposed by this budget.

Can you believe this, after the lesson we learned from Hurricane Katrina? We had people testify before the Environment and Public Works Committee who were a part of the American Civil

Engineers Society saying that if we had properly funded the levees in New Orleans, they would have survived Katrina.

Let's talk about our highways. According to the Federal Highway Administration 2002 Conditions and Performance Report, $106.9 billion through 2020 is needed to maintain and improve our highways and bridges. We are just not getting the job done.

Community development block grants, which was spoken to by Senator MURRAY earlier, is another example. These grants support State and local government-directed neighborhood revitalization, housing rehabilitation, and economic development activities. I know in my time being mayor of the city of Cleveland how important CDBG is in terms of providing funds to local government officials so they can do housing rehabilitation, neighborhood revitalization, and economic development. I refer to it as the yeast that raises the dough. It is probably the best leveraged Federal program we have for our cities in the United States of America.

By the way, it is a program that was put in place by Richard Nixon when he was President of the United States.

When we fail to recognize our country's needs, it is at the expense of our seed corn programs that are essential to the future of our country. We must not be pennywise and pound foolish while we consider this budget. While cuts and reforms need to be made, it should not be made at the expense of programs that our country relies on, such as these.

It is too bad that we don't have to balance our budget. That would be beautiful. The thing that drives me crazy about this place, after being mayor for 10 years and doing 10 budgets, and being Governor and having to do four budgets when we had to balance our budget, is that we are irresponsible when it comes to budgeting.

I recall as Governor, as I mentioned earlier, we had to raise taxes at the margin to balance the budget and respond to critical needs of Ohio. It was through cuts in spending and making very difficult choices that we balanced the budget and accumulated over $1 billion in our rainy day fund. It was through these efforts—in other words, we tried to do everything, and at the end, through what I call the strong-management, good-economy bonus, we reduced our State income tax 3 years in a row, including almost 10 percent in 1998.

It is difficult for this Senator to believe that we have the ability to fund the war on terror, respond to homeland security needs, pay for emergencies such as Hurricane Katrina, deal with explosions in entitlement costs, guarantee our country will have the infrastructure of competitiveness to battle the global marketplace, balance budgets, pay down the debt by focusing our attention solely on the discretionary, nondefense, nonhomeland security part of the budget—it doesn't make sense, and it is not fair. It is not fair, and I think the American people understand what I am talking about.

The problem is that Congress has not told the truth about what we can and cannot afford. We want to have it all but don't want to pay for it. America's families don't live like that, nor should we. I learned this difficult lesson while serving as mayor of Cleveland for 10 years and Governor of Ohio for 8 years. It is time that we in Congress learned that lesson as well.

Yesterday, I sat in the Presiding Officer's chair listening to Chairman GREGG and Senator CONRAD debate. I was heartened to hear these two budgeteers agree that we have to take on the debt on a bipartisan basis, and sooner rather than later. I wish to be associated with those sentiments, and I hope both sides of the aisle will promptly realize the dilemma and heed the words of Senators GREGG and CONRAD. We can get the job done. We can be responsible, but we have to do it on a bipartisan basis.

When I had my problems when I was Governor of Ohio, I had the strongest leader we ever had, a Democrat, in the House of Representatives. He had been there for 24 years. We named a building after him while he was alive. In fact, I had to genuflect to his statue every day when I went to my office at the State House. He was a very powerful guy. We had problems. I went to him and said: Vern, we have to do something about this. He said: Partner, OK, but you have to give a little, we will have to give a little. We spent 3 weeks and came up with a program to get the job done.

The President recognized this. One of the things I felt very bad about last year is we spent all this time on dealing with Social Security when I knew right from the beginning if it wasn't going to be on a bipartisan basis, it would go nowhere, and it went nowhere. The President wasted a lot of time—I give him credit for pointing out the fact that we had a problem with Social Security, but it had to start out on a bipartisan basis.

I was so delighted, I got up and clapped when the President said: We have to put together a commission of the best and brightest to tackle the problem of entitlements so we can move toward fiscal sanity.

We have to do that. The American people are looking at what we are doing here and they are saying: Put aside your partisan differences; come together for the benefit of our country, for our children, for our grandchildren.

I am concerned about this budget, but I am more concerned about the direction we are going. Our problem is that we are unwilling to pay for things or do without them. Unless we wake up to that fact, we are in very deep trouble.

## MORNING BUSINESS

Mr. VOINOVICH. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

## MAGGIE INOUYE

Mr. KENNEDY. Mr. President, we join our dear friend and colleague, Senator INOUYE, in remembering his wonderful wife and life-long companion, Margaret Inouye.

She faced her cancer as she lived her life—with dignity, grace, a ready smile, and a firm resolve.

I read DAN INOUYE's own words about her passing. He said,

> It was a most special blessing to have had Maggie in my life for 58 years. She was my inspiration, and all that I have accomplished could not have been done without her at my side. We were a team.

Senator INOUYE and Maggie came to the Senate just months after I did. It has been one of my greatest pleasures to serve with DAN over these many years. He is our rock, our steady hand, our wise counselor. And we know that in no small measure, Maggie made that possible.

Our thoughts and our prayers are with DAN and his son Kenny as they face this great loss. DAN, we love you, we care for you, and we look forward to your return as you continue to serve the people of the State you love.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. I thank the Chair. I share Senator KENNEDY's thoughts of prayer and peace for Senator INOUYE. My thoughts are with the Inouye family.

Mr. CARPER. Mr. President, I came to the floor today to talk about our budget deficit and a couple things we ought to be doing to turn it around to begin reducing it. Before I do that, I want to extend my sympathy and the sympathy of the people of Delaware to Senator INOUYE and his family on the death of Maggie Inouye yesterday.

For those who have lost loved ones recently, those who have lost parents, those who have lost spouses, they may have just the beginning of a feeling for the tough time that our colleague is going through. To those of us who were privileged to know his wife, she was a wonderful, vibrant, and valiant woman and a great partner for him right to the end.

So to DAN INOUYE, our deepest sympathy. It was a privilege to know your wife.

## LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate

crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On May 3, 2005, Galo Garcia was walking on the Harvard University campus in Cambridge, MA, when a passing driver began yelling sexually derogatory terms at him and his companion. Garcia confronted the driver, who then allegedly beat Garcia. Garcia received cuts, bruises, and a severe concussion during the attack.

According to reports, Garcia claims he was verbally and then physically assaulted because he was walking with his arm around another man.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that are born out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

## VOTE EXPLANATION

Mr. JOHNSON. Mr. President, I would like the RECORD to reflect that I was necessarily absent on Monday March 13, 2006, for rollcall vote No. 37, the confirmation of the nomination of Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade. Unfortunately, my flight from South Dakota to Washington, DC was delayed due to bad weather. Had I been present for this vote, I would have voted in favor of the nomination.

Mr. NELSON of Florida. Mr. President, I was necessarily absent for yesterday's vote on the confirmation of the nomination of Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade. I would have voted ''aye.''

## PORT SECURITY

Mr. SANTORUM. Mr. President, I rise today to address the Dubai Ports World acquisition and the subsequent announcement to transfer operation of U.S. port terminals to a U.S. entity. Last week, my colleague from New York offered an amendment to S. 2349, the Legislative Transparency and Accountability Act of 2006. While the security of our ports is my foremost concern, especially as a Senator representing a State where one of the ports in question is located, I do not believe the time or the vehicle was appropriate for a vote on Senator SCHUMER's amendment. I have been a vocal critic of this transaction for weeks, but when my colleague's amendment was offered, Dubai Ports World had already resubmitted its application to the Committee on Foreign Investment, CFIUS. A second review of the transaction was pending. Furthermore, I had signed onto a bipartisan letter with Senator SCHUMER and eight other Members just the week before to the majority and minority leaders. In that letter, we expressed our desire to closely examine the facts that would be presented, and we retained our right to pursue legislative action after the review was completed should the outcome prove unsatisfactory.

Then, just last Friday, DP World announced their decision to transfer the U.S. port terminals acquired from Peninsular and Oriental Steam Navigation Company to a U.S. entity. While we are still seeking clarification of exactly what that means, my hope is that this decision will allay our concerns about this particular transaction. I expect a thorough review of this proposal by the appropriate agencies, and Congress assuredly has the will to act if concerns remain.

Should the immediate need for action disappear, Congress cannot ignore the underlying problems this acquisition has brought to light. First, we need to remain diligent in securing ports both domestically and abroad. Significant investments at foreign ports are critical. We cannot allow hazardous materials or weapons of mass destruction to enter our ports in the first place. By then, it could be too late. Second, Congress must undertake a comprehensive review of the CFIUS process. Chairman SHELBY has already begun that process in the Banking Committee. I look forward to working with him and my colleagues to aggressively execute our oversight authority and expeditiously enact any reforms that may be necessary to ensure the safety and economic vitality of my State and this great Nation.

I ask unanimous consent that a copy of the above mentioned letter be printed in the RECORD.

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

UNITED STATES SENATE,
*Washington, DC, March 3, 2006.*

Senator WILLIAM H. FRIST,
*U.S. Capitol,*
*Washington, DC.*
Senator HARRY REID
*U.S. Capitol,*
*Washington, DC.*

DEAR LEADERS FRIST AND REID: As you know, we recently joined together to introduce S. 2333, The Foreign Investment Security Act of 2006, a bill to require a 45-day CFIUS investigation and a Presidential determination regarding the national security implications of Dubai Port World's takeover of Peninsular and Oriental Steamship Navigation Company. This bill stemmed from our joint concern that allowing the takeover of U.S. terminal operations after only a cursory review raised serious national security concerns.

The President and the companies have now moved voluntarily to provide for such a 45-day investigation, and we are encouraged by that decision. Though some of us remain troubled about how this new review will proceed given the Administration's continued support of the deal, we have decided not to press for a vote on our bill at this time in the hope that this new investigation will be thorough, fair, and independent.

Nevertheless, several key components of our legislation have yet to be addressed namely, the notification to Congress and the ability of Congress to disapprove the deal within thirty days if security concerns are not met.

As a result, we write to ask for your assistance in guaranteeing that:

(a) the Congress is kept fully informed as the 45-day review progresses, and notified how security concerns are being investigated and addressed;

(b) the Congress is provided 30 days to review the results of the report including reasoning for the decision to either approve or disapprove of the deal; and

(c) once this 45-day review period is over, Congress reserves the ability to vote to disapprove the deal if the security concerns have not been adequately addressed.

We hope you will work with us and with the Administration to ensure that this review is a thorough, effective look at whether this deal truly poses a threat to our national security. If we need to press for a vote on our legislation or to introduce further legislation to achieve the goals outlined above, we hope you will work with us in the coming weeks. The Administration must know that we stand united to examine and review this deal independently, and that Congress must have a role in determining whether it should go forward or be stopped as a result of national security concerns.

Sincerely,

Charles E. Schumer, Robert Menendez, Hillary Rodham Clinton, Jack Reed, Frank Lautenberg, Norm Coleman, Olympia Snowe, Susan Collins, Dr. Tom Coburn, M.D., Rick Santorum, *Members of Congress.*

## VISIT OF LIBERIAN PRESIDENT ELLEN JOHNSON SIRLEAF

Mrs. CLINTON. Mr. President, tomorrow, we will convene for a Joint Session of Congress to hear comments by the new Liberian President, Ellen Johnson Sirleaf.

I hope that we will give her a warm welcome and send her home to the 3.3 million people of Liberia with a simple and strong message: We will stand by you as you work day-by-day to build a safer, more prosperous country.

It is an exciting and hopeful time for the people of Liberia. Civil conflict has been replaced by civil discourse. Free and fair Presidential elections have taken place, with dozens of candidates and three-fourths of voters turning out to shape the country's future.

Looking back, it is clear what the Liberian people were voting for when they elected President Sirleaf: honest government, economic growth, an expansion of infrastructure, and greater opportunity for all Liberians, regardless of gender.

They also chose a leader with three decades of experience. President Sirleaf has served as Finance Minister in Liberia, and she has also held high-level positions at the United Nations and World Bank.

It is no surprise that in just 8 weeks in her new job, President Sirleaf is already making progress. She has taken bold steps to reduce corruption, and she has rightly emphasized the need to

get ex-combatants into schools and jobs. After more than a decade of conflict, this is vitally important.

Now, Liberians in every part of the country are turning to President Sirleaf's government for things like clean water, electricity, health care, roads, and jobs. These are enormous challenges for the Government of Liberia, but they are also opportunities. They are opportunities to educate, to employ, to strengthen the rule of law, and to consolidate the peace. These opportunities are the bedrock of Liberia's great hope.

We have an opportunity also. It is an opportunity to partner with more than 3 million people as they rebuild their country from conflict, using the bricks and glue of peace. And it is an opportunity to demonstrate to all the people of West Africa—and the world—that greater riches flow from peace than from any form of violence.

In the last 2 fiscal years, Congress has appropriated almost $900 million to reconstruction efforts in Liberia. Many Americans have participated personally in this noble work, through USAID, other government agencies, and many NGOs.

We must continue these efforts. President Sirleaf and the people of Liberia have embraced democracy and peace. We must embrace them as our friends.

## NATIONAL SAFE PLACE WEEK

Mr. JOHNSON. Mr. President, I would like to publicly discuss the importance of the Project Safe Place Program and extend my support for designating the week of March 13, 2006, as ''National Safe Place Week.''

Project Safe Place is a nationally acclaimed youth outreach and education program that provides immediate help and support to youth who are in crisis or at risk for abuse, neglect, or serious family problems. This easily replicated community initiative, which takes place in more than 700 communities around the country, educates thousands of young people every year about dealing with difficult, threatening situations such as child abuse, substance addiction, crime, and family problems. Qualified agencies, trained volunteers, and community partners such as businesses, local government, and law enforcement agencies, work together to sustain Safe Places where youth in crisis can gain immediate, free, and confidential assistance. Safe Place sites, which are designated by distinctive yellow and black Safe Place signs, include youth-friendly businesses, schools, fire stations, libraries, Boys & Girls Clubs, YMCAs, and even buses.

S. Res. 390 provides an opportunity to recognize the youth-serving agencies, community partners, counselors, and trained volunteers who work together to sustain safe places for children to turn to. We can show them that they have our support and appreciation and that we value communities actively working together to help young people in crisis.

Throughout my tenure as a legislator, I have done my best to support initiatives that work to improve child welfare. Our Nation's children are its greatest asset and our most precious treasure. It is vital that we help them get the right start, nurture their development, and provide for their well being. Quality childcare, nutrition programs, children's health initiatives, and overall poverty reduction measures are critical to ensuring that the children have the tools they need to grow up safe, happy, and healthy. Providing services for at-risk youth is particularly essential because these young men and women often do not have the support that would help them through the transition from childhood to adulthood. These services can help young people continue their education, find jobs, and improve family relationships.

I urge my colleagues in the Senate to join me in supporting this resolution. This resolution will affirm the work of those individuals and organizations sustaining Safe Places around the country and encourage them to continue making a difference in the lives of at-risk youth.

## MICHAEL BERMAN

Mr. LEAHY. Mr. President, my dear friend of over 30 years, Michael Berman, has just written his memoir, ''Living Large: A Big Man's Ideas on Weight, Success and Acceptance.'' Mike possesses one of the most astute political minds along with a generous heart and kind soul. I am proud of his courage in writing about his struggle with weight control and hope his book will encourage others to honestly confront and overcome their weight challenges.

This week, both The Washington Post and Roll Call reviewed Mike's book. I ask unanimous consent that those articles be printed at this point in the RECORD.

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

[From the Roll Call, Mar. 14, 2006]

WEIGHING IN ON WEIGHT

(By Elizabeth Brotherton, Roll Call Staff)

Michael Berman is kind of a big deal.

Now president of the lobbying firm the Duberstein Group Inc., Berman has worked on every Democratic presidential campaign since 1964. He was even deputy chief of staff to former Vice President Walter Mondale.

That's on top of all the nonprofit boards he sits on.

But to Berman, there has been one lingering thing that has followed him all those years: his weight.

See, Michael Berman is kind of a big deal.

''Food,'' Berman said. ''It's like a drug.''

Berman's lifelong struggle with food is chronicled in his new book, ''Living Large: A Big Man's Ideas on Weight, Success, and Acceptance,'' set to hit bookstores Wednesday.

Berman said he wrote the book primarily because in all his years of reading weight loss books, he rarely found one about overweight men. Even more rare was trying to find a book written by an overweight man.

So he decided to provide that voice.

''I'm hoping that some people will come to understand more of what fat people go through,'' Berman said.

Berman said the book, which he co-authored with writer Laurence Shames, took seven years to complete.

''It really became kind of a vehicle to help me,'' Berman said of the book. ''It kind of helped me stay on path with my weight management.''

Berman, who has struggled with food since he was a child, has always been conscious of his weight. He has tried every diet imaginable, he said, from South Beach and Atkins to even undergoing two hospitalized starvation diets. He once hallucinated cheeseburgers.

But whenever he managed to get his weight under control, it would shoot back up again.

The 66-year-old tipped the scales at 317 pounds in January 1999. (He now weights 240 pounds, he said.)

''I really have the view, for really fat people like myself there's a significant psychological component as to why we are fat,'' Berman said. ''There's some issues, some of which kind of get revealed in the book.''

''Living Large'' reads a lot like a biography. Berman talks about his childhood, meeting his wife and his career in politics.

He also includes first-hand views from his wife, Carol, on how his heavy stature has affected their marriage.

''One day, I said to her, 'Why don't you write a chapter called: 'Living with a fat man: A Spouse's Perspective'' he said. ''I just came to realize that I had an enormous effect on her.''

Only parts of his wife's chapter made it into the book (the entire section is available on Berman's Web site, www.mikelivinglarge.com). But Berman also manages to touch on some serious issues.

For example: Why did he gain weight at certain times? How has his weight affected his life and the lives of those -around him?

Plus, he deals with the issues behind his significant weight, issues he has kept secret for quite some time.

''I feel like, OK. I've shared this stuff with the psychologist I had all these years, and I'm really comfortable with myself,'' Berman said. ''I just became more and more comfortable.''

The book's release comes at a time when the United States appears to be losing the war against obesity.

About 119 million adults in the United States—64.5 percent of the adult population—are either overweight or obese, according to the nonprofit group Trust for America's Health.

Obesity has been linked to a slew of serious health problems, from diabetes and heart disease to strokes and some cancers, according to the Centers for Disease Control.

That means the issue will be relevant—and political—for quite some time, Berman said.

''It's going to kind of be an issue of, 'Are we going to apply resources to beginning education campaigns to show young people that we are going to do something about it?' '' he said. ''I think it's increasingly going to be a political issue. But it is going to be a resource issue.''

Berman said that he now has created a manageable situation for controlling his weight. He monitors his daily calorie intake in a meticulous journal, and he regularly gets on the scale.

''I'm never going to be a thin person,'' Berman said. ''But, by golly, maybe I can keep (my weight) in a somewhat healthy range.''

[From the Washington Post, Mar. 13, 2006]

THE MEASURE OF A MAN: LOBBYIST MICHAEL BERMAN COMES TO TERMS WITH SIZE AND SELF IN ''LIVING LARGE''

(By Laura Sessions Stepp)

For more than six decades, Michael Berman has lived as a fat person. At 5 feet 9 inches, he has weighed as much as 332 pounds. He has been known to eat three racks of ribs at one sitting, or a 40-ounce steak, or a whole box of saltines. In 1986, after dropping a few pounds, he spent $2,100 on three custom-made, pinstriped suits in gray, blue and brown. By the time the suits were ready, 10 weeks later, they no longer fit. Eleven years after that he gave them away, having never been able to wear them.

A highly successful political campaigner and Washington lobbyist, Berman, 66, doesn't deny the dangers of fatness or the urgency of encouraging people to exercise and eat healthier. He acknowledges that with 60 percent of the U.S. population overweight or obese, and the rate of obesity increasing particularly dramatically in children, being fat has serious consequences for the health of individuals and the economy. He'd like to see government and private resources used for a public education campaign similar to that for smoking and seat-belt use.

But forget the notion that fat people can become slim, he says in a part memoir, part self-help book scheduled for release this week. They can—and should—manage their weight. They can—and should—find an exercise program they can stick with. But fat adults will always be fat. They are in the grips of a disease over which, in the end, they do not have complete control.

This is not likely to be a popular message among those who manage their daily lives with BlackBerrys, filter out porn on their kids' computers, block negative information coming from government sources. Is he trying to say that the fatties who sprawl over airplane seats could not shrink to a reasonable size if they just stopped wolfing down those Big Macs?

Yes, that's what he's saying. ''The idea that you can slim down by willpower is a bunch of horse manure,'' he said. If ''nonfat'' Americans could be convinced of this, perhaps they'd start relating better to fat Americans. And if fat Americans understood why they're fat and accepted that they will always have to shop at Rochester Big and Tall or Lane Bryant, they could begin ''Living Large,'' as Berman called his book.

A Minnesota native, Berman has lived large for a long time among Washington's elite. He served as counsel and deputy chief of staff to former vice president Walter Mondale, acted as scheduler for six Democratic conventions and, in 1989, formed a bipartisan lobbying firm that today counts General Motors and British Petroleum among its clients. During the Clinton years, he was on a ''special access list'' that gave him virtually unrestricted entree to the White House. He and Carol, his wife of 40 years, live in the gracious Colonnade condominiums in Northwest Washington and entertain powerful friends they've accumulated over the years.

Being a BMOC means you're treated differently than the masses. The Palm restaurant, noted for its creamed vegetables, serves Berman steamed spinach and broccoli. The chef at I Ricchi created a dish of roasted vegetables for him. The maitre d' at Georgetown's Four Seasons restaurant knows that for breakfast meetings he prefers the table one row from the windows near the center of the dining room; the servers never place a basket of toast on his table.

But politics is dangerous for anyone hoping to maintain a reasonable weight, Berman says over breakfast at the Four Seasons.

''The cocktail parties are not difficult,'' he says, his shirt sleeves pushed up to reveal a large yellow Corum wristwatch. He attacks a dish of large blueberries, then an egg-white omelet and four wide slices of turkey bacon. ''I can get a glass of Diet Coke, mingle, and only occasionally grab an hors d'oeuvre as it goes by. What is hard are the large sitdown dinners where you can't control the menu. Or where you're with 3,000 other people, you order a vegetarian meal, it takes forever to arrive and meanwhile there's a basket in front of you full of bread.''

He is comfortable with being different, now. But he has suffered through countless eight swings, 20 diet programs, a kidney infection and knee surgery. And it has taken him eight years of counseling, the careful attention of a personal trainer/nutritionist and the sustained support of his wife to get to that place.

Berman first realized he was not just husky, but really fat, when he was 13, weighed about 170 pounds and was standing in the shower of the boys' locker room one day after gym class in his home town of Duluth, Minn.

''I hated gym,'' he recalls in ''Living Large: A Big Man's Ideas on Weight, Success and Acceptance,'' written with Laurence Shames. ''I couldn't climb ropes, couldn't do pushups. . . . I dreaded being naked in the shower with the other boys. . . . I hid as much as possible, showered as quickly as I could, and pulled a shirt on even before my skin was fully dry.''

On the morning in question, as he stood in the open showers, a boy next to him grabbed his chest, saying he wanted to know what it felt like to touch a girl's breast. That was just one of thousands of indignities he would encounter or bring upon himself.

In his sophomore year at the University of Minnesota at Duluth, his fraternity brothers determined that he should lose his virginity at a party in a cabin by a lake and enlisted the help of an attractive woman a couple of years older than he. She took his hand and led him into a bedroom. She lay down and motioned for him to join her. As he did, he realized she had passed out, having drunk herself silly before having sex with a 250-pound 19-year-old.

One afternoon in law school, reading in a wooden armchair, he started to get up only to realize that he was stuck in the chair.

''My body had essentially flowed out to fill the space between the arms and seat,'' he writes. ''My hips were captured; my bottom stayed glued to the chair and the whole thing lifted up with me as I tried to stand. . . . I felt all eyes on me, understood that people didn't want to look but, as at a train wreck, couldn't turn away.''

He decided to play the clown. ''Still crouched over, taking small, constricted steps, I carried [the chair] across the room, somewhat like a turtle with its shell, and sat down once again.'' Today he winces at all the times he played the jolly fat man: leading college cheerleaders onto the football field by pedaling a miniature girl's bike; assuming the role of Santa Claus at White House Christmas parties, the Easter Bunny at the vice president's residence. Perhaps his experience in acting the fool is why he was able to ignore the advice of a friend who tried to steer him away from writing a book about his fatness, saying it would be ''undignified.''

Undignified? His pal, like so many thinner people, didn't know from undignified.

Berman realized pretty quickly as a teen that in order to be taken seriously and make something of his life, he would have to develop talents other than vaudeville. In the family rec room, his parents taught him ballroom dancing—the first thing, he writes, that his rotund body was good at. He took up musical theater in high school and continued it in college. He managed his first political campaign in junior high for a girl running for president of the student council. She lost, but the campaign taught him he could succeed in politics behind the scenes. He didn't need to be cute, just hardworking, shrewd and resourceful.

He would have preferred to be a football star. ''Over time, though—and largely without my noticing from day to day—I realized that something sort of wonderful had been happening,'' he writes. ''My various 'compensations' had been adding up to a pretty good approximation of the sort of life I feared I'd never have. I was busy; I had friends; I was appreciated and respected for things I was good at.''

One of the things he was, and is, good at, says wife Carol, is listening to and valuing women.

In the book, Berman calls Carol ''the strongest and most stable component'' of his life. But their first date almost didn't happen. It was Aug. 1, 1964, and Berman, 26, had been hired to lead a voter registration drive in a Duluth suburb for President Lyndon Johnson's reelection campaign. After swearing off blind dates at least half a dozen times, he arrived at the door of the apartment for yet one more try, this time with Carol Podhoretz, a 24-year-old speech pathologist.

She greeted him in a nice dress, stockings and high heels. Taking one look at his 288-pound frame, she announced that she had a headache and wouldn't be able to go out. Here we go again, he thought. But then she invited him in for a drink.

''He was big, and I reacted like a lot of young women would have reacted,'' Carol Berman recalls in a phone conversation. ''He asked me why I worked as a speech pathologist and I really liked the reaction I got when I said I liked to help people. He said, 'I love that.' ''

About an hour into their conversation, Carol announced that her headache had disappeared and she'd like to go out as planned. They dined at his favorite restaurant, then headed to a club to dance. That was all it took. Carol, a former Arthur Murray instructor, was as graceful on her feet as he was. ''Somewhere between the cha-cha and the Lindy,'' he writes, ''we began to have the feeling that it would be nice to see more of each other.''

They went out on 29 of the next 30 nights. Carol said she found him ''adorable,'' and a man with ''great lips.'' In early December, while they were dancing together and a little bit tipsy, she whispered, ''You know, we should just get married.''

''Fine,'' he said.

Life together since has been good, although Carol had to make a couple of what she calls ''accommodations.'' The hardest for her was not being able to have children. Six years after they married, she began trying to conceive. For several years after that, she endured various painful interventions, none of which worked. A fertility specialist told Michael and her that his sperm count might be a factor; fat men tend to have a lower number. For Michael, not having children wasn't that big a deal. For Carol, who eventually had a hysterectomy because of fibroid tumors, it was. ''It is still what I consider a loss,'' she said.

Michael gradually realized during these years how hard politics was on a man trying to shed pounds. He had developed sharp political skills that were in demand at the highest levels of political and corporate Washington: making someone feel as if he or she were the only person in the room, paying attention to detail, distilling and delivering big ideas in a few seconds. What he couldn't

do was turn down the doughnuts, chips, big steaks and potatoes that are the staple of political life. By the time his first Democratic convention was over, the famous Chicago convention in 1968, his weight exceeded 300 pounds for the first time.

Convention years were tough on the marriage. Michael and Carol first realized this in 1989, on their 25th wedding anniversary. On a visit to the beach, Michael brought Carol a handful of shells, put them on a board and suggested she use them to show how happy she was in their marriage for each of their 25 years. The year 1965 got a big shell; 1968 a little shell; 1984 a shard.

That was the year Walter Mondale lost the election to Ronald Reagan, and Berman weighed 330 pounds. He was wearing a size 58 suite, consuming up to five pounds of red meat a week along with up to 18 eggs. He couldn't walk a city block without panting. He developed sleep apnea, where his body would forget to breathe. Carol told him he looked green. Scared for his health for the first time in his life, he enrolled in a Pritiken Longevity Center in Pennsylvania. He lost 112 pounds—and that's when he ordered the custom suits.

Berman never again weighed as much as he did in 1984. In 1989, he joined Republican Ken Duberstein—who had served as Reagan's chief of staff—in forming the Duberstein Group. He started psychotheraphy in 1990 and, several years after, employed a private nutritionist and trainer.

Still, his weight seesawed. By 1997—a year after he was diagnosed with a kidney problem—he was up to 309 pounds.

In 1998, on the advice of a friend, he started jotting down thoughts and memories about being fat with the idea of writing a book someday. The exercise became, not surprisingly, an obsession. He read scientific reports and researched cultures of the past in which fatness was considered a symbol of wisdom, serenity and wealth. One day he walked into a pharmacy and bought 22 different diet aids, one of everything on the shelf, to investigate how effective they are. His conclusion: They aren't.

He read that for some people, fatness is genetic. But he had researched his family tree; that wasn't true for him. So he began to develop his own theory on why people are fat.

The easy answer, of course, is that they take in more calories than they burn. But then it gets more complicated, he writes. Each person's metabolism is different. He, his sister and his parents all ate a lot of his mother's delicious briskets and lamb chops and none of them exercised much. But he was the only one who got fat.

Emotions, buried for many years, play a role, too. From the age of 4, he sneaked cookies, crackers and anything else he could into his bedroom.

''I could not control my appetite because something was driving me,'' he writes, ''something that was beyond the reach of willpower, outside the realm of reason.''

He and his psychologist came to believe that his compulsion started partly as a reaction to his mother. Early in his life, she showed her affection by cooking rich meals and he showed his affection by eating lots of it. As he got older and heftier in early adolescence, she started withholding food and he ate as a way of asserting his emerging will.

Later in life, dropping out of weight-loss programs even though he was losing weight, he had to confront another factor: He was fat-dependent.

Fat was something he could hide behind, an excuse for not doing things that he was afraid of doing. For example, in high school, he felt anxious around girls. By making himself fat and unattractive, he could approach them as potential friends, not girlfriends.

Eventually he had to admit that he was an addict. But unlike alcoholics or drug users, he couldn't go cold turkey.

''The most difficult thing about a food addiction is that you can't give up food,'' he said at breakfast.

He pulled out a tiny spiral notebook in which he records everything he eats each day and the total calorie count, as well as how much he exercises.

''March 1—1,610 calories. March 2—2,295. March 3—2,500. March 4—4,465.''

What happened on March 4? He and Carol attended a dinner party at pollster Peter Hart's. He couldn't resist the chocolate cake. ''I ate probably eight ounces of chocolate,'' he admitted. ''But I don't beat myself up anymore. I knew I'd be heavier the next morning so the next couple of days I'd be careful.''

A couple of years ago, he wouldn't have been so sanguine. But if there was one thing he had learned in writing his book, it was this: ''Losing weight is only one aspect of dealing with the reality of being a fat person—and not necessarily even the most important one. Managing fatness means accepting ourselves as who we are. . . . in short, learning to live a full and satisfying life at whatever weight and size we happen to be.''

Two days after Hart's party, he was back down to 1,830 calories.

## ADDITIONAL STATEMENTS

### 125TH ANNIVERSARY OF THE FOUNDING OF DAKOTA STATE UNIVERSITY

• Mr. JOHNSON. Mr. President, today I rise to recognize the 125th anniversary of the founding of Dakota State University. Over the course of its history, DSU has changed names and modified its mission, but throughout it all, it has continuously produced extraordinary graduates. In the modern, high-tech, and competitive environment in which we live, DSU students are equipped with the skills that are essential for success.

Originally known as Dakota Normal School, DSU was founded in the community of Madison, which was then part of Dakota Territory. At various times, DSU has been called Eastern State Teacher's College, General Beadle State College, and Dakota State College. In 1989 the school's name changed once again to Dakota State University.

Since its inception, DSU has been renowned for giving students the tools they need to become exceptional teachers. More recently, an emphasis on computer and information systems has turned DSU into one of the most technologically-savvy universities in the Nation. DSU regularly appears near the top of Yahoo magazine's list of 100 most wired campuses.

With enrollment now at 2,300, DSU continues to attract more students by utilizing distance learning and Internet classes. It has also been a leader in integrating traditional academic disciplines with cutting-edge technology. For its innovation and adaptability, DSU was selected as one of the 10 finalists for the 1987 G. Theodore Mitau Award, a distinction awarded by the American Association of State Colleges and Universities. In addition to offering three master's degree programs, DSU offers a doctorate program for science in information systems, which will be available starting in the fall of 2007.

In education, technology, and research, DSU is at the forefront of academic and cultural achievement. For 125 years, the university has helped students realize their potential by offering them a quality education and a positive social environment. DSU graduates are well-equipped to succeed in a competitive world, delivering countless benefits to organizations and communities close to home and around the globe. Through commitment to change and transformation, DSU continues to live up to its motto: ''Get on the edge and stay there!''•

### HONORING ELEANOR SLATER

• Mr. REED. Mr. President, I rise today to honor Eleanor Slater, an extraordinary woman and leader who did so much for the State of Rhode Island and the country. Her passing is a great loss to her family and to Rhode Islanders. Not only did I have the privilege of knowing her throughout my political life, she was an ally, a mentor, an exemplar, and trustworthy friend.

Born in 1908, Eleanor entered the political arena by winning election to the Rhode Island General Assembly at the spry age of 50. During the career that followed, she was widely known for fighting for the individuals and causes that are so often marginalized by our society. One of her greatest contributions, and there were many in her political career, was passage in the Rhode Island General Assembly of the Nation's very first fair housing legislation. The Slater Act of 1968 made it illegal to discriminate when selling or renting real estate property. This sorely needed law, which she had long championed to help bring greater equality to housing in Rhode Island, set a precedent for the entire country.

Her determination remained a key characteristic throughout her political career. As a delegate to the 1968 Democratic National Convention in Chicago, Eleanor refused to succumb to the pressures of her peers to support President Johnson's strategy for the Vietnam War. She held steadfastly to her own opposing point of view and never compromised her values or beliefs.

Eleanor joined the political fray at a time when women were largely left out of the inner political processes, and she is credited with getting women involved in Democratic politics in Rhode Island. As a standout member of a predominately male legislature, she actively encouraged other woman to run for political office and became the vice chairwoman of the Democratic State Committee in 1958.

Upon leaving the Rhode Island State Senate, she served as the first chief of

the Division of Aging. Then, recognizing the importance of education, she fulfilled her longtime goal and desire of completing her studies, obtaining a bachelor's degree in political science at age 70 from the University of Rhode Island, URI. She continued to contribute to the community as an adjunct professor and guest lecturer on aging at URI, receiving an honorary Ph.D. in 1980.

So today I honor Rhode Islander Eleanor Slater for her lifetime of passion and commitment, and I thank her for her friendship and inspiration. She will be sorely missed by those who knew her and those that have benefited from her unwavering efforts.●

## MESSAGE FROM THE HOUSE—MARCH 13, 2006

At 10:19 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2829. An act to reauthorize the Office of National Drug Control Policy Act.

## MESSAGE FROM THE HOUSE

### ENROLLED BILLS SIGNED

At 7:40 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1053. An act to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the ''John H. Bradley Department of Veterans Affairs Outpatient Clinic''.

## 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–5998. 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; Reasonably Available Control Technology for Oxides of Nitrogen for a Specific Source in the State of New Jersey'' (FRL No. 8040–4) received on March 13, 2006; to the Committee on Environment and Public Works.

EC–5999. 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 Air Quality Implementation Plans; Texas; Control of Air Pollution by Permits for New Construction or Modification'' (FRL No. 8043–9) received on March 13, 2006; to the Committee on Environment and Public Works.

EC–6000. 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; State of Missouri'' (FRL No. 8044–5) received on March 13, 2006; to the Committee on Environment and Public Works.

EC–6001. 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; Designation of Areas for Air Quality Planning Purposes; State of Arizona; Particulate Matter of 10 Microns or Less; Finding of Attainment for Yuma Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements'' (FRL No. 8045–1) received on March 13, 2006; to the Committee on Environment and Public Works.

EC–6002. 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 ''National Ambient Air Quality Standards'' (FRL No. 8039–5) received on March 13, 2006; to the Committee on Environment and Public Works.

EC–6003. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Codes of Conduct for Unbundled Sales Service and for Persons Holding Blanket Marketing Certificates'' (Docket No. RM06–5–000) received on March 13, 2006; to the Committee on Energy and Natural Resources.

EC–6004. A communication from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Exemption of Privacy Act System of Records of the Tax Division: Files of Applications for Attorney and Non-Attorney Positions with the Tax Division, Justice/TAX–003'' (AAG/A Order No. 003–2006) received on March 13, 2006; to the Committee on the Judiciary.

EC–6005. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Evidentiary Requirements for Making Findings About Medical Equivalence'' (RIN0960–AF19) received on March 13, 2006; to the Committee on Finance.

EC–6006. A communication from the Principal Deputy Assistant Secretary, Indian Affairs, Department of the Interior, transmitting, pursuant to law, a report relative to the use and distribution of $12,000,000 awarded to the White Mountain Apache (Tribe) in Docket No. 99–148L; to the Committee on Indian Affairs.

EC–6007. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the military operations of the Armed Forces and the reconstruction activities of the Department of Defense in Iraq and Afghanistan for the period ending October 31, 2005; to the Committee on Armed Services.

EC–6008. A communication from the Acting Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department's annual audit of the American Red Cross consolidated financial statements for the year ending June 30, 2005; to the Committee on Armed Services.

EC–6009. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Trade Agreements Thresholds and Morocco Free Trade Agreement'' (DFARS Case 2005–D017) received on March 13, 2006; to the Committee on Armed Services.

EC–6010. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Uniform Contract Line Item Numbering'' (DFARS Case 2003–D082) received on March 13, 2006; to the Committee on Armed Services.

EC–6011. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Contractor Insurance/Pension Reviews'' (DFARS Case 2003–D050) received on March 13, 2006; to the Committee on Armed Services.

EC–6012. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Construction Contracting'' (DFARS Case 2003–D034) received on March 13, 2006; to the Committee on Armed Services.

EC–6013. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Business Restructuring Costs—Delegation of Authority to Make Determinations Relating to Payment'' (DFARS Case 2004–D026) received on March 13, 2006; to the Committee on Armed Services.

EC–6014. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Administrative Matters'' (DFARS Case 2003–D084) received on March 13, 2006; to the Committee on Armed Services.

EC–6015. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Imposition of Special Measure Against Commercial Bank of Syria, Including Its Subsidiary, Syrian Lebanese Commercial Bank, as a Financial Institution of Primary Money Laundering Concern'' (RIN1506–AA64) received on March 13, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–6016. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation (FDIC), transmitting, pursuant to law, the report of a rule entitled ''Certification of Assumption of Deposits and Notification of Changes in Insured Status'' (RIN3064–AC93) received on March 13, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–6017. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation (FDIC), transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Market Risk Measure; Securities Borrowing Transactions'' (RIN3064–AC46) received on March 13, 2006; to the Committee on Banking, Housing, and Urban Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1608. A bill to enhance Federal Trade Commission enforcement against illegal spam, spyware, and cross-border fraud and deception, and for other purposes (Rept. No. 109–219).

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1110. A bill to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable (Rept. No. 109–220).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR for the Committee on Foreign Relations.

*Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development.

*Mark D. Wallace, of Florida, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador.

*Mark D. Wallace, of Florida, to be Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform.

*Richard T. Miller, of Texas, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

*Richard T. Miller, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

*John A. Simon, of Maryland, to be Executive Vice President of the Overseas Private Investment Corporation.

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Lisa Chiles and ending with Michael F. Walsh, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 13, 2005.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANTORUM:

S. 2408. A bill to require the Director of National Intelligence to release documents captured in Afghanistan or Iraq during Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; to the Select Committee on Intelligence.

By Mr. SMITH (for himself, Mr. BINGAMAN, Mrs. CLINTON, Mr. NELSON of Florida, and Mrs. LINCOLN):

S. 2409. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; to the Committee on Finance.

By Mr. COLEMAN (for himself, Mr. LEVIN, and Mr. GRAHAM):

S. 2410. A bill to amend the Homeland Security Act of 2002 to limit foreign control of investments in certain United States critical infrastructure; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 2411. A bill to reliquidate certain entries of salmon; to the Committee on Finance.

By Mr. BIDEN:

S. 2412. A bill to address homeland security issues relating to first responders, the Federal Bureau of Investigation, the use of technology, Federal, State, and local coordination, and critical infrastructure, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN (for himself and Mr. LUGAR):

S. 2413. A bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. OBAMA, Mr. CARPER, and Mr. KERRY):

S. 2414. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Finance.

## ADDITIONAL COSPONSORS

S. 241

At the request of Ms. SNOWE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 407

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 407, a bill to restore health care coverage to retired members of the uniformed services, and for other purposes.

S. 424

At the request of Mr. BOND, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 424, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 709

At the request of Mr. DEWINE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 709, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1263

At the request of Mr. BOND, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1263, a bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program.

S. 1349

At the request of Mr. SMITH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1349, a bill to promote deployment of competitive video services, eliminate redundant and unnecessary regulation, and further the development of next generation broadband networks.

S. 1406

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1406, a bill to protect American workers and responders by ensuring the continued commercial availability of respirators and to establish rules governing product liability actions against manufacturers and sellers of respirators.

S. 1575

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1575, a bill to amend the Public Health Service Act to authorize a demonstration program to increase the number of doctorally-prepared nurse faculty.

S. 1597

At the request of Mr. ENZI, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1597, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 1862

At the request of Mr. SMITH, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1862, a bill to establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, and for other purposes.

S. 1881

At the request of Mrs. FEINSTEIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Alaska (Mr. STEVENS) were added

as cosponsors of S. 1881, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco otherwise known as the ''Granite Lady'', and for other purposes.

S. 1948

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 2178

At the request of Mr. SPECTER, the name of the Senator from Kansas (Mr. ROBERTS) 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 West Virginia (Mr. ROCKEFELLER) 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. 2250

At the request of Mr. GRASSLEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2296

At the request of Mr. INOUYE, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2296, a bill to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and for other purposes.

S. 2322

At the request of Mr. ENZI, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2322, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 2334

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2334, a bill to ensure the security of United States ports, and for other purposes.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Alabama (Mr. SHELBY) 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. 2381

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2381, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority.

S. 2382

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of 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.

S. 2393

At the request of Mr. COLEMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2393, 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.

AMENDMENT NO. 2960

At the request of Mr. LEVIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2960 intended to be proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2989

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2989 intended to be proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2999

At the request of Mr. BURNS, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of amendment No. 2999 proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of amendment No. 2999 proposed to S. Con. Res. 83, supra.

At the request of Mr. ALLARD, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 2999 proposed to S. Con. Res. 83, supra.

At the request of Mr. GREGG, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 2999 proposed to S. Con. Res. 83, supra.

AMENDMENT NO. 3001

At the request of Mr. NELSON of Florida, the names of the Senator from Minnesota (Mr. DAYTON), the Senator from New Mexico (Mr. BINGAMAN), the Senator from California (Mrs. BOXER), the Senator from North Dakota (Mr. DORGAN), the Senator from Colorado (Mr. SALAZAR), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 3001 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3004

At the request of Ms. SNOWE, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of amendment No. 3004 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3007

At the request of Mr. AKAKA, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mrs. CLINTON), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Montana (Mr. BAUCUS), the Senator from West Virginia (Mr. BYRD) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of amendment No. 3007 proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 3007 proposed to S. Con. Res. 83, supra.

AMENDMENT NO. 3008

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 3008 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3009

At the request of Mr. NELSON of Florida, the names of the Senator from Colorado (Mr. SALAZAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mrs. CLINTON), the Senator from New Mexico (Mr. BINGAMAN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Minnesota (Mr. DAYTON), the Senator from Michigan (Ms. STABENOW), the Senator from Washington (Mrs. MURRAY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Iowa (Mr. HARKIN), the Senator from Wisconsin (Mr. KOHL), the Senator from Maryland (Ms. MIKULSKI), the Senator from New York (Mr. SCHUMER) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 3009 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3011

At the request of Mr. TALENT, the names of the Senator from Virginia (Mr. WARNER), the Senator from Delaware (Mr. CARPER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Mississippi (Mr. LOTT), the Senator from Ohio (Mr. DEWINE) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of amendment No. 3011 proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM:

S. 2408. A bill to require the Director of National Intelligence to release documents captured in Afghanistan or Iraq during Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; to the Select Committee on Intelligence.

Mr. SANTORUM. Mr. President, I rise today to offer remarks on legislation that I am introducing today here in the Senate.

This legislation concerns the need to release military documents and photographs recovered in Iraq and Afghanistan. Specifically, the bill requires the Director of National Intelligence to make publicly available on an Internet website documents captured in Afghanistan or Iraq during Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom.

In my conversations with President Bush and Secretary of Defense Rumsfeld, I urged that efforts to examine these documents and photographs be accelerated. With U.S. and Coalition forces actively engaged in Iraq, the analysis and release of these documents should be made a top priority within the Department of Defense.

Recently, I gave a speech at the Valley Forge Military Academy in Pennsylvania concerning ongoing military operations in Iraq and detailed why we must prevail. In my speech, I noted that U.S. and Coalition forces are fighting the forces of Islamic fascism and those who seek to overthrow the values and beliefs that civilized nations cherish. In short, this is a battle we cannot afford to lose.

By way of background, The Weekly Standard published several articles detailing a number of these documents and the information contained within them which ''connect the dots'' between Saddam Hussein and the training of Islamic terrorists. Among the points highlighted in a recent The Weekly Standard article:

> The photographs and documents on Iraqi training camps come from a collection of some 2 million ''exploitable items'' captured in postwar Iraq and Afghanistan. They include handwritten notes, typed documents, audiotapes, videotapes, compact discs, floppy discs, and computer hard drives . . . Nearly three years after the U.S. invasion of Iraq, only 50,000 of these 2 million ''exploitable items'' have been thoroughly examined.

Many of the translated and analyzed documents were entered into a government database known as ''HARMONY.'' It is now 4 years since these documents were captured. I understand that previous requests to release information from the HARMONY database have been rejected or delayed. It is reasonable to assume that over the course of the last 4 years any actionable intelligence contained within these documents has already been exploited.

It is imperative that documents captured in Iraq which highlight the connections between Saddam Hussein's brutal regime and Islamic terrorists be released as soon as possible. These documents are increasingly necessary to help the American people understand both the reasons for our involvement in Iraq and the challenge of defending freedom and democracy.

However, in the interest of national security, the bill permits the Director of National Intelligence to withhold making a document publicly available—provided he informs the relevant congressional committees of the justification for not disclosing the document.

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By Mr. SMITH (for himself, Mr. BINGAMAN, Mrs. CLINTON, Mr. NELSON of Florida, and Mrs. LINCOLN):

S. 2409. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; to the Committee on Finance.

Mr. SMITH. Mr. President, today I am proud to join with my colleagues, Senators BINGAMAN, CLINTON and NELSON, to introduce the Home and Community Based Services Copayment Equity Act of 2006. This important piece of legislation addresses a significant oversight in the Medicare Part D prescription drug benefit. While nearly 22 million seniors now have access to affordable prescription drug coverage under the program, many of the most vulnerable Medicare beneficiaries are being charged unnecessary copayments simply based upon how they choose to receive their long-term care services.

Under current law, dual eligible Medicare beneficiaries, those who qualify for both Medicaid and Medicare coverage, receive a subsidy from the government to pay the benefit's required $250 deductible. These individuals also qualify for reduced copayments for both generic and brand named drugs in the amount of one and three dollars respectively. If a dual-eligible beneficiary receives long-term care services in an institutional setting, such as a nursing home, he or she is exempt from paying the required copayment. Congress decided to provide this assistance because dual-eligible beneficiaries residing in nursing homes live off of very limited incomes. For instance, in Oregon the personal needs allowance beneficiaries receive each month for incidentals, including medications, is only $30. As many institutionalized beneficiaries are on multiple medications, they would not be able to meet their share of drug costs.

This is the very reason Congress provided institutionalized dual-eligible beneficiaries with an exemption from all copayments under Medicare Part D. However, many dual eligible beneficiaries choose to receive long-term care services in home or community-based settings, such as assisted living or resident care program facilities. Almost all states have chosen to establish Home and Community Based Services Medicaid demonstration projects that have expanded access to community based alternatives to an even greater number of low-income elderly Americans. The State of Oregon operates one of the Nation's most successful HCS waivers, serving approximately 23,500 dual eligible beneficiaries this year. My State has a thriving community based care industry that has provided many dual eligible Oregonians the freedom to choose the care setting that best meets their own physical and social needs.

While dual eligible beneficiaries are exempted from prescription drug copayments under Medicare Part D, those choosing community based alternatives are required to pay them. This is despite the fact that beneficiaries choosing community based care options typically live off of the same limited incomes as those residing in nursing homes. Despite the fact that some States provide HCS beneficiaries a larger personal stipend each month, they may have greater financial demands. At the end of the day, they are in no better position to pay the costs of prescription drugs than those beneficiaries living in nursing homes.

I should also note that their less restrictive living environments may require them to take additional medications to support their daily routines. It is not uncommon for dual eligible beneficiaries in community-based care settings to be on 8 to 10 medications at a given time. At that level, even minimal copayments create a significant financial burden to these individuals.

The current dual-eligible copayment exemption policy is not only creating inequity in Medicare Part D, it is potentially restricting access to life-saving medications. This is certainly not what Congress intended when it created the new prescription drug benefit, especially for this incredibly vulnerable population. If Congress does not act quickly to extend the exemption to dual eligible beneficiaries in community based care, individuals may begin to gravitate toward institutional options simply because they can have their drugs costs paid in those settings. I believe we need to do everything possible to support choice in long-term care, and by applying the current institutional copayment exemption more uniformly, Congress will ensure the Medicare drug benefit does not adversely affect beneficiaries choices.

I ask my colleagues to improve the fairness of the Medicare prescription drug benefit for all dual eligible beneficiaries by supporting the Home and Community Based Copayment Equity Act. I hope you will join me in calling for its quick passage in the Senate.

Mrs. CLINTON. Mr. President, today I rise to introduce bipartisan legislation with my colleagues Senators SMITH, NELSON, and BINGAMAN to address yet another serious flaw in the Medicare prescription drug benefit that has come to light.

On January 1, the new Medicare prescription drug benefit went into effect. Overnight, millions of seniors and disabled Americans found themselves thrown into a confusing and complex transition.

Some of our poorest and most vulnerable beneficiaries, those in assisted living facilities, have found themselves suddenly forced to produce co-payments to get the medications they need.

These are beneficiaries with serious mental illnesses who have been stabilized on medications, and people with developmental and physical disabilities who have little or no incomes and no way to afford the medicines that they depend on.

The bill we are introducing will fix this problem by waiving co-payments for this group of vulnerable beneficiaries in the same manner that these co-payments are already waived for Medicare beneficiaries in nursing homes.

This is just one of so many problems we have seen plaguing this program. I am working on all fronts to help Medicare beneficiaries weather this transition. Before this program went into effect, it was clear that those dually eligible for Medicare and Medicaid, our poorest and most vulnerable seniors and disabled, would have a particular challenge navigating this transition. I was very concerned that many of these Medicare recipients would walk up to their pharmacy counters on January 1 and be unable to get their prescriptions filled.

In anticipation of these problems, I introduced legislation in December to keep these Medicare recipients from falling through the cracks by stepping up outreach and education to pharmacists and providing reimbursement to pharmacists who are charged a transaction fee to access beneficiary information through Medicare. I also co-sponsored legislation to give Medicare beneficiaries more time to enroll in the new program.

And I issued a resource guide, now available in both English and Spanish, to help New Yorkers navigate this new program. To date more than 75,000 copies of the guide have been distributed.

Since the new program went into effect, I have repeatedly urged the Bush Administration to address the problems plaguing this program. And in January, I introduced comprehensive legislation along with several of my Senate colleagues, that includes my bill to help pharmacists help their customers, and makes the other fixes I have been calling for: provisions to improve outreach and education, fix problems with drug plans transition programs, protect the benefits of seniors who also have coverage from a retiree drug plan, and make sure that states and low income beneficiaries are reimbursed for excessive costs they have been forced to shoulder by the inept implementation of the new benefit.

We owe it to our seniors and disabled Americans to get this right. And I will keep fighting to ensure that we do.

Mr. NELSON of Florida. Mr. President, I am pleased to join my colleagues Senators SMITH, BINGAMAN and CLINTON as we introduce the Home and Community Services Co-payment Equity Act of 2006.

For years now, I have advocated providing seniors and the disabled with meaningful prescription drug coverage. No one in this country should ever have to choose between their meals and their medications. In 2003, Congress passed the Medicare Modernization Act, which created a Medicare prescription drug program. I did not support this legislation, because I believe it created a program that contains several major flaws. However, I think that our job now is to do our best to help beneficiaries by fixing the underlying law.

The Medicare prescription drug program exempts the lowest income nursing home residents from all prescription drug co-payments. However, it leaves out the equally vulnerable group of low-income beneficiaries who live in assisted living and other home and community-based facilities. These are often beneficiaries with serious mental illnesses who have been stabilized on medications, and people with developmental and physical disabilities who have little or no incomes and previously received prescription drug coverage under Medicaid.

In my home State of Florida, thousands of individuals with mental illnesses are integrated into community-based programs such as assisted-living facilities. Unfortunately, many patients in these facilities are forgoing their medications on account of the new Medicare co-payments. Reports also indicate that patients have been hospitalized because they have been unable to afford their essential medications due to the new cost-sharing requirements.

In response, we are introducing the Home and Community Services Co-payment Equity Act of 2006. The legislation would waive co-payments for low-income beneficiaries residing in assisted living and other home- and community-based facilities. This bill is a small step that will go a long way towards ensuring that low-income patients get their prescription drugs.

This issue boils down to just one goal—helping low-income seniors and people with disabilities afford the medications they need. I urge all of our colleagues, from both sides of the aisle, to join us in this vital effort.

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By Mr. COLEMAN (for himself, Mr. LEVIN, and Mr. GRAHAM):

S. 2410. A bill to amend the Homeland-Security Act of 2002 to limit foreign control of investments in certain United States critical infrastructure; to the Committee on Banking, Housing, and Urban Affairs.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill which I am introducing today, the Foreign Investment Transparency and 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. 2410

*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 ''Foreign Investment Transparency and Security Act of 2006''.

**SEC. 2. LIMITS ON FOREIGN CONTROL OF INVESTMENTS IN CERTAIN UNITED STATES CRITICAL INFRASTRUCTURE.**

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.) is amended by adding at the end the following:

**''Subtitle E—Limits on Foreign Control of Investments in Certain United States Critical Infrastructure**

**''SEC. 241. DEFINITIONS.**

''As used in this subtitle—

''(1) the term 'foreign government controlled entity' means any entity in which a foreign government owns a majority interest, or otherwise controls or manages the entity; and

''(2) the term 'general business corporation' means any entity that qualifies for

treatment for Federal taxation purposes under subchapter C or subchapter S of the Internal Revenue Code of 1986, established or organized under the laws of any State.

**"SEC. 242. LIMITATION ON FOREIGN INVESTMENTS.**

''(a) IN GENERAL.—A foreign government controlled entity may acquire, own, or otherwise control or manage any critical infrastructure of the United States only through the establishment or operation of a foreign owned general business corporation that meets the requirements of subsection (b).

''(b) REQUIREMENTS.—For purposes of this section, a general business corporation shall—

''(1) have a board of directors, the majority of which is comprised of United States citizens;

''(2) have a chief security officer who is a United States citizen, responsible for safety and security issues related to the critical infrastructure; and

''(3) maintain all records related to operations, personnel, and security of the United States general business corporation in the United States.

''(c) RULE OF CONSTRUCTION.—Nothing in this subtitle may be construed to restrict or otherwise alter the authority of the President or the Committee on Foreign Investment in the United States (or any successor thereto) as the designee of the President, under section 721 of the Defense Production Act of 1950.

**"SEC. 243. REGULATIONS REQUIRED.**

''Not later than 6 months after the date of enactment of this subtitle, the Secretary, in coordination with the Secretary of the Treasury, shall promulgate final regulations to carry out this subtitle.

**"SEC. 244. EFFECTIVE DATE.**

''(a) IN GENERAL.—Section 242 shall apply beginning on the date that is 6 months after the date of enactment of this subtitle.

''(b) EXISTING ENTITIES.—A foreign government controlled entity that owns or otherwise controls or manages any critical infrastructure of the United States on the effective date of this subtitle shall comply with the requirements of this subtitle not later than 180 days after that effective date.''.

(b) CONFORMING AMENDMENT.—The table of contents under section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended by inserting after the item relating to section 237 the following:

''Subtitle E—Limits on Foreign Control of Investments in Certain United States Critical Infrastructure

''Sec. 241. Definitions.
''Sec. 242. Limitation on foreign investments.
''Sec. 243. Regulations required.
''Sec. 244. Effective date.''.

**SEC. 3. MARITIME SECURITY.**

(a) FINDINGS.—Congress finds that—

(1) existing scanning processes for maritime containers are insufficient;

(2) it should be the goal of the United States to scan 100 percent of inbound maritime containers; and

(3) the maritime container inspection system employed in Hong Kong shows promise in enhancing the maritime security capabilities of the United States.

(b) AMENDMENTS TO HOMELAND SECURITY ACT.—

(1) IN GENERAL.—Subtitle A of title IV of the Homeland Security Act (6 U.S.C. 201 et seq.) is amended by adding at the end the following:

**"SEC. 404. REPORT ON SCANNING OF MARITIME CONTAINERS.**

''(a) REPORT TO CONGRESS.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit a report to Congress detailing the processes and policies for implementation of a scanning system for 100 percent of the inbound maritime containers described in subsection (a).

''(b) DEFINITION OF CONTAINER.—The term 'container' has the meaning given the term in the International Convention for Safe Containers, with annexes, done at Geneva December 2, 1972 (29 UST 3707).''.

(2) CONFORMING AMENDMENT.—The table of contents under section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended by inserting after the item relating to section 403 the following:

''Sec. 404. Report on scanning of maritime containers.''.

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By Mr. BIDEN:

S. 2412. A bill to address homeland security issues relating to first responders, the Federal Bureau of Investigation, the use of technology, Federal, State, and local coordination, and critical infrastructure, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BIDEN. Mr. President, today, I am introducing the 9/11 Commission Recommendations Implementation Act of 2006. This legislation will provide $41.625 billion over the next 10 years to help ensure that we implement the recommendations of the 9/11 Commission.

Back in July of 2004, the 9/11 Commission—with distinguished bipartisan leadership from former Republican Governor Tom Kean and former Congressman Lee Hamilton—issued its report with recommendations of what the government should do to help better protect the Nation.

Nearly a year and a half later, they issued a so-called report card to tell us how well the government had been doing at implementing their recommendations.

Well, it doesn't look good. That report card was riddled with Cs, Ds, Fs, and incompletes.

Most Americans believe that we've taken the obvious steps to close the gaps in our homeland defense. They believe that at the very least, we have a plan, that we've set priorities, and that we know what the next steps are.

But, let me quote from the Commission's report card from December on what we've done to assess the risks and vulnerabilities of our critical infrastructure—transportation, communications, and industrial assets.

Here's what they say—and I quote—''no risk and vulnerability assessments have actually been made. No national priorities are yet established. No recommendations have been made on the allocation of scarce resources. All key decisions on homeland security are at least a year away.''

We all remember 9/11, when we learned for the first time that local police, fire, and rescue units could not communicate with each other and could not communicate with Federal agencies. We saw how this inability probably resulted in many deaths that could have been prevented. Well, we learned during Hurricane Katrina that things are no better today. No better today.

The one place I think most Americans think we've probably done pretty well—passenger screening—actually got an ''F.'' The 9/11 commission reports stated that, in fact, ''few improvements have been made to the existing passenger screening system since right after 9/11.'' With respect to checked bag and cargo screening for commercial flights, the 9/11 Commission gave a score of ''D'', stating that ''improvements have not been made a priority by Congress or the Bush Administration.''

This is unacceptable. This Administration hasn't even filled in the very obvious gaps in our homeland defense. We haven't done it. We simply haven't done it.

The bill that I am introducing today will ensure that we address the most obvious gaps in our homeland defense. It begins with those areas where the Commission graded us and the President as ''F'' and ''D.'' And, it addresses those areas that were outside the scope of the report but are commonsense things that we should be doing, such as securing the rails and providing funding for local law enforcement.

And it's pretty basic. We have done nothing much to deal with the problems most Americans know relate to homeland security. We are safer but not nearly safe enough. The bipartisan commission that got great grades from everybody in the Nation felt compelled on their own dime, their own money, their own resources, not funded by the government, to continue to issue reports and to hold hearings. And they issued a report on December 5 that is, quite frankly, embarrassing and dangerous.

We can and we have to marshal all our country's resources in this struggle. Do you think that the American people would rather us spend this money on securing our ports, our chemical plants, our railroads, our cities, or give it back as a tax break for the wealthiest Americans? Given the choice, the American people said, let's make our streets safer. I'm confident they think we should make the country safer. This legislation will help take us down that path, and I urge my colleagues to support it.

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By Mr. BIDEN (for himself and Mr. LUGAR):

S. 2413. A bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, two of the greatest challenges we face today are how to address the needs of post-conflict countries, and countries that are suffering from large-scale natural disasters. These are critical issues, and ones that we cannot afford to get

wrong—for the sake of the people living in those nations, and for the sake of our own security.

On the post-conflict front, a 2004 commission organized by the Center for Strategic and International Studies and the Association of the U.S. Army found, to no one's surprise, that ''failed states matter—for national security as well as for humanitarian reasons. If left to their own devices, such states can become sanctuaries for terrorist networks, organized crime and drug traffickers, as well as posing grave humanitarian challenges and threats to regional stability.''

The most obvious case in point is the reconstruction of Iraq. I've spent many hours on this floor, for three years, making clear that we have to get it right in Iraq. And in addition to Iraq, unfortunately, we can talk about many other states that are either unstable, or are tenuously recovering from past conflicts including Liberia, Afghanistan, East Timor, Kosovo, Haiti, and the Democratic Republic of Congo.

Earthquakes, floods, drought and landslides often have the most dire impacts in developing countries that are the least equipped to respond. The countries ravaged by the 2004 tsunami are on a path to recovery, but there is still a long way to go: Indonesia lost over 150,000 people, with half a million left homeless. In India, almost 20,000 people lost their lives and 2.79 million people were affected, losing homes, land, and livestock. The tsunami set back the Maldives twenty years in development, eviscerating the country's economic backbone and tourism industry.

Recent years also saw devastating natural disasters in other parts of the world. Earthquakes in Iran affected more than 30,000 people. Catastrophic floods in Bangladesh left thousands dead and hundreds of thousands homeless. Recurring droughts in Afghanistan left over 130,000 people—some 92 percent of the population—in need of food or aid.

We need comprehensive—and creative—strategies to address the need to rebuild in countries on the rebound from conflicts or natural disasters. One such strategy is to tap into the store of human as well as financial resources here in the United States. We should allow, and indeed encourage, immigrants to use their skills, talents, and knowledge to help rebuild their native lands. In fact, the diaspora presents one of the best collective resources that exists: these individuals know the communities. They know the culture. They know the language—more than any contractors and more than any humanitarian workers from the outside, no matter how well trained or how much expertise they may have.

So today, I am introducing legislation that would create a ''Return of Talent'' visa program.

The idea is simple: a Return of Talent program would allow legal immigrants in the United States to return home to help with reconstruction efforts. ''Legal Permanent Residents'' will be able to return temporarily to their countries after a conflict or a significant natural disaster to help rebuild, without their time out of the United States affecting their ability to meet the requirements for U.S. citizenship.

Under current law, a Legal Permanent Resident who wants to apply for U.S. citizenship is required to be physically present in the United States for at least half of the five years immediately preceding the date of filing the naturalization application.

This residency requirement could be particularly difficult to meet for those who may have family and friends in their country of origin who are in desperate need of help. We should not stand in their way of returning, allowing them to bring their talent and expertise home, helping them help others at a time of greatest need.

Press articles have highlighted stories of such individuals—engineers, bankers, teachers and translators—who are willing to contribute to reconstruction efforts. They simply cannot do so without jeopardizing their immigration status.

This legislation would encourage those skilled and committed individuals to return to their countries of origin to revive the business, industry, agriculture, education, health and other sectors that have been weakened or destroyed after years of conflict or devastating disasters.

The Return of Talent program would include any individual who demonstrates an ability and willingness to make a material contribution to the post-conflict or natural disaster reconstruction in their country of origin.

The program would apply to immigrants from countries where U.S. armed forces have engaged in armed conflict or peacekeeping, or countries where the United Nations Security Council has authorized peacekeeping operations in the past ten years. Immigrants from countries which received funding from the U.S. Office of Foreign Disaster Assistance also would be eligible to participate in the program.

Estimates of individuals who could participate in this program are relatively low. For example, the United States admitted 2,137 Afghani and 3,494 Iraqi immigrants in 2004 who are now Legal Permanent Residents eligible to pursue U.S. citizenship. Immigrants from Indonesia numbered 2,418 and Bangladesh, 8,061 in the same year. Yet, while the program would have a small impact on the U.S. naturalization process, the contributions of even a few hundred individuals could have a tremendous positive effect on reconstruction work.

In simple terms, a Return of Talent program makes sense. Everybody wins: The United States is able to support badly needed rebuilding efforts without increasing foreign aid; immigrants are able to use their skills and resources to help communities without jeopardizing their immigration status; and the people recovering from conflict and disaster receive much-needed assistance.

A Return of Talent program is an important piece of our overall strategy to stabilize and rebuild countries torn by conflict and devastated by natural disaster. I urge my colleagues to support this legislation.

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. 2413

*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 ''Return of Talent Act''.

**SEC. 2. RETURN OF TALENT PROGRAM.**

(a) IN GENERAL.—Title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.) is amended by inserting after section 317 the following:

''TEMPORARY ABSENCE OF PERSONS PARTICIPATING IN THE RETURN OF TALENT PROGRAM

''SEC. 317A. (a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary of State, shall establish the Return of Talent Program to permit eligible aliens to temporarily return to the alien's country of citizenship in order to make a material contribution to that country if the country is engaged in post-conflict or natural disaster reconstruction activities, for a period not exceeding 24 months, unless an exception is granted under subsection (d).

''(b) ELIGIBLE ALIEN.—An alien is eligible to participate in the Return of Talent Program established under subsection (a) if the alien meets the special immigrant description under section 101(a)(27)(N).

''(c) FAMILY MEMBERS.—The spouse, parents, siblings, and any minor children of an alien who participates in the Return of Talent Program established under subsection (a) may return to such alien's country of citizenship with the alien and reenter the United States with the alien.

''(d) EXTENSION OF TIME.—The Secretary of Homeland Security may extend the 24-month period referred to in subsection (a) upon a showing that circumstances warrant that an extension is necessary for post-conflict or natural disaster reconstruction efforts.

''(e) RESIDENCY REQUIREMENTS.—An immigrant described in section 101(a)(27)(N) who participates in the Return of Talent Program established under subsection (a), and the spouse, parents, siblings, and any minor children who accompany such immigrant to that immigrant's country of citizenship, shall be considered, during such period of participation in the program—

''(1) for purposes of section 316(a), physically present and residing in the United States for purposes of naturalization within the meaning of that section; and

''(2) for purposes of section 316(b), to meet the continuous residency requirements in that section.

''(f) OVERSIGHT AND ENFORCEMENT.—The Secretary of Homeland Security, in consultation with the Secretary of State, shall oversee and enforce the requirements of this section.''.

(b) TABLE OF CONTENTS.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 317 the following:

''317A. Temporary absence of persons participating in the Return of Talent Program''.

**SEC. 3. ELIGIBLE IMMIGRANTS.**

Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) is amended—

(1) in subparagraph (L), by inserting a semicolon after ''Improvement Act of 1998'';

(2) in subparagraph (M), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(N) an immigrant who—

''(i) has been lawfully admitted to the United States for permanent residence;

''(ii) demonstrates an ability and willingness to make a material contribution to the post-conflict or natural disaster reconstruction in the alien's country of citizenship; and

''(iii) as determined by the Secretary of State in consultation with the Secretary of Homeland Security—

''(I) is a citizen of a country in which Armed Forces of the United States are engaged, or have engaged in the 10 years preceding such determination, in combat or peacekeeping operations;

''(II) is a citizen of a country where authorization for United Nations peacekeeping operations was initiated by the United Nations Security Council during the 10 years preceding such determination; or

''(III) is a citizen of a country which received, during the preceding 2 years, funding from the Office of Foreign Disaster Assistance of the United States Agency for International Development in response to a declared disaster in such country by the United States Ambassador, the Chief of the U.S. Mission, or the appropriate Assistant Secretary of State, that is beyond the ability of such country's response capacity and warrants a response by the United States Government.''.

**SEC. 4. REPORT TO CONGRESS.**

Not later than 2 years after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit a report to Congress that describes—

(1) the countries of citizenship of the participants in the Return of Talent Program established under section 2;

(2) the post-conflict or natural disaster reconstruction efforts that benefitted, or were made possible, through participation in the program; and

(3) any other information that the Secretary of Homeland Security determines to be appropriate.

**SEC. 5. REGULATIONS.**

Not later than 6 months after the date of enactment of this Act, the Secretary of Homeland Security shall promulgate regulations to carry out this Act and the amendments made by this Act.

**SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Bureau of Citizenship and Immigration Services for fiscal year 2007, such sums as may be necessary to carry out this Act and the amendments made by this Act.

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By Mr. BAYH (for himself, Mr. OBAMA, Mr. CARPER, and Mr. KERRY):

S. 2414. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Finance.

Mr. OBAMA. Mr. President, I rise to speak in favor of a bill I am proud to introduce today with Senators BAYH, KERRY, and CARPER to help close the tax gap by improving the reporting of capital gains income. This bill requires brokerage firms and mutual fund companies to track and report the adjusted cost basis of their clients' stock, bond, and mutual fund investments.

This bill is a simple, commonsense solution to a serious problem. Many taxpayers have a hard enough time filing their taxes. One of the most complex parts of an individual's tax return is the schedule for capital gains income. And what makes capital gains particularly difficult is the challenge of figuring out the adjusted basis of a security that has been sold.

Many taxpayers do not have the proper records or they don't know how to calculate adjusted basis for a stock that has split or been exchanged as part of a company's merger or acquisition. And right now, the IRS does not have the ability to monitor the accuracy of taxpayer calculations. As a result, there is a risk of error or fraud. In some cases, taxpayers may end up paying too much in taxes. More often, they report too little income and pay too little in taxes.

In 2001, the IRS estimated that underreporting cost the Treasury $11 billion annually. Today the loss is even greater.

Because the IRS fails to collect these funds, the taxes that the rest of us have to pay are greater than they should be. Most people pay their taxes honestly and follow the law to the best of their ability. But a small number of tax frauds—who often owe great amounts of taxes—cheat the system. And it's hard now for the IRS to stop them.

This bill makes it easier to stop them and it helps reduce the amount of Federal tax dollars that the IRS fails to collect each year. Brokerage firms and mutual fund companies will be required to keep track of a taxpayer's cost basis and to report that information to the IRS. This will make it easier for honest taxpayers to calculate their taxable capital gain, and harder for dishonest ones to lie about it. Based on information from the Taxpayer Advocate, reporting to the IRS can improve compliance of capital gains reporting from an estimated 50 percent today to 90 percent.

Fortunately, this new reporting requirement will not pose an undue burden to the financial firms affected. First, the firms will have plenty of time to put the necessary systems in place since the reporting requirement will not take effect until 2009, and then will only apply to securities acquired starting in 2008. Second, technology has made tracking by financial firms simple and efficient. More than 80 percent of all retail accounts already subscribe to a national reporting service for transferring basis information at a nominal cost per account. Finally, in cases where it is impossible to track basis, the Treasury Secretary may develop regulations to require alternative information.

It is estimated that $345 billion of Federal taxes goes uncollected each year. This bill doesn't solve that full problem, but it is a step in the right direction. It reduces the Federal deficit without raising taxes or cutting spending. It simplifies the tax filing process and reduces the chance of error or fraud. It applies what we know about the benefits of automatic reporting to the IRS—which is required now for wage income—to capital gains income as well.

This bill makes sense. It's good policy. I urge my colleagues to join me in supporting it and to helping to improve our tax code.

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## AMENDMENTS SUBMITTED AND PROPOSED

SA 3013. Mr. CONRAD (for himself, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. WYDEN, Mr. OBAMA, Mr. BAUCUS, Mr. HARKIN, Mr. KERRY, Mr. SALAZAR, Mrs. CLINTON, Ms. MIKULSKI, Mr. CARPER, Mr. BYRD, Mr. KOHL, Mr. CHAFEE, Mrs. FEINSTEIN, Ms. COLLINS, and Ms. SNOWE) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

SA 3014. Mr. CHAFEE (for himself, Mr. HAGEL, Ms. COLLINS, Mr. KOHL, Mr. COLEMAN, Mr. ROBERTS, Mr. WARNER, and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra.

SA 3015. Mr. SANTORUM (for himself and Mr. SPECTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3016. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3017. Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. DORGAN, Ms. SNOWE, Mrs. MURRAY, Mrs. CLINTON, Ms. STABENOW, Mr. BINGAMAN, Mr. KOHL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3018. Mr. DAYTON (for himself, Mr. CHAMBLISS, Ms. STABENOW, Mr. TALENT, Mr. OBAMA, Mr. HAGEL, Mr. NELSON of Nebraska, Ms. SNOWE, Mr. LEVIN, Mr. KERRY, Mr. SALAZAR, Mr. KOHL, Mr. BINGAMAN, Ms. MIKULSKI, Mr. BAUCUS, Mr. HARKIN, Mr. ROCKEFELLER, Mr. NELSON of Florida, Mr. BIDEN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra.

SA 3019. Mr. TALENT (for himself, Mrs. FEINSTEIN, Mrs. LINCOLN, Mr. SMITH, Mr. BIDEN, Ms. CANTWELL, Mr. KOHL, Mr. HARKIN, Mr. BAYH, Mr. WYDEN, Mr. JOHNSON, Mrs. DOLE, Mr. COLEMAN, Mr. CONRAD, Mr. BURNS, Mr. DURBIN, Mr. BINGAMAN, Mr. SALAZAR, Mr. SCHUMER, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra.

SA 3020. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3021. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3022. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3023. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3024. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3025. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3026. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3027. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3028. Mr. KENNEDY (for himself, Ms. COLLINS, Mr. MENENDEZ, Mr. KERRY, Mr. LIEBERMAN, Mr. SCHUMER, Ms. STABENOW, Mr. AKAKA, Mr. DODD, Ms. CANTWELL, Ms. MIKULSKI, Mr. DURBIN, Mr. ROCKEFELLER, Mr. LAUTENBERG, Mr. BAUCUS, Mrs. MURRAY, Mr. KOHL, Mr. BINGAMAN, Mrs. CLINTON, Mrs. LINCOLN, Ms. LANDRIEU, and Mr. REED) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3029. Mr. DAYTON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3030. Mr. LEVIN (for himself, Mr. DEWINE, Mr. LIEBERMAN, Ms. STABENOW, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3031. Mr. LEVIN (for himself, Mr. DEWINE, Mr. LIEBERMAN, Ms. STABENOW, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3032. Mr. DEWINE (for himself, Mr. ALLEN, Mr. VOINOVICH, and Mr. WARNER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3033. Mr. DEWINE (for himself, Mr. ALLEN, Mr. VOINOVICH, and Mr. WARNER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3034. Mr. LIEBERMAN (for himself, Ms. MIKULSKI, Ms. STABENOW, Mr. SALAZAR, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3035. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3036. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3037. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3038. Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3039. Mr. BINGAMAN (for himself, Ms. CANTWELL, Mr. SALAZAR, Mr. KERRY, Mr. MENENDEZ, Mr. LIEBERMAN, Mrs. CLINTON, Ms. MIKULSKI, Mr. HARKIN, Mr. REID, and Mr. DURBIN) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3040. Ms. SNOWE (for herself, Mr. TALENT, and Mrs. LINCOLN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3041. Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3042. Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3043. Mr. LEVIN (for himself, Mr. JEFFORDS, Mr. LEAHY, Mr. LIEBERMAN, Mr. SARBANES, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3044. Mr. AKAKA (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3045. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3046. Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3047. Mrs. LINCOLN (for herself, Mr. DURBIN, and Mrs. CLINTON) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3048. Mr. SPECTER (for himself, Mr. HARKIN, Mr. SMITH, Mr. KENNEDY, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. LINCOLN, Mr. LIEBERMAN, Mr. KERRY, Mrs. CLINTON, Mr. BINGAMAN, Mr. AKAKA, Mr. OBAMA, Ms. CANTWELL, Mr. KOHL, Mr. DODD, Ms. MIKULSKI, Mr. DAYTON, Mr. DURBIN, Ms. COLLINS, Ms. LANDRIEU, and Mr. LEVIN) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3049. Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3050. Mr. SANTORUM (for himself, Mr. COLEMAN, Ms. COLLINS, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3051. Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3052. Mr. SANTORUM (for himself, Mr. DURBIN, Mr. DAYTON, Ms. STABENOW, Mrs. CLINTON, Mrs. BOXER, Mr. SARBANES, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3053. Mrs. LINCOLN (for herself, Mr. TALENT, and Mr. BAYH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3054. Mr. MENENDEZ (for himself, Mrs. CLINTON, Mr. DURBIN, Mr. LAUTENBERG, Mrs. BOXER, Mr. NELSON of Florida, Mr. LIEBERMAN, Mr. INOUYE, Mr. REED, Mr. SCHUMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra.

SA 3055. Ms. STABENOW (for herself, Ms. SNOWE, Mr. LIEBERMAN, Mr. KOHL, Mr. DEWINE, Mr. GRAHAM, and Mrs. CLINTON) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3056. Ms. STABENOW proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3057. Mr. KOHL (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3058. Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3059. Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3060. Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3061. Mr. MCCONNELL (for himself, Mrs. HUTCHISON, and Mr. FRIST) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3062. Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. KENNEDY, and Mr. DURBIN) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3063. Mrs. MURRAY (for herself, Mr. SARBANES, Mr. LEAHY, Mr. REED, Mr. KENNEDY, Mr. LAUTENBERG, Ms. STABENOW, Mr. SCHUMER, Ms. MIKULSKI, Mr. DURBIN, Mr. ROCKEFELLER, and Mr. AKAKA) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3064. Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3065. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3066. Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

SA 3067. Mrs. FEINSTEIN (for herself and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3013.** Mr. CONRAD (for himself, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. WYDEN, Mr. OBAMA, Mr. BAUCUS, Mr. HARKIN, Mr. KERRY, Mr. SALAZAR, Mrs. CLINTON, Ms. MIKULSKI, Mr. CARPER, Mr. BYRD, Mr. KOHL, Mr. CHAFEE, Mrs. FEINSTEIN, Ms. COLLINS, and Ms. SNOWE) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

At the appropriate place, insert the following:

**SEC. ___. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit or cause an on-budget deficit for any 1 of the 3 applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term ''applicable time period'' means any 1 of the 3 following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the 5 fiscal years following the first 5 fiscal years covered in the most recently adopted concurrent resolution on the budget.

(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct-spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this section shall—

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the on-budget deficit or causes an on-budget deficit when taken individually, it must also increase the on-budget deficit or cause an on-budget deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that direct spending or revenue effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of ⅗ of the Members, duly chosen and sworn.

(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(e) SUNSET.—This section shall expire on September 30, 2011.

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**SA 3014.** Mr. CHAFEE (for himself, Mr. HAGEL, Ms. COLLINS, Mr. KOHL, Mr. COLEMAN, Mr. ROBERTS, Mr. WARNER, and Mr. SANTORUM) submitted amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 18, line 24, increase the amount by $2,000,000,000.

On page 18, line 25, increase the amount by $40,000,000.

On page 19, line 4, increase the amount by $1,320,000,000.

On page 19, line 8, increase the amount by $600,000,000.

On page 19, line 12, increase the amount by $40,000,000.

On page 27, line 23, decrease the amount by $2,000,000,000.

On page 27, line 24, decrease the amount by $40,000,000.

On page 28, line 2, decrease the amount by $1,320,000,000.

On page 28, line 5, decrease the amount by $600,000,000.

On page 28, line 8, decrease the amount by $40,000,000.

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**SA 3015.** Mr. SANTORUM (for himself and Mr. SPECTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 16, line 21, strike ''$78,268,000,000'' and insert ''$78,818,000,000''.

On page 16, line 22, strike ''$75,774,000,000'' and insert ''$76,324,000,000''.

On page 27, line 23, strike ''−$500,000,000'' and insert ''−$1,050,000,000''.

On page 27, line 24, strike ''−$500,000,000'' and insert ''−$1,050,000,000''.

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**SA 3016.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $2,378,000,000.

On page 3, line 15, increase the amount by $2,123,000,000.

On page 3, line 17, increase the amount by $549,000,000.

On page 3, line 19, increase the amount by $111,000,000.

On page 3, line 21 , increase the amount by $25,000,000.

On page 4, line 1, increase the amount by $2,378,000,000.

On page 4, line 2, increase the amount by $2,123,000,000.

On page 4, line 3, increase the amount by $549,000,000.

On page 4, line 4, increase the amount by $111,000,000.

On page 4, line 6, increase the amount by $25,000,000.

On page 4, line 13, increase the amount by $5,226,000,000.

On page 5, line 4, increase the amount by $2,378,000,000.

On page 5, line 6, increase the amount by $2,123,000,000.

On page 5, line 8, increase the amount by $549,000,000.

On page 5, line 10, increase the amount by $111,000,000

On page 5, line 12, increase the amount by $25,000,000

On page 9, line 20, increase the amount by $2,500,000,000.

On page 9, line 21, increase the amount by $1,275,000,000.

On page 9, line 25, increase the amount by $963,000,000.

On page 10, line 4, increase the amount by $223,000,000.

On page 10, line 8, increase the amount by $23,000,000.

On page 10, line 12, increase the amount by $5,000,000.

On page 11, line 21, increase the amount by $864,000,000.

On page 11, line 22, increase the amount by $570,000,000.

On page 12, line 1, increase the amount by $233,000,000.

On page 12, line 5, increase the amount by $39,000,000.

On page 12, line 9, increase the amount by $13,000,000.

On page 12, line 13, increase the amount by $4,000,000.

On page 12, line 21, increase the amount by $286,000,000.

On page 12, line 22, increase the amount by $129,000,000.

On page 13, line 1, increase the amount by $114,000,000.

On page 13, line 5, increase the amount by $29,000,000.

On page 13, line 9, increase the amount by $14,000,000.

On page 15, line 21, increase the amount by $176,000,000.

On page 15, line 22, increase the amount by $47,000,000.

On page 16, line 1, increase the amount by $65,000,000.

On page 16, line 5, increase the amount by $44,000,000.

On page 16, line 9, increase the amount by $15,000,000.

On page 16, line 13, increase the amount by $5,000,000.

On page 19, line 24, increase the amount by $1,400,000,000.

On page 19, line 25, increase the amount by $357,000,000.

On page 20, line 4, increase the amount by $748,000,000.

On page 20, line 8, increase the amount by $214,000,000.

On page 20, line 12, increase the amount by $46,000,000.

On page 20, line 16, increase the amount by $11,000,000.

On page 53, line 1, increase the amount by $5,226,000,000.

On page 53, line 2, increase the amount by $2,378,000,000.

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**SA 3017.** Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. DORGAN, Ms. SNOWE, Mrs. MURRAY, Mrs. CLINTON, Ms. STABENOW, Mr. BINGAMAN, Mr. KOHN, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

**SEC. _____. RESERVE FUND TO LIMIT REMOVAL FROM, OR RESTRICTION OR LIMITATION ON, COVERED PART D DRUGS ON THE PRESCRIPTION DRUG PLAN FORMULARY.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for a bill or

joint resolution, or an amendment thereto or conference report thereon, that would—

(1) limit the removal of a covered part D drug from the formulary, or the imposition of a restriction or a limitation on the coverage of such a drug (such as through the application of a preferred status, usage restriction, step therapy, prior authorization, or quantity limitation), by the PDP sponsor of a prescription drug plan under part D of title XVIII of the Social Security Act or a Medicare Advantage organization offering an MA-PD plan under part C of such title—

(A) except as provided in subparagraph (B), other than at the beginning of each plan year; or

(B) during the period beginning on the date an individual first enrolls in a plan and ending on December 31 of the immediately succeeding plan year;

(2) provide exceptions to such limitation, in the case of a covered part D drug that—

(A) is a brand name drug for which there is a generic drug approved under section 505(j) of the Food and Drug Cosmetic Act (21 U.S.C. 355(j)) that is placed on the market during the period in which there are limitations on removal or change in the formulary;

(B) is a brand name drug that goes off-patent during such period;

(C) is a drug for which the Commissioner of Food and Drugs issues a clinical warning that imposes a restriction or limitation on the drug during such period or removes the drug from the market; or

(D) has been determined to be ineffective during such period; and

(3) require annual notice of any changes in the formulary or other restrictions or limitations on coverage of a covered part D drug under the plan that will take effect for the plan year;

by the amount provided in such measure for those purposes, provided that such legislation would not increase the deficit for the period of fiscal years 2006 through 2011.

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**SA 3018.** Mr. DAYTON (for himself, Mr. CHAMBLISS, Ms. STABENOW, Mr. TALENT, Mr. OBAMA, Mr. HAGEL, Mr. NELSON of Nebraska, Ms. SNOWE, Mr. LEVIN, Mr. KERRY, Mr. SALAZAR, Mr. KOHL, Mr. BINGAMAN, Ms. MIKULSKI, Mr. BAUCUS, Mr. HARKIN, Mr. ROCKEFELLER, Mr. NELSON of Florida, Mr. BIDEN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 24, line 24, increase the amount by $900,000,000.

On page 24, line 25, increase the amount by $198,000,000.

On page 25, line 4, increase the amount by $270,000,000.

On page 25, line 8, increase the amount by $180,000,000.

On page 25, line 12, increase the amount by $135,000,000.

On page 25, line 16, increase the amount by $117,000,000.

On page 27, line 23, decrease the amount by $900,000,000.

On page 27, line 24, decrease the amount by $198,000,000.

On page 28, line 2, decrease the amount by $270,000,000.

On page 28, line 5, decrease the amount by $180,000,000.

On page 28, line 8, decrease the amount by $135,000,000.

On page 28, line 11, decrease the amount by $117,000,000.

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**SA 3019.** Mr. TALENT (for himself, Mrs. FEINSTEIN, Mrs. LINCOLN, Mr. SMITH, Mr. BIDEN, Ms. CANTWELL, Mr. KOHL, Mr. HARKIN, Mr. BAYH, Mr. WYDEN, Mr. JOHNSON, Mrs. DOLE, Mr. COLEMAN, Mr. CONRAD, Mr. BURNS, Mr. DURBIN, Mr. BINGAMAN, Mr. SALAZAR, Mr. SCHUMER, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 24, line 24, increase the amount by $99,000,000.

On page 24, line 25, increase the amount by $99,000,000.

On page 27, line 23, decrease the amount by $99,000,000.

On page 27, line 24, decrease the amount by $99,000,000.

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**SA 3020.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $808,000,000.

On page 3, line 15, increase the amount by $1,130,000,000.

On page 3, line 17, increase the amount by $1,273,000,000.

On page 3, line 19, increase the amount by $1,430,000,000.

On page 3, line 21, increase the amount by $1,634,000,000.

On page 4, line 1, increase the amount by $808,000,000.

On page 4, line 2, increase the amount by $1,130,000,000.

On page 4, line 3, increase the amount by $1,273,000,000.

On page 4, line 4, increase the amount by $1,430,000,000.

On page 4, line 6, increase the amount by $1,634,000,000.

On page 4, line 13, increase the amount by $100,000,000.

On page 5, line 4, increase the amount by $25,000,000.

On page 5, line 6, increase the amount by $30,000,000.

On page 5, line 8, increase the amount by $30,000,000.

On page 5, line 10, increase the amount by $10,000,000.

On page 5, line 12, increase the amount by $5,000,000.

On page 5, line 19, increase the amount by $783,000,000.

On page 5, line 21, increase the amount by $1,100,000,000.

On page 5, line 23, increase the amount by $1,243,000,000.

On page 5, line 25, increase the amount by $1,420,000,000.

On page 6, line 2, increase the amount by $1,629,000,000.

On page 6, line 8, decrease the amount by $783,000,000.

On page 6, line 10, decrease the amount by $1,883,000,000.

On page 6, line 12, decrease the amount by $3,126,000,000.

On page 6, line 14, decrease the amount by $4,546,000,000.

On page 6, line 16, decrease the amount by $6,175,000,000.

On page 6, line 22, decrease the amount by $783,000,000.

On page 6, line 24, decrease the amount by $1,883,000,000.

On page 7, line 2, decrease the amount by $3,126,000,000.

On page 7, line 4, decrease the amount by $4,546,000,000.

On page 7, line 6, decrease the amount by $6,175,000,000.

On page 13, line 21, increase the amount by $100,000,000.

On page 13, line 22, increase the amount by $25,000,000.

On page 14, line 1, increase the amount by $30,000,000.

On page 14, line 5, increase the amount by $30,000,000.

On page 14., line 9, increase the amount by $10,000,000.

On page 14, line 13, increase the amount by $5,000,000.

On page 53, line 1, increase the amount by $100,000,000.

On page 53, line 2, increase the amount by $25,000,000.

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**SA 3021.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $152,000,000.

On page 3, line 15, increase the amount by $69,000,000.

On page 3, line 17, increase the amount by $102,000,000.

On page 3, line 19, increase the amount by $90,000,000.

On page 3, line 21, increase the amount by $95,000,000.

On page 4, line 1, increase the amount by $152,000,000.

On page 4, line 2, increase the amount by $69,000,000.

On page 4, line 3, increase the amount by $102,000,000.

On page 4, line 4, increase the amount by $90,000,000.

On page 4, line 6, increase the amount by $95,000,000.

On page 4, line 13, increase the amount by $152,000,000.

On page 5, line 4, increase the amount by $152,000,000.

On page 5, line 21, increase the amount by $69,000,000.

On page 5, line 23, increase the amount by $102,000,000.

On page 5, line 25, increase the amount by $90,000,000.

On page 6, line 2, increase the amount by $95,000,000.

On page 6, line 10, decrease the amount by $69,000,000.

On page 6, line 12, decrease the amount by $171,000,000.

On page 6, line 14, decrease the amount by $261,000,000.

On page 6, line 16, decrease the amount by $356,000,000.

On page 6, line 24, decrease the amount by $69,000,000.

On page 7, line 2, decrease the amount by $171,000,000.

On page 7, line 4, decrease the amount by $261,000,000.
On page 7, line 6, decrease the amount by $356,000,000.
On page 25, line 24, increase the amount by $152,000,000.
On page 25, line 25, increase the amount by $152,000,000.
On page 53, line 1, increase the amount by $152,000,000.
On page 53, line 2, increase the amount by $152,000,000.

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**SA 3022.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $100,000,000.
On page 3, line 15, increase the amount by $770,000,000.
On page 3, line 17, increase the amount by $2,400,000,000.
On page 3, line 19, increase the amount by $2,100,000,000.
On page 3, line 21, increase the amount by $2,000,000,000.
On page 4, line 1, increase the amount by $100,000,000.
On page 4, line 2, increase the amount by $770,000,000.
On page 4, line 3, increase the amount by $2,400,000,000.
On page 4, line 4, increase the amount by $2,100,000,000.
On page 4, line 6, increase the amount by $2,000,000,000.
On page 4, line 13, increase the amount by $72,000,000.
On page 5, line 4, increase the amount by $40,000,000.
On page 5, line 6, increase the amount by $22,000,000.
On page 5, line 8, increase the amount by $11,000,000.
On page 5, line 19, increase the amount by $60,000,000.
On page 5, line 21, increase the amount by $748,000,000.
On page 5, line 23, increase the amount by $2,389,000,000.
On page 5, line 25, increase the amount by $2,100,000,000.
On page 6, line 2, increase the amount by $2,000,000,000.
On page 6, line 8, decrease the amount by $60,000,000.
On page 6, line 10, decrease the amount by $808,000,000.
On page 6, line 12, decrease the amount by $3,197,000,000.
On page 6, line 14, decrease the amount by $5,297,000,000.
On page 6, line 16, decrease the amount by $7,297,000,000.
On page 6, line 22, decrease the amount by $60,000,000.
On page 6, line 24, decrease the amount by $808,000,000.
On page 7, line 2, decrease the amount by $3,197,000,000.
On page 7, line 4, decrease the amount by $5,297,000,000.
On page 7, line 6, decrease the amount by $7,297,000,000.
On page 13, line 21, increase the amount by $72,000,000.
On page 13, line 22, increase the amount by $40,000,000.
On page 14, line 1, increase the amount by $22,000,000.
On page 14, line 5, increase the amount by $11,000,000.
On page 53, line 1, increase the amount by $72,000,000.
On page 53, line 2, increase the amount by $40,000,000.

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**SA 3023.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $7,000,000.
On page 3, line 15, increase the amount by $2,000,000.
On page 3, line 17, increase the amount by $1,000,000.
On page 4, line 1, increase the amount by $7,000,000.
On page 4, line 2, increase the amount by $2,000,000.
On page 4, line 3, increase the amount by $1,000,000.
On page 4, line 13, increase the amount by $10,000,000.
On page 5, line 4, increase the amount by $7,000,000.
On page 5, line 6, increase the amount by $2,000,000.
On page 5, line 8, increase the amount by $1,000,000.
On page 9, line 20, increase the amount by $10,000,000.
On page 9, line 21, increase the amount by $7,000,000.
On page 9, line 25, increase the amount by $2,000,000.
On page 10, line 4, increase the amount by $1,000,000.
On page 53, line 1, increase the amount by $10,000,000.
On page 53, line 2, increase the amount by $7,000,000.

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**SA 3024.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $153,000,000.
On page 3, line 15, increase the amount by $808,000,000.
On page 3, line 17, increase the amount by $178,000,000.
On page 3, line 19, increase the amount by $191,000,000.
On page 3, line 21, increase the amount by $205,000,000.
On page 4, line 1, increase the amount by $153,000,000.
On page 4, line 2, increase the amount by $808,000,000.
On page 4, line 3, increase the amount by $178,000,000.
On page 4, line 4, increase the amount by $191,000,000.
On page 4, line 6, increase the amount by $205,000,000.
On page 4, line 13, increase the amount by $172,000,000.
On page 5, line 4, increase the amount by $77,000,000.
On page 5, line 6, increase the amount by $69,000,000.
On page 5, line 8, increase the amount by $17,000,000.
On page 5, line 10, increase the amount by $9,000,000.
On page 5, line 19, increase the amount by $76,000,000.
On page 5, line 21, increase the amount by $739,000,000.
On page 5, line 23, increase the amount by $161,000,000.
On page 5, line 25, increase the amount by $182,000,000.
On page 6, line 2, increase the amount by $205,000,000.
On page 6, line 8, decrease the amount by $76,000,000.
On page 6, line 10, decrease the amount by $815,000,000.
On page 6, line 12, decrease the amount by $976,000,000.
On page 6, line 14, decrease the amount by $1,158,000,000.
On page 6, line 16, decrease the amount by $1,363,000,000.
On page 6, line 22, decrease the amount by $76,000,000.
On page 6, line 24, decrease the amount by $815,000,000.
On page 7, line 2, decrease the amount by $976,000,000.
On page 7, line 4, decrease the amount by $1,158,000,000.
On page 7, line 6, decrease the amount by $1,363,000,000.
On page 12, line 21, increase the amount by $172,000,000.
On page 12, line 22, increase the amount by $77,000,000.
On page 13, line 1, increase the amount by $69,000,000.
On page 13, line 5, increase the amount by $17,000,000.
On page 13, line 9, increase the amount by $9,000,000.
On page 53, line 1, increase the amount by $172,000,000.
On page 53, line 2, increase the amount by $77,000,000.

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**SA 3025.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 41, lines 11 and 12, strike ''If the'' and all that follows through ''reports'' and insert ''If''.
On page 42, line 2, insert after ''Program'' the following: ''or other similar coastal protection and conservation program administered by the Secretary of Commerce or the Secretary of the Interior''.

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**SA 3026.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 43, between lines 22 and 23, insert the following:

**SEC. 313. RESERVE FUND TO PREVENT CATASTROPHIC LOSS.**

(a) DEFINITION OF APPLICABLE LEGISLATION.—In this section, the term ''applicable legislation'' means a bill or joint resolution,

or an amendment or conference report relating to a bill or joint resolution, passed by the Committee on Environment and Public Works of the Senate that increases investment in measures designed to prevent catastrophic flood and hurricane damage in coastal areas if—

(1) the measures, if carried out, would be likely to decrease future expenditures from an appropriate disaster relief fund of the United States;

(2) the Committee is within the allocation to the Committee under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a));

(3) the increase in investment in the measures does not exceed $10,000,000,000; and

(4) the measures are certified by the President as likely to prevent the loss of life and property.

(b) ADJUSTMENTS.—The Chairperson of the Committee on Budget of the Senate may make appropriate adjustments in the allocations and aggregates to the extent that applicable legislation would not increase—

(1) the deficit for the fiscal year 2007; or

(2) the deficit for the period of fiscal years 2007 through 2011.

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**SA 3027.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. SENSE OF THE SENATE REGARDING PORT SECURITY GRANTS.**

It is the sense of the Senate that, in allocating homeland security assistance grants relating to port security, Congress should—

(1) allocate port security grants under a dedicated program intended specifically for port security enhancements, rather than as part of a combined program for many different infrastructure programs that could lead to reduced funding for port security;

(2) devise a method to enable the Secretary of Homeland Security to—

(A) distribute port security grants to the Nation's port facilities more quickly and efficiently; and

(B) give ports the financial assistance needed to comply with congressional mandates;

(3) allocate sufficient funding for port security to—

(A) enable port authorities to comply with mandated security improvements;

(B) ensure the protection of our Nation's maritime transportation, commerce system, and cruise passengers;

(C) strive to achieve funding levels consistent with the needs estimated by the Coast Guard; and

(4) recognize—

(A) the unique threats for which port authorities must prepare; and

(B) the importance of safe, secure ports to protect the Nation's security and economy, which largely depends on maritime commerce.

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**SA 3028.** Mr. KENNEDY (for himself, Ms. COLLINS, Mr. MENENDEZ, Mr. KERRY, Mr. LIEBERMAN, Mr. SCHUMER, Ms. STABENOW, Mr. AKAKA, Mr. DODD, Ms. CANTWELL, Ms. MIKULSKI, Mr. DURBIN, Mr. ROCKFELLER, Mr. LAUTENBERG, Mr. BAUCUS, Mrs. MURRAY, Mr. KOHL, Mr. BINGAMAN, Mrs. CLINTON, Mrs. LINCOLN, Ms. LANDRIEU, and Mr. REED) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 3, line 13, increase the amount by $1,479,000,000.

On page 3, line 15, increase the amount by $3,988,000,000.

On page 3, line 17, increase the amount by $634,000,000.

On page 3, line 19, increase the amount by $206,000,000.

On page 3, line 21, increase the amount by $19,000,000.

On page 4, line 1, increase the amount by $1,479,000,000.

On page 4, line 2, increase the amount by $3,988,000,000.

On page 4, line 3, increase the amount by $634,000,000.

On page 4, line 4, increase the amount by $206,000,000.

On page 4, line 6, increase the amount by $19,000,000.

On page 4, line 13, increase the amount by $6,326,000,000.

On page 5, line 4, increase the amount by $1,479,000,000.

On page 5, line 6, increase the amount by $3,988,000,000.

On page 5, line 8, increase the amount by $634,000,000.

On page 5, line 10, increase the amount by $206,000,000.

On page 5, line 12, increase the amount by $19,000,000.

On page 18, line 24, increase the amount by $6,326,000,000.

On page 18, line 25, increase the amount by $1,479,000,000.

On page 19, line 4, increase the amount by $3,988,000,000.

On page 19, line 8, increase the amount by $634,000,000.

On page 19, line 12, increase the amount by $206,000,000.

On page 19, line 16, increase the amount by $19,000,000.

On page 53, line 1, increase the amount by $6,326,000,000.

On page 53, line 2, increase the amount by $1,479,000,000.

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**SA 3029.** Mr. DAYTON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $270,000,000.

On page 3, line 15, increase the amount by $8,911,000,000,

On page 3, line 17, increase the amount by $4,050,000,000.

On page 3, line 19, increase the amount by $270,000,000.

On page 4, line 1, increase the amount by $270,000,000.

On page 4, line 2, increase the amount by $8,911,000,000.

On page 4, line 3, increase the amount by $4,050,000,000.

On page 4, line 4, increase the amount by $270,000,000.

On page 4, line 13, increase the amount by $13,501,000,000.

On page 5, line 4, increase the amount by $270,000,000.

On page 5, line 6, increase the amount by $8,911,000,000.

On page 5, line 8, increase the amount by $4,050,000,000.

On page 5, line 10, increase the amount by $270,000,000.

On page 18, line 24, increase the amount by $13,501,000,000.

On page 18, line 25, increase the amount by $270,000,000.

On page 19, line 4, increase the amount by $8,911,000,000.

On page 19, line 8, increase the amount by $4,050,000,000.

On page 19, line 12, increase the amount by $270,000,000.

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**SA 3030.** Mr. LEVIN (for himself, Mr. DEWINE, Mr. LIEBERMAN, Ms. STABENOW, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

**SEC. . SENSE OF THE SENATE REGARDING ADVANCED TECHNOLOGY PROGRAMS.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that a minimum of $140 million should be set aside for an advanced technology program that supports industry-led research and development of cutting-edge high risk technology with broad commercial potential and societal benefits. Such programs have been funded at this level by the Senate in the past and it is the sense of the Senate that these types of programs should continue to be funded.

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**SA 3031.** Mr. LEVIN (for himself, Mr. DEWINE, Mr. LIEBERMAN, Ms. STABENOW, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 15, line 21, increase the amount by $140,000,000.

On page 15, line 22, increase the amount by $21,000,000.

On page 16, line 1, increase the amount by $98,000,000.

On page 16, line 5, increase the amount by $21,000,000.

On page 27, line 23, decrease the amount by $140,000,000.

On page 27, line 24, decrease the amount by $21,000,000.

On page 28, line 2, decrease the amount by $98,000,000.

On page 28, line 5, decrease the amount by $21,000,000.

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**SA 3032.** Mr. DEWINE (for himself, Mr. ALLEN, Mr. VOINOVICH, and Mr. WARNER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for

fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the appropriate location, insert the following:

**SEC. ___. SENSE OF SENATE ON FUNDING OF SUBSONIC AND HYPERSONIC AERONAUTICS RESEARCH BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.**

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

(1) The economic and military security of the United States depends on the continued development of improved aeronautics technologies.

(2) Research and development on many emerging aeronautics technologies is often too expensive or removed in time from commercial application to garner the necessary level of support from the private sector.

(3) The advances made possible by Government-funded research in emerging aeronautics technologies have enabled a longstanding positive balance of trade and air superiority on the battlefield for the United States in recent decades.

(4) The aeronautics industry has grown increasingly mature in recent years, with growth dependent on the availability of the research workforce and facilities provided by the National Aeronautics and Space Administration (NASA).

(5) The National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155) strongly endorses continuation of the aeronautics research and development programs of the National Aeronautics and Space Administration, and authorizes $962,000,000 for aeronautics in fiscal year 2007.

(6) Recent National Aeronautics and Space Administration studies have demonstrated the competitiveness, scientific merit, and necessity of nearly all existing aeronautics wind tunnel and propulsion testing facilities.

(7) A minimum level of investment by the National Aeronautics and Space Administration is necessary to maintain these facilities in operational condition and to prevent their financial collapse.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the level of funding provided for Aeronautics Research within the National Aeronautics and Space Administration should be increased by $179,000,000 in fiscal year 2007.

(2) at least 50 percent of the increase provided should be applied to the Fundamental Aeronautics Program budget for use in subsonic and hypersonic aeronautical research.

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**SA 3033.** Mr. DEWINE (for himself, Mr. ALLEN, Mr. VOINOVICH, and Mr. WARNER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 11, line 21, increase the amount by $179,000,000.

On page 11, line 22, increase the amount by $179,000,000.

On page 27, line 23, decrease the amount by $179,000,000.

On page 27, line 24, decrease the amount by $179,000,000.

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**SA 3034.** Mr. LIEBERMAN (for himself, Ms. MIKULSKI, Ms. STABENOW, Mr. SALAZAR, and Mr. SCHUMER) submitted an amendment intended to be proposed by him for the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $2,151,000,000.

On page 3, line 15, increase the amount by $2,700,000,000.

On page 3, line 17, increase the amount by $1,729,000,000.

On page 3, line 19, increase the amount by $1,039,000,000.

On page 3, line 21, increase the amount by $203,000,000.

On page 4, line 1, increase the amount by $2,151,000,000.

On page 4, line 2, increase the amount by $2,700,000,000.

On page 4, line 3, increase the amount by $1,729,000,000.

On page 4, line 4, increase the amount by $1,039,000,000.

On page 4, line 6, increase the amount by $203,000,000.

On page 4, line 13, increase the amount by $7,977,000,000.

On page 5, line 4, increase the amount by $2,151,000,000.

On page 5, line 6, increase the amount by $2,700,000,000.

On page 5, line 8, increase the amount by $1,729,000,000.

On page 5, line 10, increase the amount by $1,039,000,000.

On page 5, line 12, increase the amount by $203,000,000.

On page 16, line 21, increase the amount by $1,889,000,000.

On page 16, line 22, increase the amount by $892,000,000.

On page 17, line 1, increase the amount by $412,000,000.

On page 17, line 5, increase the amount by $252,000,000.

On page 17, line 9, increase the amount by $135,000,000.

On page 17, line 13, increase the amount by $72,000,000.

On page 17, line 22, increase the amount by $3,747,000,000.

On page 17, line 23, increase the amount by $793,000,000.

On page 18, line 3, increase the amount by $1,350,000,000.

On page 18, line 7, increase the amount by $959,000,000.

On page 18, line 11, increase the amount by $646,000,000.

On page 19, line 24, increase the amount by $1,000,000,000.

On page 19, line 25, increase the amount by $125,000,000.

On page 20, line 4, increase the amount by $540,000,000.

On page 20, line 8, increase the amount by $185,000,000.

On page 20, line 12, increase the amount by $100,000,000.

On page 20, line 16, increase the amount by $20,000,000.

On page 24, line 24, increase the amount by $1,341,000,000.

On page 24, line 25, increase the amount by $341,000,000.

On page 25, line 4, increase the amount by $398,000,000.

On page 25, line 8, increase the amount by $333,000,000.

On page 25, line 12, increase the amount by $158,000,000.

On page 25, line 16, increase the amount by $111,000,000.

On page 53, line 1, increase the amount by $7,977,000,000.

On page 53, line 2, increase the amount by $2,151,000,000.

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**SA 3035.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 10, line 20, decrease the amount by $41,000,000.

On page 10, line 21, decrease the amount by $21,000,000.

On page 10, line 25, decrease the amount by $16,000,000.

On page 11, line 4, decrease the amount by $4,000,000.

On page 17, line 22, increase the amount by $41,000,000.

On page 17, line 23, increase the amount by $21,000,000.

On page 18, line 3, increase the amount by $16,000,000.

On page 18, line 7, increase the amount by $4,000,000.

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**SA 3036.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 59, after line 7, add the following:

**SEC. 408. DISASTER RELIEF.**

It is the sense of the Senate that—

(1) Hurricanes Katrina and Rita exposed a number of problems with Government bureaucracy, which are significantly slowing the delivery of aid to many of the areas and people who most need it;

(2) victims of disasters will benefit greatly when post-disaster contracting is conducted in a more efficient, open, and responsible way; and

(3) Congress should take action to reform the post-disaster contracting process to ensure that—

(A) appropriate action is taken to reduce fraud and abuse in post-disaster programs;

(B) full and open competition is used, unless emergency circumstances require otherwise;

(C) no-bid ''mega-contracts'' are awarded only in emergency situations and are limited to a short duration;

(D) more local firms are awarded contracts, to the extent feasible, to ensure that local jobs are created with the emergency response and rebuilding efforts; and

(E) all possible action is taken to root out bureaucratic waste and unnecessary tiers of contractors and subcontractors in post-disaster housing, emergency repair, and other programs, to help ensure that disaster victims get help quickly and that the most effective, efficient methods of providing assistance after a storm are employed.

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**SA 3037.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth

the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $1,230,000,000.
On page 4, line 1, increase the amount by $1,230,000,000.
On page 4, line 13, increase the amount by $1,230,000,000.
On page 5, line 4, increase the amount by $1,230,000,000.
On page 16, line 21, increase the amount by $1,230,000,000.
On page 16, line 22, increase the amount by $1,230,000,000.
On page 53, line 1, increase the amount by $1,230,000,000.
On page 53, line 2, increase the amount by $1,230,000,000.

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**SA 3038.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 13, decrease the amount by $513,000.
On page 5, line 4, decrease the amount by $513,000.
On page 5, line 19, increase the amount by $513,000.
On page 6, line 8, decrease the amount by $513,000.
On page 6, line 10, decrease the amount by $513,000.
On page 6, line 12, decrease the amount by $513,000.
On page 6, line 14, decrease the amount by $513,000.
On page 6, line 16, decrease the amount by $513,000.
On page 6, line 22, decrease the amount by $513,000.
On page 6, line 24, decrease the amount by $513,000.
On page 7, line 2, decrease the amount by $513,000.
On page 7, line 4, decrease the amount by $513,000.
On page 7, line 6, decrease the amount by $513,000.
On page 25, line 24, decrease the amount by $513,000.
On page 25, line 25, decrease the amount by $513,000.

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**SA 3039.** Mr. BINGAMAN (for himself, Ms. CANTWELL, Mr. SALAZAR, Mr. KERRY, Mr. MENENDEZ, Mr. LIEBERMAN, Mrs. CLINTON, Ms. MIKULSKI, Mr. HARKIN, Mr. REID, and Mr. DURBIN) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 3, line 13, increase the amount by $1,689,000,000.
On page 3, line 15, increase the amount by $1,654,000,000.
On page 3, line 17, increase the amount by $1,454,000,000.
On page 3, line 19, increase the amount by $1,152,000,000.
On page 3, line 21, increase the amount by $1,264,000,000.
On page 4, line 1, increase the amount by $1,689,000,000.
On page 4, line 2, increase the amount by $1,654,000,000.
On page 4, line 3, increase the amount by $1,454,000,000.
On page 4, line 4, increase the amount by $1,152,000,000.
On page 4, line 6, increase the amount by $1,264,000,000.
On page 4, line 13, increase the amount by $4,049,000,000.
On page 5, line 4, increase the amount by $1,972,000,000.
On page 5, line 6, increase the amount by $1,535,000,000.
On page 5, line 8, increase the amount by $365,000,000.
On page 5, line 10, increase the amount by $177,000,000.
On page 5, line 19, decrease the amount by $283,000,000.
On page 5, line 21, increase the amount by $119,000,000.
On page 5, line 23, increase the amount by $1,089,000,000.
On page 5, line 25, increase the amount by $975,000,000.
On page 6, line 2, increase the amount by $1,264,000,000.
On page 6, line 8, increase the amount by $283,000,000.
On page 6, line 10, increase the amount by $164,000,000.
On page 6, line 12, decrease the amount by $925,000,000.
On page 6, line 14, decrease the amount by $1,900,000,000.
On page 6, line 16, decrease the amount by $3,164,000,000.
On page 6, line 22, increase the amount by $283,000,000.
On page 6, line 24, increase the amount by $164,000,000.
On page 7, line 2, decrease the amount by $925,000,000.
On page 7, line 4, decrease the amount by $1,900,000,000.
On page 7, line 6, decrease the amount by $3,164,000,000.
On page 12, line 21, increase the amount by $3,549,000,000.
On page 12, line 22, increase the amount by $1,597,000,000.
On page 13, line 1, increase the amount by $1,420,000,000.
On page 13, line 5, increase the amount by $355,000,000.
On page 13, line 9, increase the amount by $177,000,000.
On page 21, line 24, increase the amount by $500,000,000.
On page 21, line 25, increase the amount by $375,000,000.
On page 22, line 4, increase the amount by $115,000,000.
On page 22, line 8, increase the amount by $10,000,000.
On page 53, line 1, increase the amount by $4,049,000,000.
On page 53, line 2, increase the amount by $1,972,000,000.

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**SA 3040.** Ms. SNOWE (for herself, Mr. TALENT, and Mrs. LINCOLN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. ___. SENSE OF THE SENATE REGARDING THE PERMANENT EXTENSION OF EGTRRA AND JGTRRA PROVISIONS RELATING TO CHILD TAX CREDIT.**

It is the sense of the Senate that—

(1) the aggregate reduced levels of Federal revenues under section 101(1)(B) assume the extension of the amendments to the child tax credit under section 24 of the Internal Revenue Code of 1986 made by the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003 through September 30, 2011, and

(2) such amendments to the child tax credit should be made permanent.

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**SA 3041.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 24, line 24, increase the amount by ''$250,000''.
On page 24, line 25, increase the amount by ''$250,000''.
On page 27, line 23, decrease the amount by ''$250,000''.
On page 27, line 24, decrease the amount by ''$250,000''.

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**SA 3042.** Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $1,194,000,000.
On page 3, line 15, increase the amount by $2,835,000,000.
On page 3, line 17, increase the amount by $4,362,000,000.
On page 3, line 19, increase the amount by $5,384,000,000.
On page 3, line 21, increase the amount by $5,400,000,000.
On page 4, line 1, increase the amount by $1,194,000,000.
On page 4, line 2, increase the amount by $2,835,000,000.
On page 4, line 3, increase the amount by $4,362,000,000.
On page 4, line 4, increase the amount by $5,384,000,000.
On page 4, line 6, increase the amount by $5,400,000,000.
On page 4, line 13, increase the amount by $5,775,000,000.
On page 4, line 15, increase the amount by $5,400,000,000.
On page 4, line 17, increase the amount by $5,400,000,000.
On page 4, line 19, increase the amount by $5,400,000,000.
On page 4, line 21, increase the amount by $5,400,000,000.
On page 5, line 4, increase the amount by $1,194,000,000.
On page 5, line 6, increase the amount by $2,835,000,000.
On page 5, line 8, increase the amount by $4,362,000,000.
On page 5, line 10, increase the amount by $5,384,000,000.

On page 5, line 12, increase the amount by $5,400,000,000.
On page 16, line 21, increase the amount by $240,000,000.
On page 16, line 22, increase the amount by $192,000,000.
On page 16, line 25, increase the amount by $240,000,000.
On page 17, line 1, increase the amount by $216,000,000.
On page 17, line 4, increase the amount by $240,000,000.
On page 17, line 5, increase the amount by $240,000,000.
On page 17, line 8, increase the amount by $240,000,000.
On page 17, line 9, increase the amount by $240,000,000.
On page 17, line 12, increase the amount by $240,000,000.
On page 17, line 13, increase the amount by $240,000,000.
On page 17, line 22, increase the amount by $4,870,000,000.
On page 17, line 23, increase the amount by $676,000,000.
On page 18, line 2, increase the amount by $4,800,000,000.
On page 18, line 3, increase the amount by $2,349,000,000.
On page 18, line 6, increase the amount by $4,800,000,000.
On page 18, line 7, increase the amount by $3,795,000,000.
On page 18, line 10, increase the amount by $4,800,000,000.
On page 18, line 11, increase the amount by $4,800,000,000.
On page 18, line 14, increase the amount by $4,800,000,000.
On page 18, line 15, increase the amount by $4,800,000,000.
On page 24, line 24, increase the amount by $665,000,000.
On page 24, line 25, increase the amount by $326,000,000.
On page 25, line 3, increase the amount by $360,000,000.
On page 25, line 4, increase the amount by $270,000,000.
On page 25, line 7, increase the amount by $360,000,000.
On page 25, line 8, increase the amount by $327,000,000.
On page 25, line 11, increase the amount by $360,000,000.
On page 25, line 12, increase the amount by $344,000,000.
On page 25, line 15, increase the amount by $360,000,000.
On page 25, line 16, increase the amount by $360,000,000.
On page 53, line 1, increase the amount by $5,775,000,000.
On page 53, line 2, increase the amount by $1,194,000,000.
On page 53, line 4, increase the amount by $5,400,000,000.
On page 53, line 7, increase the amount by $5,400,000,000.

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**SA 3043.** Mr. LEVIN (for himself, Mr. JEFFORDS, Mr. LEAHY, Mr. LIEBERMAN, Mr. SARBANES, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ____. SENSE OF THE SENATE TO MAKE MORE EFFICIENT AND EQUITABLE, FISCALLY RESPONSIBLE APPROPRIATIONS AND REVENUE DECISIONS.**

(a) FINDINGS.—The Senate finds the following:

(1) Federal programs and policies directly influence local growth patterns through the location of Federal facilities, spending on public infrastructure, tax incentives, and Federal regulations.

(2) A majority of Americans favor walkable neighborhoods, shorter commutes, and natural resource conservation, which are land development patterns favored by smart growth.

(3) Federal programs and policies should support local development choices that improve communities through the revitalization of town centers, transit- and pedestrian-oriented development, increased access to retail and public services, preservation of natural resources and parklands, and a greater mix of housing, commercial, and retail uses.

(4) Federal incentives should encourage enhanced community quality of life, fiscally sound reinvestment in existing infrastructure, a balanced transportation system, and safe, decent, affordable places for people to live.

(5) Investing in existing infrastructure is a fiscally responsible use of resources. When not properly planned, local development decisions may actually burden the Federal budget by requiring the construction of new water, sewer, and transportation infrastructure in low-density areas, rather than funding the maintenance of existing infrastructure. Poorly planned development also often results in increased commuting times, traffic congestion, impaired air quality, loss of open space and environmentally sensitive areas, public health problems, lack of affordable housing, and poor accessibility to critical services such as schools and hospitals.

(6) Improving and investing in communities through good planning and sustainable community development has positive effects, reflected, for example, in fiscal cost savings, lower energy consumption, and healthier environments. In addition, businesses are increasingly locating to areas that offer parks and preserve natural resources, provide walkable mixed-use communities, and include a variety of housing options.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that in making appropriations and revenue decisions, the Senate should—

(1) support Federal policies that encourage growth patterns that make efficient and equitable use of available housing, transportation, and infrastructure resources, including such policies as brownfields redevelopment programs, farmland protection programs, the retention of the Community Development Block Grant Program (CDBG), and Federal facility decisions, such as those made by the General Services Administration that consider the benefits of utilizing existing infrastructure; and

(2) address the unintended consequences of urban and suburban sprawl resulting from specific Federal programs and policies through the allocation of budgetary authority to provide incentives for sustainable growth.

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**SA 3044.** Mr. AKAKA (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $70,000,000.
On page 3, line 15, increase the amount by $80,000,000.
On page 3, line 17, increase the amount by $70,000,000.
On page 3, line 19, increase the amount by $50,000,000.
On page 3, line 21, increase the amount by $40,000,000.
On page 4, line 1, increase the amount by $70,000,000.
On page 4, line 2, increase the amount by $80,000,000.
On page 4, line 3, increase the amount by $70,000,000.
On page 4, line 4, increase the amount by $50,000,000.
On page 4, line 6, increase the amount by $40,000,000.
On page 4, line 13, increase the amount by $70,000,000.
On page 4, line 15, increase the amount by $80,000,000.
On page 4, line 17, increase the amount by $70,000,000.
On page 4, line 19, increase the amount by $50,000,000.
On page 4, line 21, increase the amount by $40,000,000.
On page 5, line 4, increase the amount by $70,000,000.
On page 5, line 6, increase the amount by $80,000,000.
On page 5, line 8, increase the amount by $70,000,000.
On page 5, line 10, increase the amount by $50,000,000.
On page 5, line 12, increase the amount by $40,000,000.
On page 23, line 24, increase the amount by $70,000,000.
On page 23, line 25, increase the amount by $70,000,000.
On page 24, line 3, increase the amount by $80,000,000.
On page 24, line 4, increase the amount by $80,000,000.
On page 24, line 7, increase the amount by $70,000,000.
On page 24, line 8, increase the amount by $70,000,000.
On page 24, line 11, increase the amount by $50,000,000.
On page 24, line 12, increase the amount by $50,000,000.
On page 24, line 15, increase the amount by $40,000,000.
On page 24, line 16, increase the amount by $40,000,000.

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**SA 3045.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 13, line 21, increase the amount by $8,000,000.
On page 13, line 22, increase the amount by $2,000,000.
On page 14, line 1, increase the amount by $2,000,000.
On page 14, line 5, increase the amount by $2,000,000.
On page 14, line 9, increase the amount by $1,000,000.
On page 14, line 13, increase the amount by $1,000,000.

On page 27, line 23, decrease the amount by $8,000,000.
On page 27, line 24, decrease the amount by $2,000,000.
On page 28, line 2, decrease the amount by $2,000,000.
On page 28, line 5, decrease the amount by $2,000,000.
On page 28, line 8, decrease the amount by $1,000,000.
On page 28, line 11, decrease the amount by $1,000,000.

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**SA 3046.** Mr. BIDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $138,000,000.
On page 3, line 15, increase the amount by $460,000,000.
On page 3, line 17, increase the amount by $748,000,000.
On page 3, line 19, increase the amount by $978,000,000.
On page 3, line 21, increase the amount by $1,150,000,000.
On page 4, line 1, increase the amount by $138,000,000.
On page 4, line 2, increase the amount by $460,000,000.
On page 4, line 3, increase the amount by $748,000,000.
On page 4, line 4, increase the amount by $978,000,000.
On page 4, line 6, increase the amount by $1,150,000,000.
On page 4, line 13, increase the amount by $1,150,000,000.
On page 4, line 15, increase the amount by $1,150,000,000.
On page 4, line 17, increase the amount by $1,150,000,000.
On page 4, line 19, increase the amount by $1,150,000,000.
On page 4, line 21, increase the amount by $1,150,000,000.
On page 5, line 4, increase the amount by $138,000,000.
On page 5, line 6, increase the amount by $460,000,000.
On page 5, line 8, increase the amount by $748,000,000.
On page 5, line 10, increase the amount by $978,000,000.
On page 5, line 12, increase the amount by $1,150,000,000.
On page 24, line 24, increase the amount by $1,150,000,000.
On page 24, line 25, increase the amount by $138,000,000.
On page 25, line 3, increase the amount by $1,150,000,000.
On page 25, line 4, increase the amount by $460,000,000.
On page 25, line 7, increase the amount by $1,150,000,000.
On page 25, line 8, increase the amount by $748,000,000.
On page 25, line 11, increase the amount by $1,150,000,000.
On page 25, line 12, increase the amount by $978,000,000.
On page 25, line 15, increase the amount by $1,150,000,000.
On page 25, line 16, increase the amount by $1,150,000,000.
On page 53, line 1, increase the amount by $1,150,000,000.
On page 53, line 2, increase the amount by $138,000,000.
On page 53, line 4, increase the amount by $1,150,000,000.
On page 53, line 7, increase the amount by $1,150,000,000.

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**SA 3047.** Mrs. LINCOLN (for herself, Mr. DURBIN, and Mrs. CLINTON) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $4,500,000,000.
On page 3, line 15, increase the amount by $3,300,000,000.
On page 4, line 1, increase the amount by $4,500,000,000.
On page 4, line 2, increase the amount by $3,300,000,000.
On page 4, line 13, increase the amount by $4,500,000,000.
On page 4, line 15, increase the amount by $3,300,000,000.
On page 5, line 4, increase the amount by $4,500,000,000.
On page 5, line 6, increase the amount by $3,300,000,000.
On page 19, line 24, increase the amount by $4,500,000,000.
On page 19, line 25, increase the amount by $4,500,000,000.
On page 20, line 3, increase the amount by $3,300,000,000.
On page 20, line 4, increase the amount by $3,300,000,000.

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**SA 3048.** Mr. SPECTER (for himself, Mr. HARKIN, Mr. SMITH, Mr. KENNEDY, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. LINCOLN, Mr. LIEBERMAN, Mr. KERRY, Mrs. CLINTON, Mr. BINGAMAN, Mr. AKAKA, Mr. OBAMA, Ms. CANTWELL, Mr. KOHL, Mr. DODD, Ms. MIKULSKI, Mr. DAYTON, Mr. DURBIN, Ms. COLLINS, Ms. LANDRIEU, and Mr. LEVIN) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 44, line 13, strike ''$23,158,000,000'' and insert ''$30,158,000,000''.

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**SA 3049.** Ms. COLLINS submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 18, line 24, increase the amount by $1,800,000,000.
On page 18, line 25, increase the amount by $432,000,000.
On page 19, line 4, increase the amount by $1,332,000,000.
On page 19, line 8, increase the amount by $36,000,000.
On page 27, line 23, decrease the amount by $1,800,000,000.
On page 27, line 24, increase the amount by $432,000,000.
On page 28, line 2, decrease the amount by $1,332,000,000.
On page 28, line 5, decrease the amount by $36,000,000.

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**SA 3050.** Mr. SANTORUM (for himself, Mr. COLEMAN, Ms. COLLINS, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 17, line 22, increase the amount by $1,300,000,000.
On page 17, line 23, increase the amount by $1,300,000,000.
On page 18, line 2, increase the amount by $1,300,000,000.
On page 18, line 3, increase the amount by $1,300,000,000.
On page 18, line 6, increase the amount by $1,300,000,000.
On page 18, line 7, increase the amount by $1,300,000,000.
On page 18, line 10, increase the amount by $1,300,000,000.
On page 18, line 11, increase the amount by $1,300,000,000.
On page 18, line 14, increase the amount by $1,300,000,000.
On page 18, line 15, increase the amount by $1,300,000,000.
On page 27, line 23, decrease the amount by $1,300,000,000.
On page 27, line 24, increase the amount by $1,300,000,000.
On page 28, line 1, decrease the amount by $1,300,000,000.
On page 28, line 2, decrease the amount by $1,300,000,000.
On page 28, line 4, decrease the amount by $1,300,000,000.
On page 28, line 5, decrease the amount by $1,300,000,000.
On page 28, line 7, decrease the amount by $1,300,000,000.
On page 28, line 8, decrease the amount by $1,300,000,000.
On page 28, line 10, decrease the amount by $1,300,000,000.
On page 28, line 11, decrease the amount by $1,300,000,000.

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**SA 3051.** Mr. CORNYN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 13, decrease the amount by $1,000,000,000.
On page 4, line 15, decrease the amount by $1,000,000,000.
On page 4, line 17, decrease the amount by $1,000,000,000.
On page 4, line 19, decrease the amount by $1,000,000,000.
On page 4, line 21, decrease the amount by $1,000,000,000.
On page 5, line 4, decrease the amount by $1,000,000,000.
On page 5, line 6, decrease the amount by $1,000,000,000.
On page 5, line 8, decrease the amount by $1,000,000,000.
On page 5, line 10, decrease the amount by $1,000,000,000.
On page 5, line 12, decrease the amount by $1,000,000,000.

On page 5, line 19, decrease the amount by $1,000,000,000.

On page 5, line 21, decrease the amount by $1,000,000,000.

On page 5, line 23, decrease the amount by $1,000,000,000.

On page 5, line 25, decrease the amount by $1,000,000,000.

On page 6, line 2, decrease the amount by $1,000,000,000.

On page 6, line 8, decrease the amount by $1,000,000,000.

On page 6, line 10, decrease the amount by $2,000,000,000.

On page 6, line 12, decrease the amount by $3,000,000,000.

On page 6, line 14, decrease the amount by $4,000,000,000.

On page 6, line 16, decrease the amount by $5,000,000,000.

On page 6, line 22, decrease the amount by $1,000,000,000.

On page 6, line 24, decrease the amount by $2,000,000,000.

On page 7, line 2, decrease the amount by $3,000,000,000.

On page 7, line 4, decrease the amount by $4,000,000,000.

On page 7, line 6, decrease the amount by $5,000,000,000.

On page 29, strike lines 14 through 19, and insert the following:

(a) SPENDING RECONCILIATION INSTRUCTIONS.—In the Senate, by May 16, 2006, the committees named in this section shall submit their recommendations to the Committee on the Budget of the Senate. After receiving those recommendations, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(b) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce budget authority and outlays by $0 in fiscal year 2006, and $3,000,000,000 for the period of fiscal years 2007 through 2011.

(c) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce outlays by $10,000,000,000 for the period of fiscal years 2007 through 2011.

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**SA 3052.** Mr. SANTORUM (for himself, Mr. DURBIN, Mr. DAYTON, Ms. STABENOW, Mrs. CLINTON, Mrs. BOXER, Mr. SARBANES, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 10, line 20, increase the amount by $566,000,000.

On page 10, line 21, increase the amount by $566,000,000.

On page 27, line 23, decrease the amount by $566,000,000.

On page 27, line 24, decrease the amount by $566,000,000.

At the appropriate place, insert the following:

**SEC. ___. UNITED STATES RESPONSE TO GLOBAL HIV/AIDS, TUBERCULOSIS, AND MALARIA.**

Congress makes the following findings:

(1) The HIV/AIDS pandemic has reached staggering proportions. Over 40,000,000 people are living with HIV/AIDS worldwide, and 5,000,000 more people become infected each year. HIV/AIDS is estimated to kill 3,000,000 men, women, and children each year.

(2) The United States was the first, and remains the largest, contributor to the Global Fund to Fight AIDS, Tuberculosis and Malaria (referred to in this section as the ''Global Fund'').

(3) The Presidential Administration of George W. Bush (referred to in this section as the ''Administration'') has supported legislative language that links United States contributions to the Global Fund to the contributions of other donors, permitting the United States to provide 33 percent of all donations, which would match contributions on a 1-to-2 basis.

(4) As of the date of the approval of this Resolution, Congress has provided ⅓ of all donations to the Global Fund since its inception.

(5) The Global Fund currently estimates that during fiscal year 2007, it will renew $1,600,000,000 worth of effective programs that are already operating on the ground, and the Administration and Global Fund Board have said that renewals of existing grants should receive priority funding.

(6) The Global Fund estimates that during fiscal year 2007, it could award $1,000,000,000 in funding to proposals submitted for Round 6.

(7) For fiscal year 2007, the President has requested $300,000,000 for the United States contribution to the Global Fund.

(8) The Global Fund is an important component of the United States efforts to combat AIDS, tuberculosis, and malaria, and supports approximately 350 projects in 130 countries.

(9) Through a mid-year review process, Congress and the Administration will assess contributions to date and anticipated contributions to the Global Fund, and ensure that United States contributions, at year end, are at the appropriate 1-to-2 ratio.

(10) Congress and the Administration will monitor contributions to the Global Fund to ensure that United States contributions do not exceed ⅓ of the Global Fund's revenues.

(11) The United States will need to contribute $566,000,000 more than the President's fiscal year 2007 request for the Global Fund to—

(A) fund ⅓ of renewals during fiscal year 2007;

(B) support at least 1 new round of proposals in fiscal year 2007; and

(C) maintain the 1-to-2 funding ratio.

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**SA 3053.** Mrs. LINCOLN (for herself, Mr. TALENT, and Mr. BAYH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 24, line 24, increase the amount by $23,000,000.

On page 24, line 25, increase the amount by $3,000,000.

On page 25, line 3, increase the amount by $23,000,000.

On page 25, line 4, increase the amount by $9,000,000.

On page 25, line 7, increase the amount by $23,000,000.

On page 25, line 8, increase the amount by $15,000,000.

On page 25, line 11, increase the amount by $23,000,000.

On page 25, line 12, increase the amount by $20,000,000.

On page 25, line 15, increase the amount by $23,000,000.

On page 25, line 16, increase the amount by $23,000,000.

On page 27, line 23, decrease the amount by $23,000,000.

On page 27, line 24, decrease the amount by $3,000,000.

On page 28, line 1, decrease the amount by $23,000,000.

On page 28, line 2, decrease the amount by $9,000,000.

On page 28, line 4, decrease the amount by $23,000,000.

On page 28, line 5, decrease the amount by $15,000,000.

On page 28, line 7, decrease the amount by $23,000,000.

On page 28, line 8, decrease the amount by $20,000,000.

On page 28, line 10, decrease the amount by $23,000,000.

On page 28, line 11, decrease the amount by $23,000,000.

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**SA 3054.** Mr. MENENDEZ (for himself, Mrs. CLINTON, Mr. DURBIN, Mr. LAUTENBERG, Mrs. BOXER, Mr. NELSON of Florida, Mr. LIEBERMAN, Mr. INOUYE, Mr. REED, Mr. SCHUMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 3, line 13, increase the amount by $704,000,000.

On page 3, line 15, increase the amount by $517,000,000.

On page 3, line 17, increase the amount by $445,000,000.

On page 3, line 19, increase the amount by $264,000,000.

On page 4, line 1, increase the amount by $704,000,000.

On page 4, line 2, increase the amount by $517,000,000.

On page 4, line 3, increase the amount by $445,000,000.

On page 4, line 4, increase the amount by $264,000,000.

On page 4, line 13, increase the amount by $965,000,000.

On page 5, line 4, increase the amount by $352,000,000.

On page 5, line 6, increase the amount by $259,000,000.

On page 5, line 8, increase the amount by $223,000,000.

On page 5, line 10, increase the amount by $132,000,000.

On page 5, line 19, increase the amount by $352,000,000.

On page 5, line 21, increase the amount by $258,000,000.

On page 5, line 23, increase the amount by $222,000,000.

On page 5, line 25, increase the amount by $132,000,000.

On page 6, line 8, decrease the amount by $352,000,000.

On page 6, line 10, decrease the amount by $610,000,000.

On page 6, line 12, decrease the amount by $832,000,000.

On page 6, line 14, decrease the amount by $964,000,000.

On page 6, line 16, decrease the amount by $964,000,000.

On page 6, line 22, decrease the amount by $352,000,000.

On page 6, line 24, decrease the amount by $610,000,000.

On page 7, line 2, decrease the amount by $832,000,000.
On page 7, line 4, decrease the amount by $964,000,000.
On page 7, line 6, decrease the amount by $964,000,000.
On page 17, line 22, increase the amount by $600,000,000.
On page 17, line 23, increase the amount by $60,000,000.
On page 18, line 3, increase the amount by $222,000,000.
On page 18, line 7, increase the amount by $186,000,000.
On page 18, line 11, increase the amount by $132,000,000.
On page 24, line 24, increase the amount by $365,000,000.
On page 24, line 25, increase the amount by $292,000,000.
On page 25, line 4, increase the amount by $37,000,000.
On page 25, line 8, increase the amount by $37,000,000.
On page 53, line 1, increase the amount by $965,000,000.
On page 53, line 2, increase the amount by $352,000,000.

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**SA 3055.** Ms. STABENOW (for herself, Ms. SNOWE, Mr. LIEBERMAN, Mr. KOHL, Mr. DEWINE, Mr. GRAHAM, and Mrs. CLINTON) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 15, line 21, increase the number by $60,000,000.
On page 15, line 22, increase the number by $10,000,000.
On page 16, line 1, increase the number by $29,000,000.
On page 16, line 5, increase the number by $14,000,000.
On page 16, line 9, increase the number by $6,000,000.
On page 16, line 13, increase the number by $1,000,000.
On page 27, line 23, decrease the number by $60,000,000.
On page 27, line 24, decrease the number by $10,000,000.
On page 28, line 2, decrease the number by $29,000,000.
On page 28, line 5, decrease the number by $14,000,000.
On page 28, line 8, decrease the number by $6,000,000.
On page 28, line 11, decrease the number by $1,000,000.

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**SA 3056.** Ms. STABENOW proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 3, line 13, increase the amount by $1,000,000,000.
On page 3, line 15, increase the amount by $3,700,000,000.
On page 3, line 17, increase the amount by $3,100,000,000.
On page 3, line 19, increase the amount by $2,200,000,000.
On page 4, line 1, increase the amount by $1,000,000,000.
On page 4, line 2, increase the amount by $3,700,000,000.
On page 4, line 3, increase the amount by $3,100,000,000.
On page 4, line 4, increase the amount by $2,200,000,000.
On page 4, line 13, increase the amount by $5,000,000,000.
On page 5, line 4, increase the amount by $500,000,000.
On page 5, line 6, increase the amount by $1,850,000,000.
On page 5, line 8, increase the amount by $1,550,000,000.
On page 5, line 10, increase the amount by $1,100,000,000.
On page 5, line 19, increase the amount by $500,000,000.
On page 5, line 21, increase the amount by $1,850,000,000.
On page 5, line 23, increase the amount by $1,550,000,000.
On page 5, line 25, increase the amount by $1,100,000,000.
On page 6, line 8, decrease the amount by $500,000,000.
On page 6, line 10, decrease the amount by $2,350,000,000.
On page 6, line 12, decrease the amount by $3,900,000,000.
On page 6, line 14, decrease the amount by $5,000,000,000.
On page 6, line 16, decrease the amount by $5,000,000,000.
On page 6, line 22, decrease the amount by $500,000,000.
On page 6, line 24, decrease the amount by $2,350,000,000.
On page 7, line 2, decrease the amount by $3,900,000,000.
On page 7, line 4, decrease the amount by $5,000,000,000.
On page 7, line 6, decrease the amount by $5,000,000,000.
On page 17, line 22, increase the amount by $5,000,000,000.
On page 17, line 23, increase the amount by $500,000,000.
On page 18, line 3, increase the amount by $1,850,000,000.
On page 18, line 7, increase the amount by $1,550,000,000.
On page 18, line 11, increase the amount by $1,100,000,000.
On page 53, line 1, increase the amount by $5,000,000,000.
On page 53, line 2, increase the amount by $500,000,000.

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**SA 3057.** Mr. KOHL (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 24, line 24, increase the amount by $380,000,000.
On page 24, line 25, increase the amount by $46,000,000.
On page 25, line 4, increase the amount by $106,000,000.
On page 25, line 8, increase the amount by $95,000,000.
On page 25, line 12, increase the amount by $76,000,000.
On page 25, line 16, increase the amount by $57,000,000.
On page 27, line 23, decrease the amount by $380,000,000.
On page 27, line 24, decrease the amount by $46,000,000.
On page 28, line 2, decrease the amount by $106,000,000.
On page 28, line 5, decrease the amount by $95,000,000.
On page 28, line 8, decrease the amount by $76,000,000.
On page 28, line 11, decrease the amount by $57,000,000.

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**SA 3058.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $880,000,000.
On page 3, line 15, increase the amount by $1,800,000,000.
On page 3, line 17, increase the amount by $800,000,000.
On page 3, line 19, increase the amount by $240,000,000.
On page 3, line 21, increase the amount by $80,000,000.
On page 4, line 1, increase the amount by $880,000,000.
On page 4, line 2, increase the amount by $1,800,000,000.
On page 4, line 3, increase the amount by $800,000,000.
On page 4, line 4, increase the amount by $240,000,000.
On page 4, line 6, increase the amount by $80,000,000.
On page 4, line 13, increase the amount by $4,000,000,000.
On page 5, line 4, increase the amount by $880,000,000.
On page 5, line 6, increase the amount by $1,800,000,000.
On page 5, line 8, increase the amount by $800,000,000.
On page 5, line 10, increase the amount by $240,000,000.
On page 5, line 12, increase the amount by $80,000,000.
On page 11, line 21, increase the amount by $4,000,000,000.
On page 11, line 22, increase the amount by $880,000,000.
On page 12, line 1, increase the amount by $1,800,000,000.
On page 12, line 5, increase the amount by $800,000,000.
On page 12, line 9, increase the amount by $240,000,000.
On page 12, line 13, increase the amount by $80,000,000.
On page 53, line 1, increase the amount by $4,000,000,000.
On page 53, line 2, increase the amount by $880,000,000.

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**SA 3059.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the end of section 309, insert the following:

(d) FINANCE.—If—

(1) the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) improves America's trade competitiveness or enforcement; or

(B) fosters health care information technology or pay-for-performance; and

(2) that committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974; the chairman of the Committee on the Budget may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2007 and for the period of fiscal years 2007 through 2011.

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**SA 3060.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. .—SENSE OF THE SENATE ON AMERICA'S ECONOMIC COMPETITIVENESS.**

(a) FINDINGS.—The Senate finds that—

(1) America faces serious education challenges, including—

(A) inadequate access to essential quality early education;

(B) poor science, mathematics, and reading scores in elementary and high school;

(C) decreased access to higher education; and

(D) a critical shortage of qualified science and engineering graduates;

(2) America faces rapidly mounting health care costs and deteriorating access for Americans in need of medical care, hurting American companies' competitiveness and endangering our citizens' health and wellness;

(3) America has become too dependent on foreign sources of increasingly expensive non-renewable energy, hurting our companies' economic competitiveness, threatening our environment, and exacerbating our trade deficit;

(4) America faces a private and public savings crisis not seen since the Great Depression, resulting in fewer funds for productive investment, record indebtedness, and domestic and international economic imbalances;

(5) America has neglected innovation by failing to dedicate adequate resources to basic research, threatening present and future creative industries;

(6) American companies and workers engaged in international trade too often face discrimination and poor enforcement of trade and investment laws in foreign markets, deteriorating their ability to compete; and

(7) America's system of international taxation places American companies at a strategic disadvantage relative to foreign companies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budget should include funding for—

(1) EDUCATION.—An education initiative to support programs—

(A) to prepare and adequately remunerate future teachers of early education, mathematics, sciences, and foreign languages;

(B) to provide matching funds to states for universal voluntary early education;

(C) to provide enrichment, mentoring, and science and technology programs for middle schools;

(D) to provide high school students science and engineering summer programs;

(E) to make saving for college easier;

(F) to restore the GEAR UP program for college-bound low-income students;

(G) to provide 600 science and engineering scholarships;

(H) to restore our commitment to Indian education through the Johnson O'Malley grants and tribal colleges and universities; and

(I) to increase the deduction for employer-provided education programs;

(2) HEALTH CARE.—

(A) innovative initiatives to reduce the rate of growth in health care costs and improve the quality of care in both the private and public sectors, without undermining access to care, such as paying for performance, promoting health information technology, and investing in comparative clinical effectiveness;

(B) a serious, collective debate about how to ensure that every American has health care coverage;

(C) initiatives to strengthen and preserve our nation's health care safety net programs for future generations of the most vulnerable among us; and

(D) initiatives that will promote a healthy workforce for a stronger America;

(3) ENERGY.—

(A) extending tax incentives for renewable energy; and

(B) a program to create an independent agency for advanced energy research;

(4) SAVING.—making the Saver's Credit permanent;

(5) RESEARCH.—

(A) making permanent the research and development tax credit;

(B) a program for public-private consortia for basic research; and

(C) fully funding the National Science Foundation as foreseen in the National Science Foundation Act of 2002;

(6) TRADE.—

(A) a Chief Trade Enforcement Officer in the Office of the United States Trade Representative; and

(B) additional resources for trade enforcement; and

(7) TAX.—An initiative to reform international tax rules that are too arcane and complex so that American multinational businesses may be more competitive globally.

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**SA 3061.** Mr. MCCONNELL (for himself, Mrs. HUTCHISON, and Mr. FRIST) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 16, line 21, increase the amount by $978,000,000.

On page 16, line 22, increase the amount by $782,400,000.

On page 17, line 1, increase the amount by $195,600,000.

On page 27, line 23, decrease the amount by $978,000,000.

On page 27, line 24, decrease the amount by $782,400,000.

On page 28, line 2, decrease the amount by $195,600,000.

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**SA 3062.** Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. KENNEDY, and Mr. DURBIN) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 3, line 13, increase the amount by $32,000,000.

On page 3, line 15, increase the amount by $35,000,000.

On page 3, line 17, increase the amount by $36,000,000.

On page 3, line 19, increase the amount by $36,000,000.

On page 3, line 21, increase the amount by $37,000,000.

On page 4, line 1, increase the amount by $32,000,000.

On page 4, line 2, increase the amount by $35,000,000.

On page 4, line 3, increase the amount by $36,000,000.

On page 4, line 4, increase the amount by $36,000,000.

On page 4, line 6, increase the amount by $37,000,000.

On page 4, line 13, increase the amount by $36,000,000.

On page 4, line 15, increase the amount by $36,000,000.

On page 4, line 17, increase the amount by $37,000,000.

On page 4, line 19, increase the amount by $37,000,000.

On page 4, line 21, increase the amount by $38,000,000.

On page 5, line 4, increase the amount by $32,000,000.

On page 5, line 6, increase the amount by $35,000,000.

On page 5, line 8, increase the amount by $36,000,000.

On page 5, line 10, increase the amount by $36,000,000.

On page 5, line 12, increase the amount by $37,000,000.

On page 19, line 24, increase the amount by $36,000,000.

On page 19, line 25, increase the amount by $32,000,000.

On page 20, line 3, increase the amount by $36,000,000.

On page 20, line 4, increase the amount by $35,000,000.

On page 20, line 7, increase the amount by $37,000,000.

On page 20, line 8, increase the amount by $36,000,000.

On page 20, line 11, increase the amount by $37,000,000.

On page 20, line 12, increase the amount by $36,000,000.

On page 20, line 15, increase the amount by $38,000,000.

On page 20, line 16, increase the amount by $37,000,000.

On page 53, line 1, increase the amount by $36,000,000.

On page 53, line 2, increase the amount by $32,000,000.

On page 53, line 4, increase the amount by $36,000,000.

On page 53, line 7, increase the amount by $37,000,000.

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**SA 3063.** Mrs. MURRAY (for herself, Mr. SARBANES, Mr. LEAHY, Mr. REED, Mr. KENNEDY, Mr. LAUTENBERG, Ms. STABENOW, Mr. SCHUMER, Ms. MIKULSKI, Mr. DURBIN, Mr. ROCKEFELLER, and Mr. AKAKA) proposed an amendment to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; as follows:

On page 3, line 13, increase the amount by $26,000,000.

On page 3, line 15, increase the amount by $416,000,000.

On page 3, line 17, increase the amount by $546,000,000.

On page 3, line 19, increase the amount by $182,000,000.
On page 3, line 21, increase the amount by $65,000,000.
On page 4, line 1, increase the amount by $26,000,000.
On page 4, line 2, increase the amount by $416,000,000.
On page 4, line 3, increase the amount by $546,000,000.
On page 4, line 4, increase the amount by $182,000,000.
On page 4, line 6, increase the amount by $65,000,000.
On page 4, line 13, increase the amount by $1,300,000,000.
On page 5, line 4, increase the amount by $26,000,000.
On page 5, line 6, increase the amount by $416,000,000.
On page 5, line 8, increase the amount by $546,000,000.
On page 5, line 10, increase the amount by $182,000,000.
On page 5, line 12, increase the amount by $65,000,000.
On page 17, line 22, increase the amount by $1,300,000,000.
On page 17, line 23, increase the amount by $26,000,000.
On page 18, line 3, increase the amount by $416,000,000.
On page 18, line 7, increase the amount by $546,000,000.
On page 18, line 11, increase the amount by $182,000,000.
On page 18, line 15, increase the amount by $65,000,000.
On page 53, line 1, increase the amount by $1,300,000,000.
On page 53, line 2, increase the amount by $26,000,000.

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**SA 3064.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $10,000,000.
On page 3, line 15, increase the amount by $345,000,000.
On page 3, line 17, increase the amount by $60,000,000.
On page 3, line 19, increase the amount by $10,000,000.
On page 4, line 1, increase the amount by $10,000,000.
On page 4, line 2, increase the amount by $345,000,000.
On page 4, line 3, increase the amount by $60,000,000.
On page 4, line 4, increase the amount by $10,000,000.
On page 4, line 13, increase the amount by $225,000,000.
On page 5, line 4, increase the amount by $7,000,000.
On page 5, line 6, increase the amount by $182,000,000.
On page 5, line 8, increase the amount by $31,000,000.
On page 5, line 10, increase the amount by $5,000,000.
On page 5, line 19, increase the amount by $3,000,000.
On page 5, line 21, increase the amount by $163,000,000.
On page 5, line 23, increase the amount by $29,000,000.
On page 5, line 25, increase the amount by $5,000,000.
On page 6, line 8, decrease the amount by $3,000,000.
On page 6, line 10, decrease the amount by $166,000,000.
On page 6, line 12, decrease the amount by $195,000,000.
On page 6, line 14, decrease the amount by $200,000,000.
On page 6, line 16, decrease the amount by $200,000,000.
On page 6, line 22, decrease the amount by $3,000,000.
On page 6, line 24, decrease the amount by $166,000,000.
On page 7, line 2, decrease the amount by $195,000,000.
On page 7, line 4, decrease the amount by $200,000,000.
On page 7, line 6, decrease the amount by $200,000,000.
On page 18, line 24, increase the amount by $225,000,000.
On page 18, line 25, increase the amount by $7,000,000.
On page 19, line 4, increase the amount by $182,000,000.
On page 19, line 8, increase the amount by $31,000,000.
On page 19, line 12, increase the amount by $5,000,000.
On page 53, line 1, increase the amount by $225,000,000.
On page 53, line 2, increase the amount by $7,000,000.

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**SA 3065.** Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE V—SENSE OF THE SENATE**

**SEC. 501. SENSE OF THE SENATE ON THE SAFETY OF IMPORTED PRESCRIPTION DRUGS.**

It is the sense of the Senate that Congress should consider legislative changes to encourage the development of safer, more secure prescription drug packaging that would ensure the safety of imported prescription drugs and alleviate concerns, such as tampering, that relate to the importation of lower-priced prescription drugs, including—

(1) limiting tax deductions related to the costs of prescription drug direct-to-consumer advertising to ½ of a pharmaceutical company's budget for the previous year for research and development expenses; and

(2) creating a new tax incentive, with the same revenue estimate of the limitation described in paragraph (1), that would encourage pharmaceutical companies to devote more resources to developing and deploying improved prescription drug packaging and other safety technologies.

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**SA 3066.** Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 16, line 21, increase the amount by $4,000,000.
On page 16, line 22, increase the amount by $3,000,000.
On page 17, line 1, increase the amount by $1,000,000.
On page 17, line 22, increase the amount by $488,000,000.
On page 17, line 23, increase the amount by $164,000,000.
On page 18, line 3, increase the amount by $227,000,000.
On page 18, line 7, increase the amount by $75,000,000.
On page 18, line 11, increase the amount by $22,000,000.
On page 24, line 24, increase the amount by $494,000,000.
On page 24, line 25, increase the amount by $171,000,000.
On page 25, line 4, increase the amount by $158,000,000.
On page 25, line 8, increase the amount by $146,000,000.
On page 25, line 12, increase the amount by $19,000,000.
On page 27, line 23, decrease the amount by $986,000,000.
On page 27, line 24, decrease the amount by $338,000,000.
On page 28, line 2, decrease the amount by $386,000,000.
On page 28, line 5, decrease the amount by $221,000,000.
On page 28, line 8, decrease the amount by $41,000,000.

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**SA 3067.** Mrs. FEINSTEIN (for herself and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $111,000,000.
On page 3, line 15, increase the amount by $199,000,000.
On page 3, line 17, increase the amount by $55,000,000.
On page 3, line 19, increase the amount by $12,000,000.
On page 3, line 21, increase the amount by $3,000,000.
On page 4, line 1, increase the amount by $111,000,000.
On page 4, line 2, increase the amount by $199,000,000.
On page 4, line 3, increase the amount by $55,000,000.
On page 4, line 4, increase the amount by $12,000,000.
On page 4, line 6, increase the amount by $3,000,000.
On page 4, line 13, increase the amount by $390,000,000.
On page 5, line 4, increase the amount by $111,000,000.
On age 5, line 6, increase the amount by $199,000,000.
On page 5, line 8, increase the amount by $55,000,000.
On page 5, line 10, increase the amount by $12,000,000.
On age 5, line 12, increase the amount by $3,000,000.
On page 19, line 24, increase the amount by $390,000,000.
On page 19, line 25, increase the amount by $111,000,000.
On page 20, line 4, increase the amount by $199,000,000.
On page 20, line 8, increase the amount by $55,000,000.

On page 20, line 12, increase the amount by $12,000,000.

On page 20, line 16, increase the amount by $3,000,000.

On page 53, line 1, increase the amount by $390,000,000.

On page 53, line 2, increase the amount by $111,000,000.

## NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, March 15, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 1899, the Indian Child Protection and Family Violence Prevention Act Amendments of 2005. Those wishing additional information may contact the Indian Affairs Committee.

SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. 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 Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, March 30, 2006 at 2:30 p.m. in Room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1577, to facilitate the transfer of Spearfish Hydroelectric Plant Number 1 to the city of Spearfish, SD, and for other purposes; S. 1962 and H.R. 4000, bills to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program, and for other purposes; S. 2028, to provide for the reinstatement of a license for a certain Federal Energy Regulatory Commission project; S. 2035, to extend the time required for construction of a hydroelectric project in the State of Idaho, and for other purposes; S. 2054, to direct the Secretary of the Interior to conduct a study of water resources in the State of Vermont; S. 2205, to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, SD, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and for other purposes; and H.R. 3812, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River, and for other purposes.

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 Nate Gentry or Steve Waskiewicz.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. 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 Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, April 5, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the 2005 wildfire season and the Federal land management agencies' preparations for the 2006 wildfire season.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Frank Gladics or Sara Zecher.

## AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Tuesday, March 14, 2006 at 10 a.m. in SR–328A, Russell Senate Office Building. The purpose of this hearing will be to discuss the following nominations: Dr. Gale Buchanan to be Under Secretary of Agriculture for Research, Education and Economics; Mr. Marc Kesselman to be General Counsel of the Department of Agriculture; Mr. Boyd Rutherford to be an Assistant Secretary of Agriculture; and Ms. Linda Strachan to be an Assistant Secretary of Agriculture.

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

COMMITTEE ON ARMED SERVICES

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 14, 2006, at 9:30 a.m., in open session 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 ARMED SERVICES

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 14, 2006, at 1:30 p.m., in open session to receive testimony on the Joint Strike Fighter F136 alternate engine program 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. TALENT. 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 14, 2006, at 10 a.m., to conduct a hearing on the nomination of Mr. James S. Simpson, of New York, to be Federal Transit Administrator of the Department of Transportation; and Mr. Robert M. Couch, of Alabama, to be president of the Government National Mortgage Association.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, March 14, 2006, at 10 a.m. on Wireless Issues and Spectrum Reform.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, March 14, 2006, at 2:30 p.m., on Wall Street Perspective on Telecommunications.

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

COMMITTEE ON FINANCE

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Monday, March 14, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Administrative Challenges Facing the Social Security Administration.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. TALENT. 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 14, 2006, at 2:15 p.m. to hold a business meeting.

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

COMMITTEE ON THE JUDICIARY

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Consolidation in the Oil and Gas Industry: Raising Prices?'' on Tuesday, May 14, 2006 at 10:30 a.m. in Dirksen room 226.

Panel I: Tom Miller, Attorney General for the State of Iowa, Des Moines, IA; David Boies, Chairman, Boies, Schiller and Flexner LLP, Armonk, NY; Joseph M. Alioto, Partner, Alioto Law Firm, San Francisco, CA; Severin Borenstein, E.T. Grether Professor of Business Administration and Public Policy, Haas School of Business, University of California, Berkeley, CA; and Tom Greene, Senior Assistant Attorney General for the State of California, Sacramento, CA.

Panel II: Mr. John Hofmeister, President, Shell Oil Company, Houston, TX; Mr. Ross Pillari, President and Chief Executive Officer, BP America, Inc., Chicago, IL; Mr. James Mulva, Chairman and Chief Executive Officer, ConocoPhillips, Houston, TX; Mr. Rex Tillerson, Chairman and Chief Executive Officer, ExxonMobil Corp., Irving, TX; Mr. David O'Reilly, Chairman and Chief Executive Officer, Chevron Corp., San Ramon, CA; and Mr. Bill Klesse, Chief Executive Officer, Valero Energy Corp., San Antonio, TX.

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

COMMITTEE ON THE JUDICIARY

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Judicial and Executive Nominations on Tuesday, March 14, 2006, at 3 p.m. in Senate Dirksen Building Room 226.

Panel I: Members of Congress, TBA.

Panel II: Michael A. Chagares to be United States Circuit Judge for the Third Circuit; Gary Hampton Miller to be United States District Judge for the Southern District of Texas; Sharee M. Freeman to be Director, Community Relations Service, U.S. Department of Justice; Jeffrey L. Sedgwick to be Director, Bureau of Justice Statistics, U.S. Department of Justice.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. TALENT. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be authorized to meet on Tuesday, March 14, 2006, 9:30 a.m., for a hearing entitled ''GSA Contractors Who Cheat On Their Taxes and What Should Be Done About It.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. TALENT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 14, 2006 at 2:30 p.m. to hold a closed business meeting.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. TALENT. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on Tuesday, March 14 at 2:30 p.m. The purpose of the hearing is to review the President's proposed budget for the National Parks Service for fiscal year 2007.

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

SUBCOMMITTEE ON PERSONNEL

Mr. TALENT. Mr. President, I ask unanimous consent that the Subcommittee on Personnel be authorized to meet during the session of the Senate on March 14, 2006, at 2:30 p.m., in open session to receive testimony on health benefits and programs in review of the defense authorization request for fiscal year 2007.

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

## PRIVILEGES OF THE FLOOR

Mr. TALENT. I ask unanimous consent that Dan Brintzinghoffer of my office be permitted the privilege of the floor during the duration of his service with my office.

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

Mr. CONRAD. Mr. President, I ask unanimous consent that Merlyn Calderon, a legislative fellow with the Small Business Committee, be granted the privilege of the floor for the pendency of the consideration of the budget resolution.

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

Mr. HARKIN. I ask unanimous consent that Matt Duffy of my staff be granted floor privileges.

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

## EXECUTIVE CALENDAR RECOMMITTAL

Mr. VOINOVICH. Mr. President, as in executive session, I ask unanimous consent that Executive Calendar No. 428 be recommitted to the Commerce Committee.

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

## ORDERS FOR WEDNESDAY, MARCH 15, 2006

Mr. VOINOVICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9 a.m., Wednesday, March 15. 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 resume consideration of S. Con. Res. 83, the budget resolution, as under the previous order.

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

## PROGRAM

Mr. VOINOVICH. Mr. President, tomorrow morning we will continue to debate amendments to the budget resolution. In addition to the amendments debated this evening, on Wednesday, we will have an additional series of amendments ready for votes. We will announce the precise timing of the votes in the morning, but it is likely we will have one or two votes starting at 1 p.m.

At 1:40 p.m., the Senate will proceed to the House of Representatives in order to hear an address by the President of Liberia. That address begins at 2 p.m. Therefore, we will recess from 2 to 3 p.m. At 3 p.m., we will likely then begin a lengthy series of votes to dispose of the remaining amendments under the order from earlier this evening.

As a reminder, the majority leader has announced that this week we will need to complete action on the budget, as well as the debt limit. Members can expect full days and late nights.

## ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. VOINOVICH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:59 p.m., adjourned until Wednesday, March 15, 2006, at 9 a.m.

# EXTENSIONS OF REMARKS

## PAYING TRIBUTE TO DOROTHY HUFFEY

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. PORTER. Mr. Speaker, I rise today to recognize Dorothy Huffey as an outstanding citizen of Nevada who has lived a long life filled with dedication and service.

Dorothy Howell Huffey was born in Reno, Nevada to a pioneer Northern Nevada family. She attended kindergarten in Reno until immediately following World War II when her father returned from serving in the South Pacific. Captain Jack Howell continued with his naval career and the family moved all over the world, where Dorothy participated in many exciting and unforgettable worldly experiences. Admiral Howell retired from the Navy in 1954 and the family returned to their Reno home. Dorothy finished high school at Reno High, and graduated from the University of Nevada in 1961. She then took employment in San Francisco. In 1964 she married Paul Huffey, a native Las Vegan she had met in college. Following the marriage, she moved to Las Vegas. She then taught at James Cashman Middle School until the birth of her son, Neil, in 1974.

Over the 42-years of Las Vegas residence, her activities, board memberships and volunteer service has been extensive. She was a member of the Junior Mesquite Club, and was elected President of the Clark County Panhellenic Association in 1965. In 1983, she co-chaired the Inaugural Ball for Governor Richard Bryan. Also, in 1983, she accepted the position as society columnist for the Las Vegas Review-Journal and on the same day she was appointed chairman of the Nevada State Personnel Commission by Gov. Bryan, a position she held for 13 years. At the same time, she also served 13 years as a member of the Nevada Legislative Steering Committee for the University system. In 1999, she co-chaired the Inaugural Balls in Las Vegas and Reno for Governor Guinn. In 1994, Dorothy became Director of Development & Alumni for the University of Nevada, Reno's Southern Nevada office until her retirement in 2005, when the university granted her emeritus status.

As a chronicler for the Las Vegas Review-Journal over the past 24 years, there is little that goes on in Las Vegas society without Dorothy's knowledge. Her reports on the many fund-raising events sponsored by local charities play a major role in those charities' success.

Dorothy's honors include; Junior League's Sustainer of the Year Award in 1991, the President's Medal from the University of Nevada, Reno in 1992, and the Distinguished Service Award from the Clark County Pro Bono Project in 1999. Dorothy was invited to become a member of The Fraternity of Executive Chefs of Las Vegas in 1998 for her work with the Chefs for Kids, Inc. and has chaired their annual benefit raising hundreds of thousands of dollars for the nutrition program in the program's 12 at-risk schools.

Mr. Speaker, it is my privilege to pay tribute to Dorothy Huffey on the floor of the House. She is an example of good citizenship to all Nevadans.

## RECOGNIZING ST. FRANCES OF ROME CHURCH

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. SOLIS. Mr. Speaker, I rise to congratulate St. Frances of Rome Church located in Azusa, California in honor of their 100th anniversary. I am proud to recognize the important contributions of St. Frances of Rome on this historic occasion.

Before the turn of the century, the Roman Catholics in Azusa would travel to the San Gabriel Valley Mission for mass. Even with the establishment of churches in Pasadena and Monrovia, and occasional masses held in the home of Henry C. Robelts and Susanna Melendez, Catholics in Azusa did not have an official church they could attend within their city.

In May of 1905 preparations were made for the construction of a church for the Catholic community of Azusa. On January 12, 1908 the church became an official parish. On the same day the Church also offered its first baptism and two days later the first recorded marriage took place.

Over the years, the church has expanded and renovated to better serve its members. Throughout the years, St. Frances has thrived and has become a mainstay in the community.

Today, St. Frances also houses a school and the Azusa Food Bank. St. Frances of Rome is not simply a church; it has become a mainstay of the city of Azusa and I wish them luck in the future as they continue to serve the community.

## USA PATRIOT ACT ADDITIONAL REAUTHORIZING AMENDMENTS ACT OF 2006

SPEECH OF

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 7, 2006*

Ms. SCHAKOWSKY. Madam Speaker, I rise in opposition to S. 2271, the PATRIOT Act Additional Reauthorizing Amendments Act, which does not correct the core problems with the original act. Republicans and Democrats alike have asked for moderate changes that would have ensured that these extraordinary new powers are directed solely at terrorists and that each new power had meaningful court review. These efforts that would have put the PATRIOT Act in line with the Constitution and American values were ignored. Not only does the bill remain deeply flawed, S. 2271 was brought to the House under suspension, a procedure limiting debate to 40 minutes and preventing any amendments to address the many concerns expressed by organizations and many of my colleagues.

Under S. 2271, the government will still be able to use National Security Letters and secret orders under section 215 to obtain a wide array of private, confidential records—including the medical, financial, library, and bookstore and gun purchase records of individual Americans. The bill requires no evidence linking those records to a suspected terrorist or spy, requires no court oversight or independent review of these secret orders, and prohibits the recipient of such an order from challenging the legality of the order for a year.

Second, this bill adds no meaningful protection for library records. It only exempts libraries from National Security Letters if they don't offer Internet access—and the American Library Association puts the number of libraries without Internet access near zero. With over 30,000 national security letters issued every year and two federal courts ruling NSLs unconstitutional, I continue to have strong concerns that this bill does nothing to protect bookstores, libraries, and their customers from excessive searches by the government.

Third, under this bill the government can still conduct secret physical searches of homes and offices under a vague standard; and notice can be delayed for weeks, months, or even longer. The Justice Department admits that at least 88 percent of such searches conducted between fall of 2001 and spring of 2005 actually had nothing to do with terrorism. The government can search private homes of Americans who have no connection to terrorism and not even inform them that their home was searched.

Finally, roving wiretaps provisions would allow the government agents to eavesdrop on innocent Americans' private conversations without first verifying that a terrorist suspect is actually using the facility or device involved. That means that, on a daily basis, the government can listen in on hundreds, maybe thousands of Americans' private conversations that may not have any connection to terrorism.

Given the Bush Administration's extraordinary assertions of presidential power to authorize the National Security Agency (NSA) to engage in intrusive domestic spying of Americans, it is more vital than ever that Congress reasserts its rightful role by correcting the flaws in the PATRIOT Act. I join the majority of Americans who want to protect our Nation's security while preserving Constitutional freedoms and civil liberties. Towns, cities, counties and states have passed over 400 resolutions in opposition to the PATRIOT Act, including the City of Chicago and Evanston in the 9th Congressional District of Illinois. Sweeping and unnecessary Federal surveillance and unchecked law enforcement powers undermine the rights that are the cornerstone of our democracy.

The PATRIOT Act debate is far from over: secret record searches must be reformed so they are focused on suspected foreign terrorists and not used to invade the private records of ordinary Americans. Congress can, and must, take steps to fix the Patriot Act to keep America both safe and free. I urge my colleagues to reject the PATRIOT Act and instead call for meaningful checks on the PATRIOT Act's extraordinary powers.

## TRIBUTE TO LLOYD SMITH

### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mrs. EMERSON. Mr. Speaker, I rise today to pay tribute to a loyal friend, a steadfast patriot, and a man without whom I could not provide the level of service to the people of Missouri's Eighth Congressional District. Lloyd Smith has devoted his professional career to our district. This month, we celebrate 25 years of his service and leadership.

For all but a few months of those 25 years, Lloyd has been a chief of staff in the Emerson office. He earned the job soon after being hired by Bill Emerson in 1981 and kept it until Bill's final days in 1996. It was Lloyd who urged me to run for this seat, and there was no hesitation when I immediately asked him to serve as my chief of staff. He has advised me in that capacity ever since.

Many things are different about the way I represent the Eighth District and the way Bill did. Lloyd has been the constant. He knows more about the Eighth District, from his Mississippi County birthplace to the sole of the Bootheel, the width and breadth of the Ozarks, the length of the Mississippi River, and all the wonderful people who live in the towns that dot our map. He knows Southern Missouri like the back of his hand.

He knows policy, politics and people just as well as he knows the topography of the district. Lloyd gets to the point quick. He is smart, true to his beliefs, and unafraid to lead. He has a tremendous sense of humor, a confident charisma, and a genuine kindness in his heart. To the many individuals who have served under him, he has been a mentor and a role model. To the two individuals he has served in Congress, Lloyd is the man to turn ideas into results. And when I run out of ideas, Lloyd always has some of those, too.

It is appropriate to thank Lloyd Smith in this venue, in an institution that has felt his influence for the past 25 years. He has served Bill and me, Missouri's Eighth District and our Nation; but, Lloyd has led each of these entities, too. I want to congratulate him, thank him, and express my deepest gratitude for all of his good work.

## PAYING TRIBUTE TO THERON AND NAOMI GOYNES

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. PORTER. Mr. Speaker, I rise today to honor Theron and Naomi Goynes for years of service to the Clark County School District. Today the couple is honored at the formal dedication of Goynes Elementary School, which is named in their honor.

Theron Hulan Goynes was born in Texarkana, TX, in 1929. After graduating from Dunbar High School in 1947, he attended Prairie View A&M University where he majored in business administration and minored in secondary education. He graduated in 1952 with a bachelor's degree. Later that year he entered the United States Air Force and served for 4 years. After an honorable discharge, he began his career in education as a teacher. In 1963, he was awarded a master of arts degree in education administration from Northern Arizona University at Flagstaff, AZ. Theron served as a teacher, elementary assistant principal, and principal during his career with the district. His last position before retiring was principal of the Madison Sixth Grade Center.

In addition to his service with the school district, Theron served for 20 years on the North Las Vegas City Council, 12 of those years as mayor pro tempore. On September 16, 1981, he chaired the North Las Vegas City Council meeting in the absence of the mayor, thus becoming the first black elected representative to officially head a government body in Nevada's 117-year history. Theron's diverse, tireless involvement in and support of educational, civic, and community services has been exemplary. The Nevada League of Cities honored him as the "1992 Public Official of the Year." He has also received numerous awards and honors from various local, county, and State agencies and organizations in recognition of his services to the people of Clark County, the State of Nevada, and the Nation. Theron continues to serve the community on elected and appointed boards and committees.

Naomi Delores Jackson Goynes was born in Memphis, TN, in 1933. In 1956, she received her bachelor of science degree in home economics with a minor in chemistry from the University of Pine Bluff. Her first teaching assignment was in Nashville, AR. In 1970, she completed her master of arts degree in elementary education with a minor in music from Northern Arizona University at Flagstaff. She completed her educational specialist degree in educational administration with a minor in curriculum from the University of Nevada, Las Vegas in 1977. Naomi has served the Clark County School District as a teacher, Assessment Team member, Teacher Corps Team Leader, Kindergarten Task Force member, reading specialist, high school dean, and assistant principal. At the time of her retirement, she was the assistant principal of Jim Bridger Junior High School. Naomi has worked long and hard as an educator, wife, mother, grandmother, and campaign manager for her husband. In her 42 years as an educator, she was known as being tireless, dedicated, and sensitive in her efforts to meet the needs of students, parents, and staff.

Theron and Naomi taught in Arkansas, California, and Arizona before moving to Las Vegas in 1964 to teach in Clark County School District. Collectively, they served 63 years educating youth in the Clark County School District. Theron retired in 1991 after 27 years and Naomi retired in 2000 after 36 years of service. Additionally, Theron and Naomi have been dedicated, active members of their church. They have been active leaders in the Girl Scouts of America, as well as the National Association for the Advancement of Colored People, NAACP. Theron and Naomi have been married almost 48 years and have three children and five grandchildren. All three of their children are successful college graduates and have followed in their parents' footsteps.

Mr. Speaker, it is an honor to recognize Theron and Naomi Goynes.

## RECOGNIZING PATRICIO "PAT" AND MERCY MIRANDA

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. SOLIS. Mr. Speaker, I rise today, to pay tribute to Mr. Patricio "Pat" S. Miranda, who died unexpectedly on September 29, 2005. Sadly, 3 days after his passing, his wife, Mercy, also passed away.

After graduating from Covina High School in 1945, Pat Miranda was drafted into the United States Army and was a member of the 77th Division. While serving our Nation, he saw action in the U.S. offensive in Okinawa and received an honorable discharge in 1946 as a sergeant.

In 1957, Pat was appointed to the Irwindale Planning Commission, marking the beginning of a 44-year career of service to the city of Irwindale. In 1961, he was elected to the city council and served in various elected capacities, including mayor, for all but 3 years. Pat oversaw the growth of new homes, recreational and educational facilities, a swimming pool, post office, City Hall, police department, senior citizens building, and Las Casitas senior apartments.

During his time in elected office, Pat was a member of the initial Irwindale delegation to visit Mexico to form a sister city relationship with Salvatierra, Mexico, a relationship which was formalized in 1965. He also made it a priority for the city and its residents to have regulatory control of the mining companies to ensure that the Irwindale community was treated fairly and with respect. Additionally, Pat was a charter commander of the Irwindale V.F.W. Post 9895 and a life member of Irwindale AmVets, Irwindale Lions and Rotary Clubs.

Pat and his wife are remembered fondly by the city staff, city council members, and the Irwindale community. They are survived by three children: Sandra Pusey, Patrick J. Miranda II, and Magalee Carlson who all still reside in Irwindale, as well as four brothers, eight grandchildren, and four great-grandchildren. I extend my deepest sympathy to them during this difficult time.

The city, community, friends and family will greatly miss Pat and his wife and the many lasting contributions they made to the city of Irwindale.

## CHILDREN'S SAFETY AND VIOLENT CRIME REDUCTION ACT

SPEECH OF

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 8, 2006*

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong opposition to H.R. 4472, the Chidren's Safety and Violent Crime Reduction Act. By bringing to the floor bills that already passed the House but with a few key provisions stripped, the House leadership is using procedural maneuvers to thwart the bill supported by a bipartisan majority of House members and by a significant majority of Americans. I am particularly outraged that the leadership jettisoned the hate crimes provisions from H.R. 3132, which passed by a strong bipartisan vote of 223 to 199 last September.

While all of us want to protect our children, we cannot fully reduce crime and protect child safety without acknowledging the terrorizing impact that hate-motivated violence has in our society. I have serious concerns with several provisions included in H.R. 4472, most notably the provisions that would impose harsh, new mandatory minimums, expand the number of federal crimes that carry the death penalty, and subject children to adult trials and adult sentences. However, I have more concerns about what is not in the bill. Last September, the House voted to protect children from sexual predators *and* from the perpetrators of hate-crimes. This bill retreats from that position and will leave our children vulnerable to violence on the basis of their sexual orientation, disability, gender, ethnicity, race or religion. Our children deserve better from us.

I urge my colleagues to reject H.R. 4472 and enact long overdue hate crimes legislation that will send a clear message that hate violence has no place in America.

## TRIBUTE TO LIEUTENANT BRENT DAVIS

### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mrs. EMERSON. Mr. Speaker, I rise today to honor the accomplishment of Lieutenant Brent Davis of the Missouri State Highway Patrol. After 31 years of service, Lieutenant Davis is retiring, and he leaves a long legacy of honorable service behind.

Our first responders are rare people who prize service to others above all else. Highway Patrol officers like Lieutenant Davis put their lives on hold to perform a demanding, stressful job protecting the public. In Missouri, our Highway Patrol officers do more than supervise our highways. They are reliable first responders, they are vigilant in preventing crime, they are essential in our war against illegal drugs. They are also brave, considerate, fair and tough—and no one is a better example of these qualities than Lieutenant Davis.

Lieutenant Davis joined the Missouri State Highway Patrol on January 1, 1975, and was stationed at Sikeston after graduating recruit training. On August 1, 1986, he was promoted to corporal and became the assistant zone commander for Zone 6, Sikeston. On August 1, 1989, Davis was promoted to sergeant and moved to Poplar Bluff as a zone sergeant. He worked on the road for 17 years. In September 1992, he became the Public Information Officer. Davis said he really enjoyed the Public Information/Education Officer for Troop E, where he served for 10 years. He was promoted to Lieutenant in September 2002, becoming the enforcement lieutenant for Troop E. In October 2003, Davis became the Special Services Lieutenant, in charge of Drivers Examination, Motor Vehicle Inspection and Commercial Vehicle Inspection Divisions.

Congratulations to Lieutenant Davis on his outstanding, selfless accomplishment of 31 years of service through the Missouri Highway Patrol. My thoughts are with Lieutenant Davis, his wife Janna, and the rest of his family and friends as they look back on his proud record of service and ahead to his retirement.

## PAYING TRIBUTE TO SERGEANT FIRST CLASS CHRISTOPHER P. TOVAR

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. PORTER. Mr. Speaker, I rise today to honor Sergeant First Class Christopher P. Tovar for his service in the United States Army. Last month Sergeant Tovar was selected to model a statue depicting a soldier from World War II, which is now on display at an American Legion Memorial in Brinkley, Arkansas.

Sergeant Tovar entered the Army in Houston, Texas, on April 13, 1993. He enlisted as a Human Intelligence Collector and received Arabic Language training at the Defense Language Institute before being assigned to Fort Hood, Texas. Following that assignment, Christopher received further training in Mandarin-Chinese before being assigned to the 500th Military Intelligence Group, Camp Zama, Japan. There he worked as a liaison between the U.S. and Japanese police and intelligence agencies. Following the September 11th terrorist attacks, Sergeant Tovar accepted an assignment to the U.S. Army Recruiting Command to assist in bolstering the U.S. Army's pool of linguists.

Sergeant Tovar was assigned to Headquarters, 6th Recruiting Brigade in North Las Vegas, Nevada, in January 2002. He serves the recruiting command as the Foreign Language Advocate for the region, assisting the recruiting field force to identify and contract foreign language speakers into the Military Intelligence Field. His duties in this position include conducting presentations at high schools, community colleges, and specifically for high school language departments, attending heritage speaker festivals and acting as liaison between the field force and higher headquarters for language positions in the Army. Within the headquarters, Sergeant Tovar serves as the First Sergeant, in charge of the day-to-day activities of the soldiers working within the headquarters command; as Master Fitness Trainer, in charge of the physical training of the soldiers; and as the Equal Opportunity Representative, responsible for maintaining a positive work environment and conducting required training under this program.

Sergeant Tovar's awards include the Meritorious Service Medal, the Army Commendation Medal, the Army Achievement Medal, and the National Defense Service Medal. He was also awarded the Military Intelligence Corps' Knowlton Award for lifetime service to the Military Intelligence Corps.

Sergeant Tovar and his wife of 11 years, Lauren, live in Las Vegas with their one-year-old daughter, Madison.

Mr. Speaker, it is an honor to recognize Sergeant First Class Christopher P. Tovar on the floor of the House today. His exemplary service stands as an example to all military members and his continued service is greatly appreciated in this difficult time.

## RECOGNIZING DAVE PEREA

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to Dave Perea, a longtime Rosemead resident and Teamsters union member, who passed away on February 14, 2006.

Born and raised in East Los Angeles, Dave was the second oldest of 11 siblings and had 6 older half-siblings. Dave attended East Los Angeles schools including Hammel Elementary School, Belvedere Junior High, and Garfield High School. He also attended East Los Angeles College for a year before putting his studies aside to support his family during his father's illness.

Dave became a Teamster and held various jobs before joining Momentum Textiles, where he worked for 22 years and retired in 1998. He was a surrogate parent for the friends of his children and was affectionately known as the "Mayor of Charlotte Street."

In 2003 Dave became deeply involved with the grassroots organization, Save Our Community, which is committed to stopping plans to build a Wal-Mart in a pristine area just two blocks from his house. Dave was a driving force for Save Our Community and was instrumental in many of its efforts. Whenever anyone in the organization needed anything, he was there to lend a helping hand.

Dave is survived by his mother, Rosita, and 10 of his siblings; his wife, Mary Ellen; his daughters, Suzanne, Doreen, and Joanne; and his grandchildren, Nicholas, Andrew, Erica, Austin, Matthew, and Amber. He will be dearly missed by his family, friends, and the community.

## PAYING TRIBUTE TO CAPTAIN DANIEL L. VAN KIRK

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. PORTER. Mr. Speaker, I rise today today to honor Captain Daniel L. Van Kirk for his service in the military. Last month, Daniel was chosen to model for one of two bronze statues depicting a sailor and soldier from World War II, that were placed at an American Legion Memorial in Brinkley Park, Arkansas.

Captain Daniel L. Van Kirk was born in St. Petersburg, Florida, on September 30, 1978.

He was commissioned in 1998 as a Second Lieutenant in the U.S. Army, following graduation from the Marion Military Institute. He earned a Bachelors Degree in Business Administration from National University in San Diego. After completing the Armor Officer Basic Course in Fort Knox, Kentucky, Daniel was assigned to 4–64 Armor Battalion, 2nd Brigade, 3rd Infantry Division, Fort Stewart, Georgia, where he served as Assistant Battalion Maintenance Officer. He was deployed to Kuwait in 2002 for Operation Enduring Freedom. In 2003, he was sent to Iraq for Operation Iraqi Freedom as the 1st Platoon Leader in Bravo Company and after returning he was sent again with Charlie Company as Executive Officer.

After completing the Armor Officer Advanced Course in 2005, Daniel has been assigned to the 6th Recruiting Brigade Las Vegas, Nevada, serving as Brigade Assistant S3.

Daniel's awards and decorations include the Bronze Star Medal with Valor, Army Commendation Medal, Army Achievement Medal, Presidential Unit Citation, National Defense Service Medal, Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Army Reserve Components Overseas Training Ribbon, and Combat Action Badge.

Mr. Speaker, it is an honor to recognize Captain Daniel L. Van Kirk on the floor of the House today. He is a model of patriotism and a fine example to all members of the military and citizens of Nevada.

## PERSONAL EXPLANATION

### HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. NORWOOD. Mr. Speaker, though I was absent on Thursday, March 9, 2006 for personal reasons, I wish to have my intended votes recorded in the CONGRESSIONAL RECORD.

March 9, 2006: Rollcall vote 33 on Ordering the Previous Question on the Rule for H.R. 2829—"aye"; rollcall vote 34 on Chabot amendment to H.R. 2829—"aye"; rollcall vote 35 on the Hooley amendment to H.R. 2829—"aye"; rollcall vote 36 on the Paul amendment to H.R. 2829—"nay"; rollcall vote 37 on the Rehberg amendment to H.R. 2829—"aye"; and rollcall vote 38 on the final passage of H.R. 2829—"aye."

## 100TH ANNIVERSARY OF THE WEBSTER VOLUNTEER FIRE DEPARTMENT

### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. WALSH. Mr. Speaker, I rise today in recognition of the 100th anniversary of the founding of the Webster Volunteer Fire Department. Fifteen courageous citizens formed this outstanding and brave fire department on March 23, 1906. Since its inception, the department has had over 850 faithful volunteers that have protected the communities of East Webster, Village of Webster, and North East Penfield.

Today, the Webster Volunteer Fire Department has a membership of 140 brave firefighters who on average respond to 1,200 calls per year. These calls for aid range from fires, accidents, emergency medical care and service calls; all showing the department's ability to assist the varying needs of the communities they proudly serve. In addition to their heroic tasks, the department also provides fire prevention programs, CPR and first aid training for all citizens. The Webster Fire Department also works closely with various neighborhood groups such as local Boy Scouts troops, Girl Scouts troops, and various other groups.

In honoring their 100th anniversary, the Webster Fire Department will begin its celebration with a founders banquet, followed by a gigantic carnival and parade for the entire community.

I stand here today proud of the services these brave men and women provide our area. Their strong tradition of service and bravery has kept our citizens safe over the past century. I personally thank the Webster Volunteer Fire Department and thank them for their past service as well as the next 100 years that lie ahead.

## IN RECOGNITION OF THE HEIGHTS PLAYERS

### HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. VELÁZQUEZ. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the 50th anniversary of the Heights Players, Brooklyn's oldest community theater group.

For half a century, families, children and individuals living in the 12th Congressional District and surrounding areas have been enriched through the exposure to quality theater offerings at a reasonable price. The Heights Players has also excelled at providing an outlet for amateur and professional actors, technicians, writers, designers and directors to hone their skills, gain experience, and perform before a live audience.

Since its inception in December 1956, those involved with the Heights Players have worked to establish the group not only as a community theater, but also as a growing nonprofit theatrical organization. In its 50 seasons of operation, the Heights Players has made many contributions to the community, such as the Theater for Children program, and performances for senior citizens and hospitalized children who otherwise lack the means to access this type of cultural and educational experience.

The Heights Players has extended their community service in recent years, reaching countless other city residents through their unique and creative offerings. Since 1988, the group has completed performances for over 1,000 homeless New Yorkers each year.

In recognition of its extraordinary efforts on behalf of disadvantaged New Yorkers, the organization has received a host of special awards and commendations over the years from the Partnership for the Homeless, the Brooklyn Borough President, the Brooklyn Heights Association, and the New York City Council.

Therefore, Mr. Speaker, I rise today to honor the 50th anniversary of the Heights Players, and join with my colleagues in the House of Representatives to commend this organization and all of its creative members for their outstanding service and dedication to making live theater accessible for those living in the New York City metropolitan area.

## PERSONAL EXPLANATION

### HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mrs. KELLY. Mr. Speaker, on Wednesday, March 8, 2006 on the motion to instruct conferees regarding the Pension Protection Act, H.R. 2830, I meant to vote "yes" on the motion but inadvertently voted "no."

## HONORING THE GOOD HOPE BAPTIST CHURCH

### HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. BOUSTANY. Mr. Speaker, I rise today to acknowledge the recent accomplishments of a very special church in Lafayette, LA.

On March 5, 2006, members of the congregation of Good Hope Bapist Church gathered to dedicate their new Family Life Center. This day was the culmination of an 8-year project that not only provides a new facility to the church, but much needed jobs for its community as well. Credit for the Family Life Center should go to the Building Committee, under the leadership of Othus Doomes, Jr. and the church's pastor, Dr. Ricky Carter, who were instrumental in bringing the vision of the center to fruition.

The purpose of the center is to provide for the total needs of a person—emotional, spiritual, material, practical, functional, psychological, intellectual and social. It will provide a variety of uses for its community including day care, recreational activities, as well as classrooms for educational purposes. The new facility is equipped with a commercial kitchen, to provide hot meals for those in need, as well a gymnasium which can also be used for worship service.

Today, I honor Dr. Carter and the entire congregation of Good Hope Baptist Church, and congratulate them for the completion of this great facility, which will benefit Lafayette for many years to come.

## THE NATIONAL UNIFICATION COUNCIL CEASES TO EXIST

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. SESSIONS. Mr. Speaker, on February 27, Taiwan President Chen Shui-bian declared

that Taiwan's Unification Council will cease to function and the National Unification Guidelines will cease to apply. He came to his decision after weighing the importance of preserving Taiwan's freedom, democracy, human rights, the status quo and Taiwanese people's right to choose their own future.

White House spokesman Scott McClellan stated, "We welcome President Chen's reaffirmation of his administration's commitment to cross-strait peace and stability, and Taiwan's commitment to the pledges that President Chen made in his inaugural address . . . to not unilaterally alter the status quo on the Taiwan Strait."

Since peace in the Taiwan Strait is critical to our national security and any military confrontation must be avoided, I therefore urge China to end its strident rhetoric against Taiwan, rescind the Anti-Secession Law enacted last spring and remove the hundreds of threatening missiles targeting Taiwan.

On the first anniversary of the passage of China's Anti-Secession Law and the 10th anniversary of the Taiwan Strait Missile Crisis, it is high time for a meaningful dialogue to resume between Chinese leaders and the elected leadership in Taiwan, leading to a peaceful resolution of their differences. I support these efforts to reduce the tension on both sides of the Taiwan Strait, and urge my fellow Congressional colleagues to continue their support for repealing the Anti-Secession Law.

## H.R. 3402, THE VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. CONYERS. Mr. Speaker, the following Extension of Remarks should have been included during the December 17, 2005 House debate of H.R. 3402:

I rise in support of this legislation, which reauthorizes the Violence Against Women Act and the Department of Justice. I first would like to commend Chairman SENSENBRENNER for reasserting the Judiciary Committee's jurisdiction over the Department of Justice and its programs with this bill. I also want to thank Senators BIDEN, LEAHY, and SPECTER for working with us on this legislation. We worked together to address everyone's concerns and arrived at the compromise bill before us today.

VIOLENCE AGAINST WOMEN ACT

An important piece of the bill is the reauthorization of the Violence Against Women Act of 1994. This is the third time we have worked on this bill, and each time we make dramatic improvements by using new vehicles to tackle the issue. Building on work from previous years, the Act reauthorizes some of the current programs that have proven enormously effective, including the STOP program—which provides state formula grants that help fund collaboration efforts between police and prosecutors and victim services providers—and legal assistance for victims.

One important aspect of this legislation is the new program we created specifically tailored to address the needs of communities of color. In the original VAWA, Congress intended for all underserved communities to have a fair chance at addressing these issues. However, all to often racial and ethnic minorities are overlooked. In this legislation, Congress has included language referencing culturally specific communities in an attempt to respond to the needs of racial and ethnic minorities. Inserting this language into the bill is a monumental victory for communities of color.

In Indian Country (especially in non-Public Law 280 States), non-Indian perpetrators of domestic violence and sexual assault crimes against Indian victims cannot be prosecuted by tribes or by states. Only the United States has the jurisdiction to prosecute such perpetrators. Unfortunately, the U.S. Department of Justice frequently lacks the prosecutorial resources necessary to pursue these cases. The Attorney General of the United States has the authority, pursuant to 28 U.S.C. 543, to cross-designate prosecuting attorneys appointed by the Tribal Governments as Special Assistant United States Attorneys. The Committee urges the Attorney General to close the jurisdictional gap by cross-designating tribal prosecutors as Special Assistant United States Attorneys for the purpose of enforcing 18 U.S.C. 2261, 18 U.S.C. 2261A, 18 U.S.C. 2262, 18 U.S.C. 2265, 18 U.S.C. 922(g)(8), and 18 U.S.C. 922(g)(9). Any tribal prosecutors appointed as Special Assistant United States Attorneys pursuant to this process should undergo training on the federal crimes enumerated above; such training should be developed and offered in conjunction with experts on tribal law and domestic violence, dating violence, sexual assault, and stalking. The progress of these cross-designations and trainings should be a subject for review through the consultation process described in Section 1002 of Title X of this Act.

*Title VI—Section 605*

The intent of Congress in this section is to ensure that Federal, State, tribal, territorial and local confidentiality protections put into place to protect the safety of victims of domestic violence, dating violence, sexual assault and stalking are not undercut by broad data collection programs.

For the purposes of this section, Congress finds that any data that meets the definition of "personally identifying information" cannot be altered to become "non-personally identifying information" simply by being altered technologically for the purposes of limiting access to such information.

Any data that can be construed to fall under the definition of "personally identifying information" shall remain defined as such and shall be protected as mandated in this section as long as a Homeless Management Information System (HMIS) database is maintained.

Congress notes that participation in an HMIS or other database may be mandated for other non-victim service provider grantees. Any victim service program prohibited from participation in an HMIS or other shared database under this statute may not be penalized for compliance with this statute, either directly or indirectly through mechanisms such as the withholding of incentives.

*Title VI—Sections 606 and 607*

Congress notes that employees or volunteers of victim service providers who are signing certification documents should be trained service providers. An employee or volunteer serving solely in an administrative capacity is not appropriate to sign a certification form.

Congress notes that these sections should not be construed to require public housing authorities to adopt a preference for victims of domestic violence, dating violence, sexual assault, or stalking. Public housing authorities are encouraged to adopt such a preference, but that decision is at the discretion of the public housing authority, consistent with applicable law and regulation.

Congress notes that the U.S. Department of Housing and Urban Development (HUD) may want to issue guidance or regulations to assist with the implementation of these sections. Certain nonprofit organizations and other government agencies that have expertise in domestic violence, dating violence, sexual assault or stalking, or in housing law and policy, can provide valuable guidance to HUD in creating such guidance and regulations. HUD is directed to work with such expert nonprofit organizations and government agencies in drafting guidance, regulations, and any other communication to local housing authorities and assisted housing providers regarding these sections, including the Public Housing Occupancy Guidebook, the Housing Choice Voucher Program Guidebook, and any HUD-approved forms used for certification as a qualifying victim under these sections.

Congress notes that under these sections, in order to show an 'actual and imminent threat,' a housing or subsidy provider must demonstrate, using forms of evidence admissible under current law, that the tenant's continued tenancy or assistance directly and imminently causes a distinct harm to the safety of the landlord, the subsidy or service provider, other tenants, or those employed at or providing service to the property, but not necessarily a specific physical harm to the intended victim. Nothing in these sections should be construed to negate any tenant's responsibility to follow all terms and obligations of a lease.

Congress notes that bifurcation of a lease under these sections allows a public housing agency, owner or manager to terminate a person or person's rights and obligations under the lease agreement while maintaining the rights and obligations of other lease parties. Nothing in these sections should be construed to obligate a public housing agency, owner or manager to maintain or enter a lease agreement with any individual who is not eligible for tenancy or assistance.

The bill also goes a long way in helping immigrants subjected to domestic violence to secure their right to stay in the country and seek shelter from those who batter them by expanding the class of victims who can seek immigration status by self-petitioning through VAWA. For example, the bill protects victims of child abuse from aging out by allowing for victims to self petition up to the age of 25, parents abused by U.S. citizen children by allowing them to file for relief under VAWA, and victims with prima facie cases as a VAWA self-petitioner, or for a T or U visa, from removal or deportation. It also limits detention for victims who have pending petitions or applications for relief.

This legislation is crucial in our plight to combat violence against women.

JUSTICE DEPARTMENT REAUTHORIZATION

In addition, the bill provides funding for the various offices within the Department. In this regard, I would like to note that it gives the Office of the Inspector General over $70 million for its responsibilities. In the past few years, the OIG has been diligent in overseeing the Department's war on terrorism, issuing reports on 9/11 detainees and pushing the Department to change how its procedures for handling terrorism suspects.

The bill reauthorizes the COPS office. We all know that this Clinton Administration program has been increasingly vital in crime prevention and crime solving. That is why COPS has received the praise of the Fraternal Order of Police, the largest law enforcement organization in the country. Local

policing also is the backbone in our war on terrorism, as community officers are more likely to know the witnesses and more likely to be trusted by community residents who have information about potential attacks. This bill provides over $1 billion per year for this program.

The bill also includes language offered by Rep. Adam Schiff to require the Attorney General to report to Congress on the number of persons detained on suspicion of terrorism. This is important because the Department has thwarted congressional and judicial efforts to obtain justification for terrorism detainees. The Department's Office of the Inspector General found that the Department and its components had abused terrorism suspects, pushing them into walls, leaving them in legal limbo, and depriving them of access to family or counsel. With these reports, Congress can better determine whether the Department is overstepping its bounds again.

Finally, I am pleased the Chairman agreed with me that we needed to amend the emergency sessions authority for federal courts. Just a few months ago, we authorized federal courts to change locations in situations of natural disasters or other emergencies that make their courthouses unusable. This bill now ensures that, in those situations, indigent defendants will be provided with transportation and subsistence costs for the new location so that they will not be left to fend for themselves in disaster.

## TRIBUTE TO ROBERT V. JEWELL

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. KILDEE. Mr. Speaker, today I am paying tribute to Robert V. Jewell, as he is honored by the University of Michigan-Flint alumni society. The Alumni Society is presenting their Campus Service Award to Rob at a ceremony on March 23 in Flint, Michigan.

The Campus Service Award is given to a volunteer making a significant contribution of time, talent, and service to the University of Michigan-Flint. Rob was chosen to receive this award for his work on the Alumni Society Board of Governors. He has served on the board for over 15 years and has completed two stints as the chairperson. In addition he has played a vital role in the development of the University's School of Education and Human Services Alumni Affiliate.

After graduating with a bachelor of arts degree in sociology with a minor in social work in 1978, Rob began his career of service to the Flint community. He has worked or volunteered for numerous community-based organizations, educational institutions and religious groups. Blending the fresh with the practical he has established a reputation in the community for energetic, enthusiastic problem solving.

Currently working as development coordinator for the Hurley Foundation, Rob works to bring together the people and funds to improve Hurley Medical Center and the Flint area. For many he is known as "Mr. Hurley." He brings that same commitment to his work on behalf of the University of Michigan-Flint as he strives to improve the lifelong educational experience of its students and alumni.

Mr. Speaker, I ask the House of Representatives to congratulate Robert V. Jewell as he receives the Campus Service Award from the University of Michigan-Flint Alumni Society.

## CONGRATULATING FATHER PAUL McDONNELL, PITTSTON CITY'S PERSON OF THE YEAR

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Father Paul McDonnell, pastor of Our Lady of Mount Carmel Church in Pittston, Luzerne County, PA. Father McDonnell was recently selected by the Pittston Sunday Dispatch newspaper to receive the title of Person of the Year for 2005.

The honor is due to Father McDonnell's success in building a new parish community center to serve all citizens in the Pittston area.

Our Lady of Mount Carmel parish consists of 2,300 members and is showing signs of growth. Father McDonnell recognized in 2002 that the church basement, which hosted community events, was no longer adequate.

He subsequently launched a capital campaign to raise the funds needed for the construction project. The design called for the center to be physically tied into the church so they looked like one building. The plan called for the new center to be supported by the church. But, engineers discovered that a large part of the church's foundation had collapsed during an earlier mine cave-in and it was remarkable that the church over the void was even supporting itself, let alone a new structure. The void was filled with concrete and steel and new steel supports were designed to enable the church to support the weight of the new center.

The Sunday Dispatch newspaper, in reporting on the opening of the new center last year, commented, "The dedication of the parish center . . . was more than just the opening of a building—it was a moving testament to faith, an astonishing display of generosity and an amazing feat of engineering."

Father McDonnell is an exceedingly popular church leader in the city of Pittston, PA. Many people believe it is his personality and exuberance that has his parish growing while others decline. He is especially liked by the elderly. "In his interaction with the elderly, you can see the love they have for him by how they look at him. He touches them, he speaks to them, he listens to them and he laughs with them," the Dispatch wrote.

Mr. Speaker, please join me in congratulating Father McDonnell for a job well done. His selection as Pittston Person of the Year is a fitting honor for a priest who has captured the admiration of an entire community due to his love of fellow man, his warmth and his enthusiasm. Truly, Father McDonnell has improved the quality of life in greater Pittston.

## CELEBRATING THE LIFE OF KIRBY PUCKETT

### HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. RAMSTAD. Mr. Speaker, Minnesota lost a true hero and sports legend this past week. Like Minnesota's Paul Bunyan, he was instantly recognizable, from his name to his gigantic smile to his unique frame.

But Kirby Puckett was very real, and the pain all Minnesotans feel is too real, as we say farewell to a Minnesota icon.

Mr. Speaker, Minnesota is heartbroken. Kirby Puckett was known as much for his great spirit, enthusiasm and energy as he was for his remarkable baseball skills.

He did so much to help people in need, and he was always there for civic and charitable causes of every kind. He never said no to Children's Heartlink, Big Brothers Big Sisters or numerous other charities.

And his "Puckett Scholars" program helped enable so many minority students to attend college and pursue their dreams.

To say that Kirby is known as much for his community service as his baseball is really saying something, Mr. Speaker.

Because Hall of Famer Kirby Puckett in his baseball career put up some historic statistics and gave baseball fans many memorable thrills on the field.

Remember October 27, 1991? In Minnesota, we all know where we were that night.

I was at the Metrodome, and I will never forget Kirby's impossibly high leap at the centerfield fence and his amazing catch in the third inning of Game 6 of the 1991 World Series.

And no Minnesota Twins fan will ever forget Kirby's dramatic 11th-inning, game-ending home run to almost the same spot in the very same game.

Mr. Speaker, Kirby did it all in 12 short seasons and was elected to Baseball's Hall of Fame on the very first ballot upon eligibility. Twelve short seasons, and a .318 career average, 2,304 hits, 1,085 runs batted in, 207 homers, 1,071 runs—all in just 1,783 games. And the numbers do not begin to tell the whole story.

Kirby Puckett was the leader, the favorite teammate, the name the kids screamed and the name the public address announcer lingered over and stretched out for maximum dramatic effect.

He ran all out at break-neck speed—in center field and around the bases. And his teammates got the clue. They were driven to match his intensity and love for the game.

Minnesota Twins fans loved him so for that. And we always will.

Mr. Speaker, our entire state has an extended lower lip, and our heads are bowed. We are so very saddened by the death of Kirby Puckett.

Just the mention of his name has always brought smiles to the faces of Minnesotans of all ages—and so many great memories.

Mr. Speaker, you will find many kids in Minnesota named Kirby and the reason is simple: Kirby captured all our hearts.

In summers past, Kirby made our hearts race with his tremendous athletic feats. His powerful batting stroke produced so many clutch hits.

Mr. Speaker, Kirby Puckett is to Minnesota baseball what Hubert Humphrey is to Minnesota politics.

We have lost a real warrior, a very special person who brought so much energy, enthusiasm and dedication to the field.

Kirby was one of a kind. There will never be another like him. Kirby, your huge smile, big heart and great play will live forever in our hearts.

We will never forget you and we will always be thankful God put you in our midst.

And let us always remember that wonderful, trademark Kirby Puckett smile that lit up a room, inspired us and gave us hope.

Rest in peace, Kirby, in the loving arms of our Lord. And may your kind and gentle spirit live forever in the hearts of all of us.

## TRIBUTE TO MILLVALE VOLUNTEER FIRE DEPARTMENT

### HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Millvale Volunteer Fire Department on its 100th year of service in the community.

This spring, the Millvale Volunteer Fire Department will celebrate its 100th anniversary. The Millvale Volunteer Fire Department was one of many victims in September, 2004, as the remnants of Hurricane Ivan flooded part of my district. Since then the fire department has worked hard to get back on its feet. Currently, the fire department has approximately 30 active members, and responds to about 250 calls per year.

The fire department will celebrate its 100 years on Saturday, May 13, 2006, at 6:30 p.m. at the Mount Troy Ballroom in Reserve Township.

I ask my colleagues in the United States House of Representatives to join me in honoring the Millvale Volunteer Fire Department. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such an important organization like the Millvale Volunteer Fire Department.

## TRIBUTE TO BOBBY CRIM

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in honoring Bobby Crim, an outstanding legislator and humanitarian. Bobby is a dear friend and will be honored by the University of Michigan-Flint Alumni Society with the Distinguished Alumni Award at a ceremony on March 23 in my hometown of Flint, MI.

The Alumni Society presents the Distinguished Alumni Award to graduates of the University of Michigan-Flint earning noteworthy regional or international recognition for his or her accomplishments.

Bobby Crim started his post secondary education at Flint Junior College. After receiving the first CS Mott scholarship he completed his undergraduate studies at the University of Michigan-Flint in 1960 graduating with a bachelor of arts degree. He went on to receive a master of arts degree in 1986 from the University of Michigan in Ann Arbor. In the interim he started on an illustrious career in teaching, business, and public service.

Elected to the Michigan House of Representatives, Bobby served 8 years as the speaker of the House. In 1977 he organized the Crim Road Race for Michigan Special Olympics. He had three goals: to run a first class road race in Flint; to raise money for mentally handicapped athletes; and to foster community pride among the residents of the Flint area. The Crim Festival of Races has accomplished all three goals. Over the intervening years the festival has gained an international reputation as one of the top world-class races, has raised millions of dollars for six charities and is an annual event celebrated the fourth weekend in August throughout Flint.

Everyone in the community knows the painted blue stripe at the side of several roads in Flint marks the route for the Crim Race.

Mr. Speaker, the Crim Festival of Races stands as a lasting, tribute to the dedication of Bobby Crim. The skills he gained through his education at the University of Michigan-Flint enabled him to envision Flint as a better place and to turn that vision into reality benefiting thousands. I ask the House of Representatives to join with the Alumni Society in congratulating Bobby Crim as he receives the Distinguished Alumni Award.

## CONGRATULATING WARREN POLLARD, RECIPIENT OF THE JOSEPH SAPORITO LIFETIME OF SERVICE AWARD

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Warren Pollard, of West Pittston, PA, the recipient of the Pittston Sunday Dispatch newspaper's Joseph Saporito Lifetime of Service Award for 2005.

Mr. Pollard has spent decades cooking food for good causes including the Greater Pittston Meals on Wheels for area shut-ins. He often helps deliver the meals as well.

Mr. Pollard grew up in Avoca, PA. He attended Wharton School of Finance in Philadelphia and Wilkes College in Wilkes-Barre. He served 2 years with the U.S. Army including a tour of duty in Korea. He returned home to become a bank examiner.

Mr. Pollard first started volunteering as a community cook more than 30 years ago when he started cooking spaghetti dinners for the Boy Scouts from the kitchen at the First United Methodist Church in West Pittston. He has done dinner fund raisers for the local fire company and an annual pork dinner for the church.

His church fund raisers also extend to selling pastry pockets stuffed with meat and vegetables and fruit pies.

Twice a year he cooks for the area's homeless when they stay at his church. And he also does a Thanksgiving dinner which is open to anyone in the community needing food.

Mr. Speaker, please join me in paying tribute to Mr. Pollard. His selflessness and devotion to service and community are truly commendable. It is fitting that he should receive this honor from his home town because Mr. Pollard's work has improved the quality of life in the greater Pittston area.

## TRIBUTE TO BOY SCOUT TROUP 283

### HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. RAMSTAD. Mr. Speaker, I rise to pay special tribute to the proud history and wonderful accomplishments of Boy Scout Troop 283 of Wayzata, MN.

This Sunday, March 19, Troop 283 will be celebrating its 90th anniversary at Wayzata Community Church. Troop 283 is Minnesota's oldest Boy Scout troop.

Troop 283 has a rich tradition of public service to help people in need and has represented the highest standards in Scouting for nine decades. The Scouts and their many volunteer leaders have displayed an inspiring dedication through these past 90 years.

Mr. Speaker, these young people are tomorrow's leaders and they are getting the skills, knowledge, moral guidance and inspiration they need through Scouting.

The young people of today, who now more than ever need strong adult guidance and parental involvement in learning valuable life skills that will help them mature, have been extremely well-served by the generous and dedicated volunteers and parents who have led Troop 283 through the past 90 years.

Mr. Speaker, Troop 283 has focused on giving our young people positive role models, emphasizing the importance of community service to help people in need, protecting the environment and promoting good citizenship.

Everyone who has been involved with Boy Scout Troop 283 through the years is to be congratulated on their 90-year investment in the future of our Nation.

Mr. Speaker, please join me in thanking all the young people and leaders of Boy Scout Troop 283 over the past 90 years for all they have done to produce good citizens who keep America strong.

## TRIBUTE TO MAYOR BILL SHOVLIN

### HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. HART. Mr. Speaker, today I rise to honor the life of Mayor Bill Shovlin, a man who committed his life to serving others and his country.

For more than 46 years, Mayor Shovlin was a distinguished public servant who was dedicated to education, community service, and the betterment of our Commonwealth. When his country called on him, he served in the U.S. Army during the Korean War. Bill's long career in local politics included serving in the Beaver County tax assessor's office, as auditor in Midland Borough, as a Midland council

member of 28 years, and then mayor for 16 years. He also served as treasurer of the Pennsylvania State Mayor's Association.

He was an equally dedicated husband, father, and grandfather, who passed along his spirit of public service to his family and community. I extend my sincerest condolences to the Shovlin family. The Midland Borough and the Beaver Valley have lost a great man.

I ask my colleagues in the United States House of Representatives to join me in honoring Mayor Shovlin. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such dedicated citizens like Mayor Bill Shovlin.

## TRIBUTE TO GREGORY GAINES

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. KILDEE. Mr. Speaker, the University of Michigan-Flint Alumni Society is bestowing their Community Service Award on Gregory Gaines of the National Council on Alcoholism and Drug Addictions. The award will be presented to him at the 2006 Annual Alumni Leadership Awards ceremony on March 23. Greg was chosen to receive this award because of the selfless amount of time and energy he has devoted to running the Mr. Rogers ''Say No'' Program in the Flint community.

After earning a bachelor of applied science degree in 1989, Greg has worked with at-risk young men in our community to instill them with discipline, hardwork, and pride. Through his program over 1,800 boys have benefited from his training. His innovative approach, to have the boys grow the produce they sell at the Farmers' Market, teaches them the value of hard work, responsibility, working together, patience, problem solving and self-control. Greg works with boys that come from inner city, single parent homes and are prime targets for the lure of alcohol and drugs. With his guidance these boys are able to see the benefits of education and hard work. They develop the skills and patience to work toward long-range goals instead of succumbing to the immediate gratification of substance abuse.

The Mr. Rogers Program has proved to be so successful that for the first time girls will be brought into the program starting in the summer of 2006. Last year Greg won the Genesee County Children's Champion Awards Caring Adult prize and the Mr. Rogers Program was a finalist for the Outstanding Business/Corporation.

Mr. Speaker, day in and day out, Greg Gaines makes the Flint community a better place. His hands on approach to helping our children requires enthusiasm, tolerance, and persistence. Greg has proven he is equal to the task and his devotion to our greatest resource, our children, is to be commended. I ask the House of Representatives to rise with me today and applaud the accomplishments of Gregory Gaines as he receives the Community Service Award from his alma mater, the University of Michigan-Flint.

## IN HONOR OF SPECIAL AGENT DAVID E. NOVAK, HAZARDOUS DEVICES SECTION, UNITED STATES CAPITOL POLICE, ON THE OCCASION OF HIS RETIREMENT

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. LEWIS of California. Mr. Speaker, I am honored today to pay tribute to one of our Capitol Police Officers, Detective David E. Novak, who will retire after more than 20 years of service. During his career, Dave's dedication, professionalism, and expertise have served the Congress well, and his important contributions will be missed.

Special Agent Novak grew up in Nebraska, but in 1983 came to Washington, DC, and became a member of the United States Capitol Police. First assigned to the Capitol Division, he soon earned the rank of Detective and accepted a position with the Hazardous Devices Section, graduating from the FBI Bomb Data Center Hazardous Devices School in Huntsville, Alabama, on November 21, 1986.

The Bomb Squad has excelled for more than 30 years at developing and adapting new tools and techniques for rendering safe procedures. Dave played an integral part in this success. The Capitol Police Bomb Squad is rated by the FBI Bomb Data Center and staff of the Hazardous Devices School at Redstone Arsenal as one of the top bomb squads in the Nation. The unit has achieved recognition throughout the bomb technician community through their assistance to other agencies and service in offices and positions in professional associations and organizations.

Admired by his colleagues for his cool, steady demeanor and exceptional skills with tools and equipment, Dave served as one of the leaders of the Bomb Squad as its members coped with the emergencies of 9/11 and the Anthrax letter attack. Mr. Speaker, the magnificent performance of the Bomb Squad in response to the opening of the anthrax letter on October 15, 2001, cannot be overstated. The continued dedication and commitment of the Hazardous Devices Section after that incident was impeccable. Dave helped sustain the morale and commitment of the bomb technicians after the contamination caused the closure of their offices, along with much of their equipment and vehicles. They coped with this loss even as they faced an exorbitant increase in response calls, and worked 12-hour shifts six days a week for nearly seven months.

The Bomb Squad is a small but very important component of this police force we all take great pride in. As Dave prepared for his retirement, he went out of his way to serve as a mentor, and a colleague, to those who would follow in his place. While we wish him well in his retirement, his wit, practical jokes, technical expertise and the significant role he played will be greatly missed. I thank him for his many years of service, and for his dedication in implementing the mission of the United States Capitol Police, protecting the United States Congress.

## HONORING MARY ROGERS

### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to one of San Francisco's most admired, beloved and fearless social activists, Mary Helen Rogers, who died March 3, 2006 at her home after a long battle with cancer. She lived an impassioned life fighting for affordable housing and social justice and to restore the vibrancy of San Francisco's Fillmore District. Her activism and courage often made the difference between the survival and the decimation of a community.

During the month of March, Women's History Month, as we honor the accomplishments of our great national heroines, we also recognize women working to strengthen their local communities. This past year we grieved the loss of several remarkable women who struggled for equality and progress, Rosa Parks, Coretta Scott King and Betty Friedan. I call them the magnificent disrupters. Here in San Francisco we were proud to have our very own magnificent disrupter—Mary Helen Rogers.

During her 40-year fight to protect African American families from being displaced by urban renewal, Ms. Rogers worked tirelessly to tear down the barriers that have prevented fair and equitable treatment of African American families, school-aged children, welfare recipients, minority businesses, and community churches.

When the San Francisco Redevelopment Agency was razing entire blocks of the Western Addition neighborhood, a cultural and business hub of the African American community, she literally lay down on the street in front of the bulldozers. She then co-founded the Western Addition Community Organization which forced the city to help the residents it had displaced.

Ms. Rogers founded the Western Addition Citizens Advisory Committee that continues to provide broad-based community input to publicly funded development initiatives. Her civic activities included serving as secretary/treasurer of the National Tenants Association, founding board member of Westside Mental Health Clinic, board member of Agape Outreach Center, chair of the San Francisco Juneteenth Committee, and parent volunteer at the Raphael Weill Elementary School, later known as Rosa Parks Elementary School.

In addition to her numerous volunteer positions, Ms. Rogers served as a dedicated public servant through her tenure at the San Francisco Redevelopment Agency and the San Francisco Housing Authority. She has received numerous awards from a host of national and local elected officials.

With great sadness I extend my sympathy to Mary's 9 surviving children: William Cary, Angela McPeters, Dennis Rogers, Patricia Rogers, Michael Rogers, Mark Rogers, Mario Rogers Sr., Eric Rogers Sr. and Paul Rogers. I want to thank them for sharing their magnificent mother with us; she brightened our lives with her strength, her courage and her grace.

## IN HONOR OF THE 40TH ANNIVERSARY OF TALBERT HOUSE

### HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mrs. SCHMIDT. Mr. Speaker, I rise today to recognize the 40th anniversary of the Talbert House, one of the largest social service agencies in the Ohio-Kentucky-Indiana tri-State region. Talbert House serves a broad population with its quality mental health, community corrections, substance abuse and welfare-to-work services.

Talbert House was founded in 1965 by a group of local citizens to help ex-offenders in the West End neighborhood of Cincinnati. The program was named for Dr. Ernest Talbert, 1879–1971, a professor emeritus of sociology at the University of Cincinnati, who believed in community alternatives to incarceration.

Even in its earliest days of service, Talbert House won the support of leaders in the community. The concept was groundbreaking because Talbert House began as a residential treatment program rather than an extension of an institution. In its first year, the program housed 16 paroled men.

Since its inception, the Talbert House has steadily grown and expanded its services to effectively address emerging problems within our community. In the 1970s, Talbert House added drug and alcohol treatment services and programs for women and children. In the 1980s, its services were expanded to include chemical dependency treatment. And in the 1990s, the agency added more mental health and adolescent services.

Today, Talbert House is a regional multi-service agency with more than 35 programs to address challenging social problems, and serves more than 20,500 registered clients annually. Over the years, Talbert House has received numerous national and State accreditations and awards for its many successful programs.

I want to congratulate Talbert House's 40th anniversary honorees: Larry Galluzzo; Sherry and Virgil Reed; Bonnie and Bill Rumpke; and Beatrice and Stephen Rosedale. We appreciate their extraordinary and unselfish commitment to Talbert House.

Those of us in the greater Cincinnati area congratulate all of the people behind Talbert House as it celebrates 40 years of outstanding community service. We wish you continued success.

## PERSONAL EXPLANATION

### HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. LINDER. Mr. Speaker, I was unable to cast rollcall votes 34, 35, 36, 37, and 38, on March 9, 2006, because I was traveling to the State of Georgia. Had I been present I would have cast the following votes: On rollcall 34, I would have voted "yea"; on rollcall 35, I would have voted "yea"; on rollcall 36, I would have voted "nay"; on rollcall 37, I would have voted "yea"; and on rollcall 38, I would have voted "yea."

## DEWEY E. BARTLETT POST OFFICE

SPEECH OF

### HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 7, 2006*

Mr. COLE of Oklahoma. Mr. Speaker, I rise today to support the Dewey F. Bartlett Post Office Designation Act and urge my colleagues to do the same.

Mr. Speaker, Dewey Bartlett served our country in the Marine Corps during World War II and, when he came to Oklahoma after the war, he began to serve the State. He was first a member of the Oklahoma Senate, then Oklahoma's 19th Governor, and finally a United States Senator. It is no exaggeration to say that he is one of the most consequential public figures in Oklahoma history.

During his term as Governor, his goal was to meet his campaign promises, the first of which was to strengthen the State's economy. The numbers during the Bartlett administration are impressive. Two years into his term, Oklahomans spent $148 million building new industries or improving existing capital. In 1969, the State had 1 million jobs for the first time in its history. He journeyed widely to bring outside businesses into the State. In 1968 alone, he traveled 100,000 miles on behalf of the State, some of it at his own expense.

Bartlett's time in the Senate was equally remarkable. He wrote about NATO and the Soviet Union and collaborated with Senators across the aisle. Whether visiting chambers of commerce or the White House, Oklahoma's military installations or villages in Somalia, Senator Bartlett held the conviction that Oklahomans and Americans were special and could contribute something to the rest of the world.

Mr. Speaker, Governor Dewey Bartlett was rightfully important to us Oklahomans, and, I believe, his example can say something important to the rest of the country today. Partisanship was strong during the Bartlett administration, not unlike partisanship that develops when the clash of ideas is strong. During his watch in the late 1960s, there were questions about State funding authority and disputes over sex education policy. Some of his actions to address student unrest at the University of Oklahoma were unpopular. And though he was the first Governor of Oklahoma eligible to be reelected, he lost in an election that was so close that the National Guard had to be deployed to protect ballot boxes.

Mr. Speaker, despite the acrimony, Bartlett was optimistic. He opened his final State of the State Address with these words: "Most of you looked for solutions to State problems through a Democratic point of view; I from a Republican viewpoint." But, he continued, "this competitive difference, I believe, brought out the best in each of us." Differences of opinion, in short, were not reasons to condemn or deride one another. Rather, they were the building blocks upon which the future of the State depended.

Granted, the party meant something to Bartlett, but the State was more important. Even in the end, just a few months before he died, Senator Bartlett retired early so that his successor, David Boren, could have additional seniority to benefit Oklahoma. This country, and this Congress, would do well to build upon Bartlett's legacy in this regard.

Mr. Speaker, Dewey Bartlett believed in serving his country and his community, and so it is fitting that we name a post office after him in his hometown, Tulsa. For him, Oklahoma was a great State that could be even better, and his vision inspires those of us who serve Oklahoma today.

With that, Mr. Speaker, I urge other members to support this resolution and pass the bill under suspension.

## TRIBUTE TO HERBERT L. BELLAMY

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. HIGGINS. Mr. Speaker, I rise today to honor Herbert L. Bellamy, Sr., who passed away Wednesday, March 8, 2006, at the age of 74. Mr. Bellamy was a businessman and civic leader in Buffalo for more than 30 years.

Herbert L. Bellamy, Sr., moved to Buffalo, after serving in the Marine Corps, to study at the Dale Carnegie Institute and Buffalo State. Mr. Bellamy worked hard to build a career in community service as well as creating over a dozen businesses.

In 1970 he founded the 1490 Enterprises, a nationally recognized community center which serves as city hall for the neighborhood. 1490 Enterprises grew to provide housing to the senior citizen as well as providing other services for seniors. The center honors community leaders by sponsoring a Black Achiever's awards dinner and Black History breakfast.

In 1979, Mr. Bellamy was the first African American member of the Buffalo Municipal Civil Service commission where he served for 8 years. In 1990 he was appointed to the Judicial Conduct and later served on the Peace Bridge Authority. Herbert L. Bellamy, Sr., was the first black director and vice president of the Buffalo Area Chamber of Commerce and the Buffalo Downtown Nursing Home. He was also the president of the Greater Eastside Business Association.

Mr. Bellamy also served on many boards such as the Canisius College Board of Regents, the Police Athletic League, the Reed Cross, the Private Industry Council, the National Association of Colored People and the National Conference of Christians and Jews.

Thought his life Herbert L. Bellamy, Sr., accumulated over 150 awards, including the Roberto Clemente Humanitarian Award, the Buffalo News citizen of the year award, the Buffalo Challenger Man of the Year Award and its Millennium Award, the Canisius College President's Award, the Cold Spring Businessman of the Year Award, the 100 Black Men Award and the Buffalo Urban League Family Award.

Herbert L. Bellamy, Sr., is survived by his mother, six children, ten grandchildren, one great-grandchild as well as brothers and sisters. Mr. Bellamy was a great man whose contributions to Buffalo, New York, will live on as will his memory. The people of Buffalo appreciate his commitment to our community and the lifetime of devoted service.

## TRIBUTE TO THE GOODYEAR BLIMPS

### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to pay tribute to The Goodyear Tire & Rubber Company and its Goodyear blimps, which are celebrating their 80th anniversary as international symbols of American culture and innovation.

The Goodyear Tire & Rubber Company, headquartered in Akron, Ohio for over a century, launched the first Goodyear blimp, the Pilgrim, in 1925. Since then, the company has built more than 300 of these graceful aerial giants, including numerous airships in a partnership endeavor with the U.S. Government to assist in military surveillance activities.

Although Americans are probably most familiar with seeing the Goodyear blimps at sporting events, during World War II, the Goodyear blimps protected American ships and armed forces while escorting convoys and task forces across the Atlantic Ocean.

Today, the Goodyear blimps support national and local charities every year, helping secure millions of dollars in donations. Perhaps even more important, the Goodyear blimps help federal and state emergency service agencies and victims of national disasters.

For all of the above, and in many thanks to a distinguished American manufacturer, I am proud and honored to recognize the extraordinary contributions Goodyear blimps have made to our nation.

## AMEND THE FOREIGN ASSISTANCE ACT OF 1961

### HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. ROHRABACHER. Mr. Speaker, last week I introduced a bill to amend the Foreign Assistance Act of 1961 to limit the provisions of the United States military assistance and the sale, transfer or licensing of United States military equipment or technology to Ethiopia.

The bill requires that before the United States provides military equipment to the regime in Addis Ababa that our President certifies that the Government of Ethiopia is not using our equipment or assistance against pro-democracy advocates or peaceful civilian protesters in Ethiopia. Is that too much to ask?

It is an outrage that in Ethiopia that over 80 opposition leaders and human rights activists and journalists have been recently charged with treason, violent conspiracy and genocide. These prisoners of conscience face brutal captivity and the possibility of death sentences. They include 10 newly elected members of the Parliament and other officials of the opposition Coalition for Unity and Democracy Party, also known as the CUD.

These brave souls face charges filed against them by a corrupt and repressive government. This same government blatantly stalled the last election, making a sham out of the democratic process. Five of those being charged with criminal behavior work for the Voice of America. One of those being held is Dr. Berhanu Nega. He is mayor of Ethiopia's largest city and has lived, studied and taught in America. Dr. Nega is an advocate of democracy. He faces the death penalty for his involvement in mass protests over the election fraud that took place in Ethiopia during their last election.

Now, in January, the British Government cut the equivalent of $88 million in aid in support to Ethiopia. This was due to its concerns about the governance and human rights issues arising from this disputed election. Other international donors have taken similar measures.

My legislation requires certification by the President of the United States that our military equipment provided to Ethiopia is not being used to beat down those who would bring honest and democratic government to that troubled land. In Ethiopia, it is incumbent upon us as Americans to be on the side of those struggling for honest and democratic government, not on the side of their oppressor.

No pragmatic strategy can justify the United States backing a regime that stole the last election and has brutalized their own people and will, at some point, disintegrate from its own corruption and incompetent ways. I ask my colleagues to join me in recognizing and supporting the democratic movement in Ethiopia, just as we did with a similar movement in Ukraine just two short years ago and in other countries throughout the world where the future was in play and human freedom was in the balance.

That is what being an elected representative of the American people is all about, standing for our ideals and our principles. And nowhere could that be made more clear than to stand with the people of Ethiopia, who are struggling to make a democratic government, to form a democratic government, and to have honest government and the recognition and respect for people's rights within their own country.

## TRIBUTE TO PATRICK CASHDAN

### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. SHERMAN. Mr. Speaker, I rise today to recognize the accomplishments of Patrick Cashdan, a young resident of the San Fernando Valley that recently became the high school winner of the 2006 USA Today National Sportsmanship Day Essay Contest.

The Sixteenth Annual National Sportsmanship Day was held across the United States and in over 100 countries around the world on Tuesday, March 7, 2006, by the Institute for International Sports. The purpose of the day is to raise awareness about issues related to sportsmanship and ethics in athletics and daily life. The essay competition is in its twelfth year and receives thousands of essays from elementary, middle, high school, and college students on the topic of ethics and sportsmanship in sports. Patrick is the 2006 winner in the high school category for his essay on the need to resurrect sportsmanship.

My. Speaker, Patrick is a junior at Chaminade College Preparatory High School in West Hills, California. He is a varsity wrestler and lacrosse player, and understands the importance of sportsmanship and the difficulties encountered by young athletes who must face peer pressure to excel and win. While most children, of course, want to impress their friends and parents with their athletic abilities, Patrick understands that winning at all cost is not what is important. He believes and competes with the knowledge that one can play their very best while also being committed to being a good sport. Patrick has the strong support of his father, Daniel, and mother, Allisyn, who raised him to play fair—to understand that it is most important to do your best and enjoy yourself. Patrick also has two younger brothers, Christopher and Daniel, and has shared with them the value of good sportsmanship.

Patrick plans to attend college next year and is interested in United States history. He plans to continue playing sports and hopes to spread the value of sportsmanship to his fellow teammates.

My. Speaker, I pay tribute today to Patrick Cashdan as the high school winner of the 2006 USA Today National Sportsmanship Day Essay Contest, and as an inspiration to all sports fans. I ask that his essay on sportsmanship be included in the RECORD.

High school winner: Patrick Cashdan, age 17, junior at Chaminade College Preparatory High School, West Hills, Calif.

Sportsmanship is dead. However, it has died many times in history. For instance, it was buried the moment a Major League Baseball player purposely spiked the other team while stealing a base. In all sports both sides have to shake each other's hand and wish each other good luck, but how sincere are they? True sportsmen show grace and poise throughout their lives as athletes and role models, regardless of the game's outcome. There are many contributors to the death of sportsmanship, including the media, the over inflation of sports stars' egos, and most surprisingly, parents.

Unlike the Medieval Ages where opposing soldiers would greet each other on the battlefield and ''embrace them with a soldier's arm'' (Henry IV, Shakespeare), today's competitors only care about personal gain and fame. The modern media tries to find out everything about celebrities, including professional athletes, and when an athlete is caught doing something wrong, the attention makes him or her even more famous. This portrayal, even though it's bad, is addictive to a celebrity and only inflates an athlete's ego.

Such attention causes professional athletes to act childishly. Athletes consistently show vulgar and immature displays of unsportsmanlike activity. Fights with fans, alleged illegal drug use, and extra-marital affairs should not be the factors that define a great sportsman. Such athletes care only about money and fame rather than the love of the game. Their examples thus get passed on to the children of today showing that it is ok to act in an unsportsmanlike manner.

Perhaps the final nail in the casket for the death of sportsmanship starts when we are children. A parent is the first coach of life and young athletes get over-influenced by them. As a varsity wrestler, baseball and lacrosse player, I see first-hand how a parent causes unsportsmanlike conduct. The young athletes would do anything in their power to impress their parents or ''make them proud'' even if it means cheating or hurting themselves or their opponent. Recently, at a wrestling tournament during the match, a parent was yelling to his son to ''club'', or illegally hit, his opponent's head. So, the son did what his father told him to do. Believe it or not,

he won! He was cited for unsportsmanlike behavior and advanced. His father was very proud. As a witness, it was very upsetting to see such unsportsmanlike conduct being taught by a parent, and ultimately being rewarded.

It is unfortunate that there is not much sportsmanship seen anymore today. How did the idea of winning or losing gracefully leave our society? We need to resurrect it by taking out the media. This would make most of our role models act more maturely and less egotistically, and would make parents stop putting too much pressure on their kids to win at all costs. Sportsmanship needs to be brought back into our lives for all of humanity's sake.

## PERSONAL EXPLANATION

### HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. GONZALEZ. Mr. Speaker, I rise to offer a personal explanation of the reason I missed rollcall votes 19 through 38. Due to an emergency appendectomy I was unable to be present for votes the week of March 6th. I respectfully request that it be entered into the CONGRESSIONAL RECORD that if present, I would have voted on rollcall 19 (H.R. 4054 Designating the Dewey Bartlett Post Office), ''aye''; rollcall 20 (S. 2771—Reauthorization of the Patriot Act), ''no''; rollcall 21 (Previous Question to H.R. Res 710 Providing for Consideration of the Food Uniformity Bill), ''no''; rollcall 22 (Motion to Instruct Conferees to H.R. 2830), ''aye''; rollcall 23 (H.R. 4192 designating Hope Arkansas as the President Clinton Birthplace), ''yea''; rollcall 24 (H.R. 1053 Extending Normal Trade Relations to the Ukraine), ''aye''; rollcall 25 (H. Res. 673 Expressing Support for the People of Belarus to Establish a Full Democracy), ''aye''; rollcall 26 (H.R. 3505 to Provide Regulatory Relief for Insured Depository Institutions), '' aye''; rollcall 27 (Cardoza Amendment to H.R. 4167—To Amend the Federal Food, Drug and Cosmetic Act to Provide for Uniform Food Safety Warnings), ''aye''; rollcall 28 (Waxman Amendment to H.R. 4167), ''aye'; rollcall 29 (Capps Amendment to H.R. 4167), ''aye''; rollcall 30 (Wasserman Shultz Amendment to H.R. 4167), ''aye''; rollcall 31 (Stupak Motion to Recommit to H.R. 4167), ''aye''; rollcall 32 (Final Passage of H.R. 4167), ''no''; rollcall 33 (Previous Question of H.R. 2829 Reauthorize the National Drug Control Policy Act), ''no''; rollcall 34 (Chabot Amendment to H.R. 2829), ''aye''; rollcall 35 (Hooley Amendment to H.R. 2829), ''aye''; rollcall 36 (Paul Amendment to H.R. 2829), ''no''; rollcall 37 (Rehberg Amendment to H.R. 2829), ''aye''; rollcall 38 (Final Passage of H.R. 2829), ''aye''.

## FIRST ANNIVERSARY OF THE HOUSE DEMOCRACY ASSISTANCE COMMISSION

### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. PRICE of North Carolina. Mr. Speaker, it was one year ago today—March 14, 2005—that the House gave final approval to the formation of the House Democracy Assistance Commission. Today I am pleased to report that the HDAC, which is chaired by Rep. DAVID DREIER and on which I serve as ranking member, is off to an energetic and encouraging start.

My hope in first proposing creation of the Commission in the 108th Congress was to build upon and extend the pioneering work of the Frost-Solomon Task Force, which in the early 1990s extended support to the emerging democratic parliaments of Central and Eastern Europe. Those hopes began to be realized as Speaker HASTERT got behind the idea, the authorizing resolution was refined and passed, and both Speaker Hastert and Leader Pelosi appointed serious, committed Members to carry out the work of the Commission.

During calendar year 2005, the Commission entered into agreements with five parliaments around the world to provide material, technical, and procedural assistance to members of Parliament as they learn how to govern their nations responsibly, effectively, and—in many cases for the first time ever—democratically. The Commission has now, begun its work with these nations: East Timor, Georgia, Indonesia, Kenya, and Macedonia.

Our relationship with these countries will continue, hopefully over the course of several, years. At the same time, the Commission will be undertaking programs with a new round of emerging democratic parliaments in 2006. We hope to continue to support our country's ideals and interests in key nations around the world through our assistance.

While our program is still in its early stages, we have already seen clear evidence of the impact it can have. Last month, the Commission's first delegation of members of Congress traveled to Indonesia and East Timor and began to train members of those nations' parliaments. I want to especially thank the members of this delegation—Rep. Jim KOLBE, Rep. LOIS CAPPS, Rep. ADAM SCHIFF, and Rep. ALLYSON SCHWARTZ—who I understand were greeted with warm welcomes and rapt attention in both countries. While in East Timor, this delegation announced that the House Democracy Assistance Commission would be helping East Timor build a parliamentary library from the ground up, no small accomplishment in a nation with extremely limited resources. Our Commission's work goes far beyond building physical structures, however; we are helping to build the foundations of effective and lasting democracy.

Mr. Speaker, the House Democracy Assistance Commission is an all-too-rare example of sincere bipartisan cooperation, Chairman DREIER, who chairs our commission, has helped us carry out our work with no considerations other than the best interests of the House, the United States, and our partner parliaments, Under his leadership, our Commission's 16 members have been able to demonstrate to our partners our deeply-felt, shared respect for and admiration of American democracy and the esteemed institution of the House of Representatives. We also owe a particular debt of gratitude to the Commission's Staff Director, John Lis, whose energy and vision have helped us launch the Commission in such a promising way.

Every day, members of Congress are called upon to assess and oversee our Nation's policies toward developing democracies around the world. The House Democracy Assistance Commission offers the House an opportunity to directly contribute to the sustainability and effectiveness of these democracies. We are working to establish democracy not just in name but also in practice, training our partners in the nuts and bolts of democratic government. Mr. Speaker, I can think of no more important work for ensuring our national security and maintaining our role as leader of the free world. I thank you and I thank my colleagues for your support, and I look forward to continuing our work.

## TRIBUTE TO NATIONAL ENGINEER'S WEEK

### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. HOLT. Mr. Speaker, I rise today in celebration of National Engineer's Week and the fact that we are recognizing the importance of engineering in our lives. Too often we forget that engineering gives us our Blackberries, computers, cell phones, Ipods, pagers, high definition televisions, remote controls, and many other conveniences of modern living. For example, a Ford Taurus has 120 computer chips in it, giving the Ford Taurus more computing power than the Apollo lunar excursion modules.

I often speak of ''good old American know-how'', the ingenuity that created innovations which propelled our Nation to the superpower status we enjoy today. Yet, Mr. Speaker, we cannot grow complacent—innovation is slowing down, the innovation landscape is changing, and others are trying to take the gauntlet from us as I stand here now. We will not remain the leader of technological innovation in the world if we do not act. Resting on our laurels is not an option. We have done that long enough.

We must lead the Nation forward into the cultural shift required for our continued technological dominance. Every action that we take in this chamber sends a message to the world. Will we send the message that the United States understands the acceleration of technology through engineering and that these technologies will fundamentally change the structure of society and challenge the vision that we have of the future? Will we embrace the challenges that are before us as the global economy unfolds and we strive to find our role in it?

As we celebrate National Engineer's Week, we recognize the abilities that engineers have to translate scientific knowledge into innovative technologies which fulfill the needs and desires of society. By taking time on the floor of the House of Representatives to give commendation to engineering and National Engineer's Week, we are telling the Nation that engineering IS important to our future. However, celebrating engineering is not enough. We must focus resources and increase funding into research and development. Without a strong foundation in basic research and development, engineering loses the source of knowledge which feeds the engineering innovation pipeline.

Innovation spurs from creative thinking, and engineering benefits from the highly trained

workforce skilled in the creative endeavor of problem solving. The education of our engineering workforce must also be a focus of our work for the future of our Nation. We must more fervently welcome into the science and engineering workforce underrepresented groups, for their unique perspectives and diverse background enrich the problem solving environment. We must create an educational system that maintains high expectations and intellectually challenges each student to find their role in solving the problems that we will face as a Nation. This is about our future, our Nation's future, and we must act now.

## INTRODUCTION OF THE ETHICS REFORM ACT OF 2006

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. BLUMENAUER. Mr. Speaker, hailing from the Oregon climate of a small state legislature where political openness and integrity is highly prized, I have been pained by both the recent revelations in Congress of wrongdoing and the inability of the Congressional ethics process to operate in an effective manner. The House has long been in need of a comprehensive solution to the oversight of Members' ethical conduct. Sadly, it has necessitated a series of egregious violations by Members to bring this issue to the forefront of public attention. The current proposals, however, do not address the core issue behind the ethics problem—oversight.

Today, I am proud to introduce with my colleague and fellow Oregonian, GREG WALDEN, the ''Ethics Reform Act of 2006.'' While it is the responsibility of each and every Member of Congress to adhere to the spirit of the law, as a practical matter, history shows there needs to be additional enforcement and oversight. Unfortunately, history also shows that the expectation for Congress to oversee the conduct of its Members is unrealistic. The ''Ethics Reform Act of 2006'' would create an independent Ethics Commission, appointed by Congress, that would objectively oversee and bring charges against Members of Congress who violate the rules.

Congress needs an independent ethics review process, similar to that found in many states. We need an independent panel that can make independent decisions without worrying about the effect those decisions will have on its members' political futures. We need an independent panel whose members understand the reality of public service and the need to ensure the integrity of that service through adherence to the rules. We need an independent panel that can meet the test of public scrutiny and restore trust that today is missing.

This bill would replace the Committee on Standards of Official Conduct with an 11-member outside Ethics Commission and a full-time professional staff to provide oversight, investigations and recommendations for ethical enforcement. Each of the members would be former House members—five from each party—who have been out of office at least 2 years and an 11th member appointed by the consensus of the other 10. These Commission members would bring the experience of public service and the understanding of the complexity of our duties.

Professional staff, headed by an executive director, would serve the Ethics Commission. The Speaker of the House and the Minority Leader of the House would choose the executive director in a manner similar to the appointment of the director of the Congressional Budget Office. The executive director would serve for a seven-year term and could be reappointed only once.

In addition to taking over the investigation and review functions of the Committee on Standards of Official Conduct, the Lobbying Disclosure Act would be brought under the Commission's jurisdiction. The new ethics panel would maintain all records and ensure compliance with reporting requirements and rules.

Any recommendations of the ethics panel beyond advisory opinions, letters of reproval and admonishment would go to the full House. Actions that fall short of official discipline would not require action of the House.

In reviewing both lobbyist disclosures and member disclosures, the Commission would review for potential joint financial interests between the two. Additionally, this bill mandates quarterly posting of lobbyist disclosures on the internet for easy public scrutiny.

Current Members of Congress will no longer be obligated with the task of policing their peers—a task which Members do not have the proper amount of time or impartiality to perform. It is time for the American people's faith in Congress to be restored. The ''Ethics Reform Act of 2006'' has the power to allow the Congressional oversight process to work in the fair, efficient, and transparent manner that many of us seek and our constituents demand.

## RECOGNIZING MARCH 8, 2006—INTERNATIONAL WOMEN'S DAY—SPOTLIGHT ON THE PLIGHT OF MINORITY WOMEN—THE HIDDEN VICTIMS OF MULTIPLE-DISCRIMINATION

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 14, 2006*

Mr. RANGEL. Mr. Speaker, I rise to say a few words in recognition of International Women's Day and to enter into the RECORD a very profound statement titled ''Meeting the Challenges of Discrimination against Women from Minority Groups,'' authored by Gay McDougall, a human rights lawyer and a United Nations Independent Expert on Minority Issues. In the country and around the world, holidays and special recognition days come and go every year. We all celebrate and/or reminisce briefly to honor the occasions. Many times there are occasions that deserve more than just a cursory acknowledgement. International Women's Day is one such occasion.

March 8th—International Women's Day is a day marked by women's groups around the world. This date is commemorated at the United Nations and is designated in many countries as a national holiday. The idea of an International Women's Day first came about at the turn of the century during a period of expansion and turbulence, booming population growth and radical ideologies. Great strides in women's rights have been made since the turn of century and everyone, especially women, can look back to a tradition that represents at least nine decades of struggle for equality, justice, peace and development. In the present day, women on all continents often divided by national boundaries and by ethnic, linguistic, cultural, economic and political differences continue to come together to celebrate International Women's Day.

The United Nations has played a pivotal role in ensuring that International Women's Day continues to receive their support. The growing women's movement has been strengthened by four global United Nations women's conferences which served to make the commemoration a rallying point for coordinated efforts to demand women's rights and participation in the political and economic process.

Few causes promoted by the United Nations have generated more intense and widespread support than the campaign to promote and protect the equal rights of women. The charter of the United Nations, signed in San Francisco in 1945, was the first international agreement to proclaim gender equality as a fundamental human right. Since then, the organization has helped create a historic legacy of internationally agreed strategies, standards, programs and goals to advance the status of women worldwide.

With so much awareness of the issues facing women in this day and time, one would believe that women have come close to reaching the pinnacle of achievement and recognition in today's society. Yes, great strides have been made but the reality is that new and urgent attention must be given to the rights of women facing multiple forms of discrimination, exclusion and violence. Amongst the most disadvantaged and vulnerable are women from minority communities who face problems compounded by their uniquely disadvantaged positions in society. These women face two forms of discrimination—first because they belong to certain minority communities and secondly because they are women.

This article that I enter into the RECORD today thoroughly exposes some of the challenges of discrimination against women—particularly women from minority groups—and clearly brings the unfinished business of equal rights for women to the forefront. Gay McDougall the U.N. Independent Expert on Minority Issues has written this article to remind us that much is left to do to confront the reality of the present unacceptable situation facing millions of women worldwide.

MEETING THE CHALLENGES OF DISCRIMINATION AGAINST WOMEN FROM MINORITY GROUPS

(By Gay McDougall)

All women share common bonds in the fight for equal rights. In every region and in every society, women are undervalued, face issues of personal insecurity because of violence in their homes and communities, and must wage a constant struggle for self-determination over their bodies and personal destinies. While some gains have been made in those battles, gender based discrimination remains a persistent and universal problem.

However, some women's problems are compounded by their uniquely disadvantaged position in society as members of national, racial, ethnic, religious or linguistic minorities that are targets of discrimination. The damage done to individuals, families, communities and societies by discrimination, exclusion and racism on these grounds is immense. Women from these groups must often

fight the patriarchy within their communities along with the patriarchy and racism of the larger community.

On this, International Women's Day, it is incumbent on the international community, to speak out in support for those women whose voices have been silenced and whose lives have been blighted by discrimination, intolerance, exploitation, violence and patriarchal ideologies. Addressing the situation of the most disadvantaged women is a challenge requiring the urgent attention of all of us.

Minorities are often restricted from participating fully or effectively in economic, social and political life. Yet it is women who belong to minority population groups whose choices, opportunities and life chances, are the most restricted, in both public and private spheres. Where minorities suffer poor access to education, health services and employment, it is often the women from those minority groups, whose needs are least recognized, and whose potential remains the least fulfilled. While minorities are the most frequent victims of conflict and genocide, it is the women of those communities who often suffer the most, supporting families under unimaginable conditions, or targeted for rape or killing, due to their status as the most vulnerable of minorities, and the bearers of a new generation. Overwhelmingly, the poorest of the world are disproportionately minority communities that have been subjected to on-going discrimination, yet it is minority women who often bear the greatest burden.

A Roma woman in Europe, for example, may experience complex multiple forms of discrimination, touching every aspect of her life, including her social interactions, her health and work. An Afro-descendent woman in Latin America is also more likely to be poorly educated, to live in the poorest quality housing, lack access to health care and other services, and to work in the lowest income employment. Women in communities affected by caste in some Asian or African nations are often severely disadvantaged and forced to perform the most degrading tasks in society. If such women happen to be unmarried, to have a disability, to be lesbian or a single mother, they may also face additional forms of discrimination.

Action must be taken at the community, national and international levels to address the discrimination and rights violations faced by women from disadvantaged minority groups. In the first instance, this requires recognition that such complex problems, exist. It is often the case that we do not see the most disadvantaged, precisely because of the violations perpetrated against them. They are, in a very real sense, hidden victims.

Socio-economic data that is aggregated hides the problems that minorities face. The increasing practice of disaggregating data along gender lines is revealing the general inequalities between men and women. But only when that data is further disaggregated based on both gender and race, ethnicity or religion, will the problems of marginalized and disadvantaged women come into focus. In order for policies and programs to be effective, the gender lens must be adjusted to reveal the dynamics of colour, ethnicity and religion, so that the plight of these women can become visible through research and statistics.

While reinforcing a clear message of the value of cultural and religious diversity, we must not shy away from addressing those cultural, religious or traditional practices which impair or restrict the full range of choices that women, as humans, are entitle to as rights. Yet calls for the rights and empowerment of minority women should not be seen as a challenge to the cultural or religious identity or heritage of minority communities. The protection and promotion of the rights of women in disadvantaged communities provides a means to realize the full potential that exists within those communities as a whole, in the abilities and efforts of both their men and their women equal in rights and in dignity.

These are not solely problems of the developing world. Minorities and women belonging to those minorities also face unique disabilities in the context of discrimination in the developed world. Trafficking of vulnerable women and girls, for example, many of whom are from disadvantaged minorities, is a manifestation of how the global economy can prey on those burdened with multiple forms of discrimination. These are problems in all countries and issues for all nations to confront together.

I believe that the problems faced by women from disadvantaged minority communities must be tackled both from within their communities and as it is manifested in the larger society. These are problems that must be confronted both by women themselves, and by men, whose attitudes and ideologies are often a root cause of discrimination and inequality. A new challenge exists for those organizations working on women's rights, to fully and effectively address minority rights as they relate to women. Equally, those organizations working on minority rights must pay greater attention to the plight of women within minority communities and the broader society.

National legislation, sensitively conceived, actively promoted, and vigorously applied, can pave the way for social progress, and for real change to the lives of disadvantaged women. Access to effective legal remedies for women is an essential step on this path. Community based awareness raising and practical initiatives must go hand in hand with legal and judicial progress, and have a role to play in the empowerment of women to achieve their potential and to enable them to claim their rights with confidence. Crucially, girls and women from minority communities must have full and equal access to quality education. Education must extend beyond the, classroom, to reach deeply into the fabric of society with a strong and pervasive message of human rights, equality and understanding, which enriches all lives.

As Independent Expert on minority issues, I believe that the issues of the rights of, women from targeted minorities deserve particular attention under my mandate, and by the international community. Across the full spectrum of rights, civil and political, economic, social and cultural, minority women are often the most disadvantaged from birth until death. I will support campaigns to highlight the issues and to find effective and sustainable solutions, confronting the reality of the present unacceptable situation facing millions of women worldwide. True gender equality will only be achieved when it is achieved for all women, not simply the women in advantaged majority communities. And, the rights of ethnic, religious and linguistic minorities will be realized only when the women of those communities enjoy fully their human rights.

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S2053–S2143***

**Measures Introduced:** Seven bills were introduced, as follows: S. 2408–2414. **Page S2122**

**Measures Reported:**

S. 1608, to enhance Federal Trade Commission enforcement against illegal spam, spyware, and cross-border fraud and deception. (S. Rept. No. 109–219)

S. 1110, to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable, with amendments. (S. Rept. No. 109–220) **Pages S2121–22**

**Congressional Budget Resolution:** Senate continued consideration of S. Con. Res. 83, setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011, taking action on the following amendments proposed thereto: **Pages S2054–S2116**

Adopted:

Talent Amendment No. 3019, to provide $99,000,000 in COPS Hot Spots funding as authorized in the Combat Meth Act. **Pages S2083–85**

Talent Amendment No. 3011, to increase funding for defense. **Pages S2062–66, S2092**

Chafee Amendment No. 3014, to increase funding for part B of the Individuals with Disabilities Education Act. **Pages S2072–74, S2093–94**

By a unanimous vote of 100 yeas (Vote No. 40), Burns/Chafee Amendment No. 2999, to provide increased funding for veterans health programs, and to negate the need for enrollment fees and increase in pharmacy co-payments. **Pages S2074–78, S2094**

Stabenow Amendment No. 3055, to ensure appropriate funding for the Manufacturing Extension Partnership Program of the Department of Commerce. **Page S2100**

Rejected:

By 50 yeas to 50 nays (Vote No. 38), Conrad Amendment No. 3013, to fully reinstate the pay-as-you-go requirement through 2011. **Pages S2056–62, S2091–92**

By 50 yeas to 50 nays (Vote No. 39), Kennedy Amendment No. 3028, to support college access and job training by: (1) restoring program cuts slated for vocational education, TRIO, GEAR UP, Perkins Loans, and other student aid programs; (2) increasing investment in student aid programs, including increasing the maximum Pell Grant to $4,500; and (3) restoring cuts slated for job training programs; paid for by closing $6.3 billion in corporate tax loopholes. **Pages S2066–72, S2092–93**

By 46 yeas to 54 nays (Vote No. 41), Akaka Amendment No. 3007, to increase Veterans medical services funding by $1.5 billion in fiscal year 2007 to be paid for by closing corporate tax loopholes. **Pages S2078–83, S2094–95**

By 46 yeas to 54 nays (Vote No. 42), Bingaman Amendment No. 3039, to make energy more affordable and sustainable, to increase our national security through foreign oil replacement with biofuels and alternative fuels and advanced/hybrid vehicle use, to accelerate production and market penetration of clean and renewable energy technologies and generation, and to more fully utilize energy efficiency and conservation technologies and practices. **Pages S2085–90, S2095–96**

Pending:

Specter Amendment No. 3048, to increase the advance appropriations allowance in order to fund health, education and training, and low-income programs. **Pages S2096–S2100**

Stabenow Amendment No. 3056, to provide $5 billion for our emergency responders so that they can field effective and reliable interoperable communications equipment to respond to natural disasters, terrorist attacks, and the public safety needs of America's communities, and fully offset this by closing tax loopholes and collecting more from the tax gap. **Pages S2101–03**

Menendez Amendment No. 3054, to provide an additional $965 million to make our ports more secure by increasing port security grants, increasing inspections, improving existing programs, and increasing research and development, and to fully offset this additional funding by closing tax loopholes. **Pages S2103–07, S2113**

McConnell Amendment No. 3061, to provide funding for maritime security, including the Container Security Initiative, improved data for targeted cargo searches, and full background checks and security threat assessments of personnel at our nation's seaports. **Page S2107**

Byrd Amendment No. 3062, to provide $184 million over five years for the Mine Safety and Health Administration to hire additional mine safety inspectors, paid for by closing corporate tax loopholes. **Pages S2107–09**

Chambliss (for Dayton) Amendment No. 3018, to restore funding for the Byrne/JAG grant program to the FY 2003 level of $900 million, offset with an across the board cut to administrative expenses, travel and consulting services. **Pages S2109–11**

Murray Amendment No. 3063, to restore funding for the Community Development Block Grant Program to the fiscal 2004 level by closing tax loopholes previously slated for elimination in Senate-passed legislation. **Pages S2111–13, S2113**

A unanimous-consent agreement was reached providing that at 9 a.m., on Wednesday, March 15, 2006, Senate begin consideration of certain amendments for specific periods of debate; that following the use, or yielding back of time, Senate vote on, or in relation to the amendments, with no second-degree amendments in order to the amendments prior to the votes; that the time used during the votes count equally against the resolution. **Page S2096**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9 a.m., on Wednesday, March 15, 2006. **Page S2143**

**Nomination Referral—Agreement:** A unanimous-consent agreement was reached providing that a list of nominations in the Coast Guard (Executive Calendar No. 428) be recommitted to the Committee on Commerce, Science, and Transportation. **Page S2143**

**Messages From the House:** **Page S2121**

**Executive Communications:** **Page S2121**

**Executive Reports of Committees:** **Page S2122**

**Additional Cosponsors:** **Pages S2122–24**

**Statements on Introduced Bills/Resolutions:** **Pages S2124–28**

**Additional Statements:** **Pages S2120–21**

**Amendments Submitted:** **Pages S2128–42**

**Notices of Hearings/Meetings:** **Page S2142**

**Authorities for Committees to Meet:** **Pages S2142–43**

**Privileges of the Floor:** **Page S2143**

**Record Votes:** Five record votes were taken today. (Total—42) **Pages S2091–96**

**Adjournment:** Senate convened at 9 a.m., and adjourned at 7:59 p.m., until 9 a.m., on Wednesday, March 15, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2143.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## NOMINATIONS

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine the nominations of Boyd Kevin Rutherford, of Maryland, and Linda Avery Strachan, of Virginia, each to be an Assistant Secretary, Gale A. Buchanan, of Georgia, to be Under Secretary for Research, Education, and Economics, and Marc L. Kesselman, of Tennessee, to be General Counsel, all of the Department of Agriculture, after the nominees testified and answered questions in their own behalf.

## APPROPRIATIONS: FDA

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2007 for the Food and Drug Administration, after receiving testimony from Andrew C. von Eschenbach, Acting Commissioner, Food and Drug Administration, Department of Health and Human Services.

## APPROPRIATIONS: D.C. AGENCIES

*Committee on Appropriations:* Subcommittee on District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2007, after receiving testimony in behalf of funds for their respective activities from Eric T. Washington, Chief Judge, District of Columbia Court of Appeals, and Chair, Joint Committee on Judicial Administration; Rufus G. King III, Chief Judge, District of Columbia Superior Court; Paul Quander, Jr., Director, Court Services and Offender Supervision Agency; Avis E. Buchanan, Director, Public Defender Service; and Reverend Donald Isassc, East of the River Clergy-Police-Community Partnership.

## DEPARTMENT OF DEFENSE AUTHORIZATION

*Committee on Armed Services:* Committee concluded a hearing to examine the defense authorization request for fiscal year 2007 and the future years defense program, focusing on combatant commanders on their military strategy and operational requirements, after

receiving testimony from General Bantz J. Craddock, USA, Commander, U.S. Southern Command; and Admiral Timothy J. Keating, USN, Commander, U.S. Northern Command.

## DEPARTMENT OF DEFENSE AUTHORIZATION

*Committee on Armed Services:* Committee concluded a hearing to examine the proposed defense authorization request for fiscal year 2007 and the future years defense program, focusing on the Joint Strike Fighter F–136 Alternate Engine Program, after receiving testimony from Lord Peter Drayson, Minister for Defence Procurement, and Sir Jock Stirrup, Chief of the Air Staff, both of London, England; Air Commodore John Harvey, Director General New Air Combat Capability, Canberra, Australia; Rear Admiral Raydon W. Gates AO, CSM, Head of the Australian Defence Staff, and Major General Pasquale Preziosa, Defense and Defense Cooperation Attache, Embassy of Italy, both of Washington, D.C.; and Lieutenant General Giuseppe Bernardis, Chief, Department for Armament Programs, Secretariate for Defence and National Armaments, Rome, Italy.

## DEPARTMENT OF DEFENSE AUTHORIZATION

*Committee on Armed Services:* Subcommittee on Personnel concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2007, focusing on health benefits and programs, after receiving testimony from Tanna Schmidli, National Military Family Association, and Vice Admiral Norbert R. Ryan, Jr., USN (Ret.), Military Officers Association of America, and Edgar M. Zerr, Fleet Reserve Association, on behalf of the Military Coalition, all of Alexandria, Virginia; and Lieutenant General Dennis M. McCarthy, USMC (Ret.), Reserve Officers Association of the United States, Washington, D.C.

## NOMINATIONS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the nominations of James S. Simpson, of New York, to be Federal Transit Administrator, Department of Transportation, who was introduced by Senator Schumer and former Senator Cleland, and Robert M. Couch, of Alabama, to be President, Government National Mortgage Association, after the nominees testified and answered questions in their own behalf.

## WIRELESS ISSUES AND SPECTRUM REFORM

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine wireless issues relating to spectrum reform, focusing on the Federal Communications Commission's spectrum and other regulatory policies for wireless services, including efforts to implement these policies to license and manage the non-Federal spectrum resources and wireless services, after receiving testimony from Catherine W. Seidel, Acting Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission; John M.R. Kneuer, Acting Assistant Secretary of Commerce for Communications and Information, National Telecommunications and Information Administration; JayEtta Z. Hecker, Director, Physical Infrastructure Issues, Government Accountability Office; Thomas F. Walsh, Illinois Valley Cellular, Marseilles, on behalf of Rural Cellular Association; Kevin C. Kahn, Intel Corporation, Thomas J. Sugrue, T-Mobile USA, Inc., and Jeannine Kenney, Consumers Union, all of Washington, D.C.; Robert W. Hubbard, Hubbard Television Group, St. Paul, Minnesota; and Lawrence J. White, New York University Stern School of Business, New York, New York.

## TELECOMMUNICATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine Wall Street perspective on telecommunications, focusing on investment sentiment and viewpoints of valuation, including key investment considerations, after receiving testimony from Luke T. Szymczak, JP Morgan Asset Management, Aryeh B. Bourkoff, UBS Investment Research, and Craig E. Moffett, Bernstein Research, all of New York, New York; and Kevin M. Moore, Wachovia Securities, Baltimore, Maryland.

## NATIONAL PARK SERVICE BUDGET

*Committee on Energy and Natural Resources:* Subcommittee on National Parks concluded a hearing to examine the President's proposed budget request for fiscal year 2007 for National Park Service, Department of the Interior, after receiving testimony from Fran Mainella, Director, National Park Service, Department of the Interior.

## SOCIAL SECURITY ADMINISTRATION

*Committee on Finance:* Committee held a hearing to examine administrative challenges facing the Social Security Administration (SSA), focusing on the Human Capital Plan of the SSA, the Medicare Prescription Drug Program, new enumeration procedures, and the funding and productivity of the SSA, receiving testimony from Jo Anne B. Barnhart, Commissioner, and Patrick P. O'Carroll, Jr., Inspector General, both of the Social Security Administration; Richard E. Warsinskey, National Council of Social Security Management Associations, Inc., Cleveland, Ohio; Eileen P. Sweeney, Center on Budget and Policy Priorities, Washington, D.C., on

behalf of the Social Security Task Force of the Consortium for Citizens With Disabilities; and Erwin Hathaway, Trego, Montana.

Hearing recessed subject to the call.

## BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

Convention between the Government of the United States of America and the Government of Bangladesh for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income signed at Dhaka on September 26, 2004 with an exchange of notes enclosed (Treaty Doc. 109–5);

Protocol Amending the Convention Between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income and Capital, signed at Paris on August 31, 1994 (Treaty Doc. 109–4);

Protocol Amending the Convention Between the United States of America and the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Estates, Inheritances, and Gifts signed at Washington on November 24, 1978 (Treaty Doc. 109–7);

Protocol Amending the Convention Between the Government of the United States of America and the Government of Sweden for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income signed at Washington on September 30, 2005 (Treaty Doc. 109–8);

Protocol of 1997 to Amend the International Convention for the Prevention of Pollution From Ships, 1973, as Modified by the Protocol of 1978 thereto (hereinafter the ''Protocol of 1997''), the Protocol of 1997, which would add Annex VI, Regulations for the Prevention of Air Pollution From Ships, to the International Convention for the Prevention of Pollution From Ships, 1973, as Modified by the Protocol of 1978 (hereinafter the ''MARPOL Convention''), was signed by the United States on December 22, 1998 (Treaty Doc.108–7);

Treaty Between the United States of America and Japan on Mutual Legal Assistance in Criminal Matters, signed at Washington on August 5, 2003; including a related exchange of notes (Treaty Doc. 108–12);

Treaty Between the United States of America and the Federal Republic of Germany on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 14,2003, and a related exchange of notes (Treaty Doc. 108–27);

The nominations of Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development, Mark D. Wallace, of Florida, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador, and to be Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform, Richard T. Miller, of Texas, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations, John A. Simon, of Maryland, to be Executive Vice President of the Overseas Private Investment Corporation, certain Foreign Service Officer promotion lists; and

An original bill to implement the obligations of the United States under the Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America (Treaty Doc. 107–7)

## GSA CONTRACTORS

*Committee on Homeland Security and Governmental Affairs:* Permanent Subcommittee on Investigations concluded a hearing to examine Federal contractors with unpaid tax debt, focusing on the extent to which contractors are tax-delinquent and what can be done about it, after receiving testimony from Gregory D. Kutz, Managing Director, and John J. Ryan, Assistant Director, both of the Forensic Audits and Special Investigations, and Steven J. Sebastian, Director, Financial Management and Assurance, all of the Government Accountability Office; Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; and Kathleen M. Turco, Acting Deputy Administrator, General Services Administration.

## OIL AND GAS INDUSTRY

*Committee on the Judiciary:* Committee concluded a hearing to examine consolidation in the oil and gas industry, and its impact on the price of gasoline, after receiving testimony from Wisconsin Attorney General Peggy A. Lautenschlager, Madison; Joseph M. Alioto, Alioto Law Firm, San Francisco, California; Thomas Greene, California Department of Justice, Sacramento; Severin Borenstein, University

of California Haas School of Business, Berkeley; David Boies, Boies, Schiller and Flexner, Armonk, New York; Rex W. Tillerson, Exxon Mobil Corporation, Irving, Texas; James J. Mulva, ConocoPhillips, and John Hofmeister, Shell Oil Company, both of Houston, Texas; David J. O'Reilly, Chevron Corporation, San Ramon, California; William R. Klesse, Valero Energy Corporation, San Antonio, Texas; and Ross J. Pillari, BP America, Inc., Chicago, Illinois.

**NOMINATIONS**

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Michael A. Chagares, of New Jersey, to be United States Circuit Judge for the Third Circuit, who was introduced by Senators Lautenberg and Menendez, Gray Hampton Miller, to be United States District Judge for the Southern District of Texas, who was introduced by Senators Hutchison and Cornyn, and Jeffrey L. Sedgwick, of Massachusetts, to be Director of the Bureau of Justice Statistics, who was introduced by Senators Lautenberg and Menendez, and Sharee M. Freeman, of Virginia, to be Director, Community Relations Service, both of the Department of Justice, after the nominees testified and answered questions in their own behalf.

**BUSINESS MEETING**

*Select Committee on Intelligence:* Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 19 public bills, H.R. 4941–4959; and 6 resolutions, H. Con. Res. 357, and H. Res. 722–724, 726–727, were introduced. **Pages H971–73**

**Additional Cosponsors:** **Pages H973–74**

**Reports Filed:** Reports were filed today as follows:

H.R. 4057, to provide that attorneys employed by the Department of Justice shall be eligible for compensatory time off for travel under section 5550b of title 5, United States Code (H. Rept. 109–390);

H. Res. 725, providing for consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109–391); and

H.R. 3127, to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes (H. Rept. 109–392, Pt. 1). **Page H971**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Bradley of New Hampshire to act as Speaker pro tempore for today. **Page H875**

**Recess:** The House recessed at 12:40 p.m. and reconvened at 2 p.m. **Page H876**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Designating the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the Malcolm Melville "Mac" Lawrence Post Office:*** S. 2064, to designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the Malcolm Melville "Mac" Lawrence Post Office—clearing the measure for the President; **Pages H878–79**

***Amending the Ojito Wilderness Act to make a technical correction:*** H.R. 4841, to amend the Ojito Wilderness Act to make a technical correction; **Pages H879–80**

***Higher Education Extension Act of 2006:*** H.R. 4911, to temporarily extend the programs under the Higher Education Act of 1965; **Pages H880–81**

***Extending the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999:*** S. 2363, to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999—clearing the measure for the President; **Pages H881–82**

***Expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad:*** H. Res. 698, to express the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad; **Pages H882–84**

***Expressing the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds:*** H. Con. Res. 354, to express the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds, by a yea-and-nay vote of 347 yeas to 65 nays with 2 voting "present", Roll No. 39;

**Pages H884–87, H940–41**

***Waiving the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member:*** S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member—clearing the measure for the President;

**Pages H887–88**

***Permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust:*** H. Con. Res. 350, to permit the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; and **Pages H890–92**

***Extending through December 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits:*** H.R. 4826, to extend through December 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

**Pages H892–93**

**Recess:** The House recessed at 4:02 p.m. and reconvened at 6:10 p.m. **Page H893**

**Suspensions—Proceedings Postponed:** The House completed debate on the following measures under suspension of the rules. Further consideration of the measures will resume tomorrow, March 15th:

***Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards:*** H. Con. Res. 190, to express the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards; and

**Pages H888–90**

***Amending the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws:*** H.R. 4944, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws.

**Pages H893–H940**

**Recess:** The House recessed at 6:18 p.m. and reconvened at 6:30 p.m. **Page H940**

**Senate Message:** Message received from the Senate today appears on page H878.

**Amendments:** Amendments ordered printed pursuant to the rule appear on pages H974–75.

**Quorum Calls—Votes:** 1 yea-and-nay vote developed during the proceedings today and appears on pages H940–41. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at midnight.

# *Committee Meetings*

## LEGISLATIVE ISSUES APPROPRIATIONS

*Committee on Appropriations:* Held a hearing on the House of Representatives, Office of Compliance and the Architect of the Capitol, Testimony was heard from James M. Eagen III, Chief Administrative Officer; Karen L. Haas, Clerk of the House; Wilson J. Livingood, Sergeant at Arms; James J. Cornell, Inspector General; Geraldine Gennet, Office of the General Counsel; Peter G. LeFevre, Office of the Law Revision Counsel; M. Pope Barrow, Jr., Office of the Legislative Counsel; and John Eisold, M.D., Office of the Attending Physician; the following officials of the Office of Compliance: Robert Holzwath; and Barbara Camens, both members of the Board of Directors; William W. Thompson II, Executive Director; and Peter A. Eveleth, General Counsel; and Alan M. Hantman, Architect of the Capitol.

## DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Departments of Transportation, Treasury, and Housing and

Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Department of Housing and Urban Development. Testimony was heard from Alphonso R. Jackson, Secretary of Housing and Urban Development.

## MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Central Command. Testimony was heard from GEN John P. Abizaid, USA, Commander, U.S. Central Command, Department of Defense.

## SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies Appropriations held a hearing on the Attorney General. Testimony was heard from Alberto Gonzales, the Attorney General, Department of Justice.

## RESOLUTION OF INQUIRY; DOD QUADRENNIAL DEFENSE REVIEW

*Committee on Armed Services:* Ordered reported adversely H. Res. 685, Requesting the President and directing the Secretary of State and the Secretary of Defense provide to the House of Representatives certain documents in their possession relating to any entity with which the United States has contracted for public relations purposes concerning Iraq.

The Committee also held a hearing on the Department of Defense Quadrennial Defense Review. Testimony was heard from the following officials of the Department of Defense: Gordon England, Deputy Secretary; and ADM Edmund P. Giambastiani, USN, Vice Chairman, Joint Chiefs of Staff; and public witnesses.

## REVIEW RUDMAN REPORT ON FANNIE MAE

*Committee on Financial Services:* Held a hearing entitled ''Review of the Rudman Report on Fannie Mae.'' Testimony was heard from former Senator Warren B. Rudman of New Hampshire.

## HANDLING CLASSIFIED AND SENSITIVE INFORMATION

*Committee on Government Reform:* Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled ''Drowning in a Sea of Faux Secrets: Policies on Handling of Classified and Sensitive Information.'' Testimony was heard from Davi M. D'Agostino, Director, Defense Capabilities and Management, GAO; the following officials of the National Archives and Records Administration: Allen Weinstein, Archivist of the United States; and J. William Leonard, Director, Information Security Oversight Office; Robert Rogalski, Acting Deputy Under Secretary, Counterintelligence and Security, Department of Defense; and Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance, Department of Energy; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Homeland Security:* Subcommittee on Prevention of Nuclear and Biological Attack approved for full Committee action the following measures: Office of Domestic Nuclear Detection; Annual Report to Congress on the Directorate of Science and Technology; and Project Bioshield Material Threats Act of 2006.

## WORKPLACE GOODS JOB GROWTH AND COMPETITIVENESS ACT OF 2005

*Committee on the Judiciary:* Subcommittee on Commercial and Administrative Law held a hearing on H.R. 3509, Workplace Goods Job Growth and Competitiveness Act of 2005. Testimony was heard from public witnesses.

## EMERGENCY SUPPLEMENTAL APPROPRIATIONS FY 2006

*Committee on Rules:* Granted, by voice vote, an open rule providing one hour of general debate on H.R. 4939, Making emergency supplemental appropriations for the fiscal year ending September 30, 2006 equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule provides that the bill shall be considered for amendment under the five-minute rule. The rule waives all points of order against consideration of the bill. The rule provides that when the reading for amendment reaches Title II, such title shall be considered as read. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Lewis of California and Representatives Kirk, Burton of Indiana, Thornberry, Bradley of New Hampshire, Wilson of New Mexico, Pickering, Sabo, Millender-McDonald, Tierney, and Melancon.

## COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 15, 2006

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of the Navy, 10 a.m., SD–192.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Secretary of the Senate, Architect of the Capitol, including an update on the progress of the Capitol Visitor Center, 10:30 a.m., SD–138.

*Committee on Armed Services:* Subcommittee on Readiness and Management Support, to hold hearings to examine ground forces readiness in review of the defense authorization request for fiscal year 2007, 9:30 a.m., SR–222.

Full Committee, to hold hearings to examine the Joint Strike Fighter F136 Alternative Engine Program in review of the defense authorization request for fiscal year 2007 and the future years defense program, 9:30 a.m., SH–216.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine innovation and competitiveness legislation, 1:30 p.m., SD–562.

*Committee on Energy and Natural Resources:* business meeting to consider pending calendar business, 11:30 a.m., SD–366.

*Committee on Foreign Relations:* to hold hearings to examine Post-Palestinian election challenges in the Middle East, 9:30 a.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* business meeting to consider S. 1955, 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, 9 a.m., SD–430.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the progress of the programs on the Government Accountability Office's high-risk list, including whether a proposal to create a Chief Management Officer at the Department of Homeland Security and Department of Defense would foster a culture of accountability necessary for improved high-risk program performance, 2:30 p.m., SD–342.

*Committee on Indian Affairs:* to hold hearings to examine S. 1899, to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children, 9:30 a.m., SR–485.

*Committee on the Judiciary:* business meeting to consider the nominations of Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Patrick Joseph Schiltz, to be United States District Judge for the District of Minnesota, and Steven G. Bradbury, of Maryland, to be an Assistant Attorney General, and John F. Clark, of Virginia, to be Director of the United States Marshals Service, both of the Department of Justice, proposed comprehensive immigration reform legislation, S. 1768, to permit the televising of Supreme Court proceedings, S. 829, to allow media coverage of court proceedings, S. 489, to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, S. 2039, to provide for loan repayment for prosecutors and public defenders, S. 2292, to provide relief for the Federal judiciary from excessive rent charges, and S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage, 9 a.m., SD–226.

Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine hospital group purchasing, focusing on if the industry's reforms are sufficient to ensure competition, 2:30 p.m., SD–226.

*Select Committee on Intelligence:* to receive a closed briefing on intelligence matters, 2:30 p.m., SH–219.

*Special Committee on Aging:* to hold hearings to examine eliminating retirement income disparity for women, 10 a.m., SD–106

### House

*Committee on Agriculture,* Subcommittee on General Farm Commodities and Risk Management, hearing to review the Federal Crop Insurance System, 3 p.m., 1300 Longworth.

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Marketing and Regulatory Programs, 9:30 a.m., 2362A Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, on DOE, Nuclear Waste Disposal, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Fish and Wildlife Service, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Centers for Disease Control and Prevention, 9 a.m., 2358 Rayburn.

Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on SBA, 10 a.m., H–309 Rayburn.

*Committee on Armed Services,* hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the U.S. Central Command, 10 a.m., 2118 Rayburn.

Subcommittee in Military Personnel, hearing on the Military Resale and Morale, Welfare Morale, Welfare and Recreation Overview, 3 p.m., 2118 Rayburn.

Subcommittee on Projection Forces, hearing on evolving Navy missions and the role of surface and subsurface combatants, 3 p.m., 2212 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Implementing the Global War on Terror Strategy: Overcoming Interagency Problems, 5 p.m., 2118 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Energy and Air Quality, hearing entitled "Status of the Yucca Mountain Project," 2 p.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled ''What's the Cost? Proposals To Provide Consumers With Better Information About Healthcare Service Costs,'' 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* to consider the following: H.R. 3997, Financial Data Protection Act of 2005; H.R. 4411, Unlawful Internet Gambling Enforcement Act of 2005; H.R. 4916, To authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund; H.R. 4912, Rural Health Care Capital Access Act of 2006; the Flood Insurance Modernization and Reform Act of 2006; H.R. 2990, Credit Rating Agency Duopoly Relief Act of 2005; and S. 2141, To make improvements to the Federal Deposit Insurance Act, 10 a.m., 2128 Rayburn.

*Committee on Government Reform,* Subcommittee on Energy and Resources, hearing entitled ''Strengthening the Nation's Water Infrastructure: The Army Corps of Engineers' Planning Priorities,'' 3 p.m., 2203 Rayburn.

Subcommittee on Federal Workforce and Agency Organization, hearing entitled ''Improving the Quality of Healthcare in the FEHBP,'' 3:15 p.m., 2154 Rayburn.

Subcommittee on Government Management, Finance and Accountability, hearing entitled ''OMB's Financial Management Line of Business Initiative: Too Much Too Soon?'' 3 p.m., 2247 Rayburn.

Subcommittee on Regulatory Affairs, hearing entitled ''Taking on Water: The National Park Service's Stalled Rulemaking Effort on Personal Watercraft,'' 10 a.m., 2247 Rayburn.

*Committee on Homeland Security,* Subcommittee on Emergency Preparedness, Science, and Technology, to mark up the following bills: H.R. 4942, Promoting Antiterrorism Capabilities Through International Cooperation Act; and H.R. 4941, Homeland Security Science and Technology Enhancement Act of 2006, 10 a.m., 311 Cannon.

Subcommittee on Management, Integration, and Oversight, to mark up the Department of Homeland Security Management and Operations Improvement Act of 2006, 3:30 p.m., 311 Cannon.

*Committee on International Relations,* to mark up the following measures: H.R. 282, Iran Freedom Support Act; H. Con. Res. 90, Conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico, and encouraging increased United States involvement in bringing an end to these crimes; H. Con. Res. 320, Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Dr. Pham Hong Son and other political prisoners and prisoners of conscience; H. Res. 578, Concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania; and H.R. 658, Supporting the goals and ideals of Work Water Day, 10:30 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Europe and Emerging Threats, joint hearing on the Northern Ireland Peace Process: Policing Advances and Remaining Challenges, 2:30 p.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing on Unrest in South Asia: Recent Developments in Nepal and Sri Lanka, 3 p.m., 2200 Rayburn.

*Committee on the Judiciary,* to mark up the following: H.R. 4698, Disaster Relief Volunteer Protection Act of 2006; H.R. 4742, To amend title 35, United States Code, to allow the Director of the Patent and Trademark Office to waive statutory provisions governing patents and trademarks in certain emergencies; and H. Con. Res. 319, Expressing the sense of the Congress regarding the successful and substantial contributions of the amendments to the patent and trademark laws that were enacted in 1980 (Public Law 96–517, commonly known as the Bayh-Dole Act), on the occasion of the 25th anniversary of its enactment; H.R. 3127, Darfur Peace and Accountability Act of 2005; a resolution Honoring Leonidas Ralph Mecham, Director, Administrative Office of the United States Courts and Secretary of the Judicial Conference of the United States; and to consider pending Committee business, 10 a.m., 2141 Rayburn.

*Committee on Resources,* to mark up the following: H.R. 122, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 4123, Bleeding Kansas National Heritage Area Act; H.R. 518, Neotropical Migratory Bird Conservation Improvement Act of 2005; H.R. 2563, To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages with the Snake, Boise, and Payette River systems in Idaho; H.R. 3418, Central Texas Water Recycling Act of 2005; H.R. 3418, Central Texas Waste Recycling Act of 2005, H.R. 3462, To provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah; H.R. 3682, To redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge; H.R. 4013, To amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah; H.R. 4080, Glendo Unit of the Missouri River Basin Project Contract Extension Act of 2005; H.R. 4084, To amend the Forest Service use and occupancy permit program to restore the authority of the Secretary of Agriculture to utilize the special use permit fees collected by the Secretary in connection with the establishment and operation of marinas in units of the National Forest System derived from the public domain; H.R. 4200, Forest Emergency Recovery and Research Act; H.R. 4204, American River Pump Station Project Transfer Act of 2005; H.R. 4686, Multi-State and International Fisheries Conservation and Management Act of 2006; H.R. 4882, Vietnam Veterans Memorial Visitor Center Deadline Enforcement Act; S. 584, Betty Dick Residence Protection Act; S. 1165 James Campbell National Wildlife Refuge Expansion Act of 2005; and S. 1869, Coastal Barrier Resources Reauthorization Act of 2005, 10 a.m.; and a hearing on H.R.

4893, To amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming, 3 p.m., 1324 Longworth.

*Committee on Rules,* to consider H.R. 1606, Online Freedom of Speech Act, 4:30 p.m., H–313 Capitol.

Subcommittee on the Legislative and Budget Process, hearing on H.R. 4890, Legislative Line Item Veto Act of 2006, 10 a.m., H–313 Capitol.

*Committee on Science,* Subcommittee on Research, hearing on Undergraduate Science, Math and Engineering Education: What's Working? 10 a.m., 2318 Rayburn.

*Committee on Small Business,* hearing on the issues confronting the Small Business Administration in the upcoming fiscal years, 2:45 p.m., 2360 Rayburn.

Subcommittee on Rural Enterprise, Agriculture and Technology, hearing entitled ''The Missouri River and Its Spring Rise: Science or Science Fiction? 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Railroads, hearing on Implementation of the Recently Expanded Rail Infrastructure Loan Program, 2 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* oversight hearing on education benefits for the total military force, 10:30 a.m., 334 Cannon.

*Committee on Ways and Means,* Subcommittee on Health, Hearing on Long-Term Acute Care Hospitals, 3 p.m., 1100 Longworth.

Subcommittee on Human Resources, hearing Regarding New Research on Unemployment Benefit Recipients, 10:30 a.m., B–318 Rayburn.

*Next Meeting of the* SENATE

9 a.m., Wednesday, March 15

Senate Chamber

**Program for Wednesday:** Senate will continue consideration of S. Con. Res. 83, Congressional Budget Resolution, with votes on certain amendments to occur thereon.

*(At 1:40 p.m., Senators will meet in the Senate Chamber to proceed to the House of Representatives for a Joint Meeting of Congress, to begin at 2 p.m., to receive an address from President of Liberia, Ellen Johnson-Sirleaf.)*

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 15

House Chamber

**Program for Wednesday:** Begin consideration of H.R. 4939—Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Subject to a Rule).

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