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House of Representatives

The House met at 10 a.m.

The Reverend Larry R. Hayward, Pastor, Westminster Presbyterian Church, Alexandria, Virginia, offered the following prayer:

God of nations, among rulers You placed over Your people, King Hezekiah of Judah was among the strongest. He instituted reforms. He recaptured lost land. So pleased were You with his leadership You extended his life 17 years beyond a near-fatal illness.

Yet at the end of his life, Hezekiah succumbed to cynicism. ''Who cares about the days to come,'' he said to himself, ''as long as there is peace and security in my day.''

Lord, save each Member of this body from similar cynicism. Instill within Members concern not only for our own day, but for days to come. Lift vision beyond the next election, beyond party caucus, sometimes even beyond constituent mail so that this branch, and all branches, of our government may focus on the shape of our Nation and its place in the world for generations to come. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. BEAN) come forward and lead the House in the Pledge of Allegiance.

Ms. BEAN led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND LARRY R. HAYWARD

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

Mr. UPTON. Mr. Speaker, I was pleased to hear Dr. Larry Hayward give our opening prayer this morning. For some 25 years, he has been preaching and teaching. His journey has taken him from Texas to Iowa to the D.C. area. Now he is the pastor of Westminster Presbyterian Church, a church that my wife and I attend when we are here in Washington.

He is a graduate of Union Seminary in New York. In his personal life, he certainly has a love and respect for history, government and sports, but it is also clear that the Lord comes first.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 one-minutes per side.

SECURITY ISSUES

(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, the Republican majority has carefully guarded the economic and national security of this great Nation. Our tax policies have helped create over 4.7 million new jobs in 30 months, and that is incredible progress.

On the national security front, we are taking apart the al Qaeda network piece by piece. The PATRIOT Act, our call monitoring program, our aggressive action in the Middle East, each of these actions are making it more and more difficult for terrorists to operate on U.S. soil.

Mr. Speaker, President Bush deserves a great deal of the credit for this tough stance on terrorism. The Senate Democrats are talking about censuring the President, though. They are opposed to his aggressive approach to fighting terrorism. But I hope that the Democrats in this body realize America wants us to do everything possible to defend our homes, our communities and this Nation, and that is what the President is doing.

MILITARY MEDICAL PERSONNEL RESOLUTION

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

Ms. BEAN. Mr. Speaker, I rise today to commend our Armed Forces medical personnel who provide outstanding care to our servicemembers wounded in battle. During a trip to Iraq last fall, I visited our theater hospital at Balad Air Force Base and witnessed these skilled medical professionals in action and met the brave soldiers whose lives they saved.

Newsweek's current cover story recounts in harrowing detail Lieutenant Colonel Richard Jadick's heroic performance during the 2004 assault on Fallujah. The 38-year-old Navy doctor and former marine volunteered to serve alongside the First Battalion, Eighth Marines in what would be his first combat experience.

During 11 days of battle, Dr. Jadick and his team of 54 Navy corpsmen treated hundreds of men and saved the lives of at least 30 seriously wounded marines.

Mr. Speaker, the survivability rate for wounded personnel in Iraq and Afghanistan is the best of any conflict in our Nation's history, due, in no small part, to the skill and courage of personnel like Dr. Jadick.

This morning I urge my colleagues to cosponsor H. Con. Res. 309 and join me in saluting these outstanding servicemembers for their hard work and fearless dedication.

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DR. SUBIR CHOWDHURY

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

Mr. McCOTTER. Mr. Speaker, I rise to honor the achievements of Dr. Subir Chowdhury, as he releases his twelfth book, ''The Ice Cream Maker: An Inspiring Tale About Making Quality the Key Ingredient in Everything You Do.''

Since his first published book in 1996, Dr. Chowdhury has revolutionized international management strategy and philosophy. His award-winning book, ''The Power of Six Sigma,'' has sold more than 1 million copies worldwide in over 20 languages. Dr. Chowdhury has been inducted into the Automotive Hall of Fame, and the Society of Automotive Engineers has presented him with the Henry Ford II Distinguished Award for Excellence in Automotive Engineering.

Mr. Speaker, I congratulate Dr. Chowdhury on the release of his latest book and ask my colleagues to join me in honoring his contribution to our community and our country.

BEGIN EFFORT TO BRING TROOPS HOME FROM IRAQ

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

Mr. KUCINICH. Mr. Speaker, 3 years ago, this administration began a grim march of folly into Iraq. Today, our troops are bogged down in the middle of a civil war.

Iraq has become an incubator of terrorism. Over 2,300 U.S. troops have been killed, tens of thousands more injured and perhaps 100,000 innocent Iraqis have been killed, with countless others injured.

As both the Iraqi public and the American people demand the U.S. leave Iraq, this administration plans to send more troops. We must bring our troops home. We must vote against any additional appropriations that would be used to keep our troops there.

Plans exist right now that would enable the United States to bring our troops home, to begin the effort to bring our troops home. Not a dime more for continuing this war; not a dime more for an illegal war that was based on lies about weapons of mass destruction.

RETREAT AND DEFEAT DEMOCRATS

(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, on Monday, Senator RUSS FEINGOLD sadly reminded America that the Democrat Party is still dancing to the tune of retreat and defeat through appeasement.

Senator FEINGOLD's call to censure President Bush for implementing a legitimate and effective terrorist surveillance demonstrates that Democrats continue to push political ambitions more than our national security.

From DICK DURBIN's slandering our troops as communists, to Howard Dean's defeatist remarks about our troops' efforts, to Senator FEINGOLD's careless call to censure our President, it is obvious that Democrats have no positive plan to protect American families.

Instead of proposing ways to prevent terror attacks on our soil, Democrats prefer to spend their time and energy on political tricks that do not serve the interests of the American people. As our enemies continue to issue threats daily against our country, Republicans will remain committed to proactively investigating, capturing and detaining al Qaeda operatives and any other terrorists who seek to attack American families.

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

CONGRESS MUST STEP IN TO EXTEND DEADLINE ON MEDICARE PRESCRIPTION DRUG PLAN REGISTRATION

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

Mr. MORAN of Virginia. Mr. Speaker, in 2 months, about 10 million senior citizens are about to get a Bush Medicare tax imposed on them for the rest of their lives. If they don't sign up for the Medicare prescription drug bill by May 15, then they can't sign up again until the end of the year, and for the rest of their lives they will pay a 7 percent higher premium than their neighbors under exactly the same circumstances just because they couldn't figure out this myriad of dozens of different plans that they are presented with.

This is wrong. The Republicans and the Democrats need to get together to extend the deadline to the end of the year, regardless of what the President decides. It is time for Congress to act and to save these 10 million Americans from having an unfair tax burden on their shoulders for the rest of their lives. It is wrong. Let's fix it.

ROBERT G. CANAR

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

Mr. GOODE. Mr. Speaker, Mr. Robert G. Canar has distinguished himself by exceptionally meritorious achievements in public service to this Nation by serving the United States Army for over 42 years. Mr. Canar began his public service career in the U.S. Army as an air defense artillery officer and as a military intelligence officer. During his 22 years on active duty, he served in various assignments in Vietnam, Korea, Europe and in the United States.

Mr. Canar joined the former Foreign Science and Technology Center in 1983 when he was assigned as a division chief supervising collection requirements, imagery, and electronics intelligence branches. Because of his demonstrated abilities, he has been given positions of greater responsibility as the director, information management, and later as the director, programs and resources, which led to major initiatives to renovate Foreign Science and Technology Center's facilities to accommodate growth of the workforce and to secure facilities to meet Sensitive Compartmented Information standards.

Mr. Canar served as the National Ground Intelligence Center's chief of staff from 1994 to 2003, and as the center's acting executive director from 2003 to 2004. In response to the Global War on Terrorism, the center underwent a massive growth with the influx of new responsibilities to support the soldier.

In 2004 Mr. Canar volunteered to serve for a year as the senior intelligence officer with the Civilian Police Assistance Training Team, Baghdad, Iraq. In this capacity he supervised an International Police Liaison Officer Team and a Multi-National Command-Iraq military team which organized and trained the Iraq Ministry of Interior Criminal Intelligence Service Directorate.

He ended his civil service career as the special assistant to the commander, National Ground Intelligence Center responsible for the establishment of a Joint Use Intelligence Analysis Facility in Charlottesville, VA.

Throughout his service, Mr. Canar has provided outstanding leadership, sound advice and expert professional judgment on significant issues that affected the Army. His actions and counsel were invaluable to Army leaders as they considered the issues facing the Nation today. Mr. Canar's dedication to accomplishing the Army's missions has been extraordinary. He has been a truly outstanding public servant and will be missed by the United States Army.

MEDICARE PRESCRIPTION DRUG PLAN; BAD MEDICINE FOR AMERICAN SENIORS

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

Mr. CARNAHAN. Mr. Speaker, since the new Medicare prescription drug plan took effect at the beginning of this year, Members of this body have heard from thousands of frustrated seniors struggling with the confusing and poorly written plan. Now they are dealt a new blow: seniors who don't register in time will be forced to pay a penalty for the rest of their lives.

Most seniors have yet to choose a prescription drug plan, many because they are unable to navigate the complex system, others because they are currently not taking any medication. For every month after May 15, seniors

who have not enrolled will be charged an extra 1 percent of the payment of any plan they eventually do choose, for the rest of their lives.

This new tax on prescription drugs is yet another example of how this Republican plan was written to benefit large drug companies, not the Medicare recipients who need the help.

Democrats are fighting to extend this deadline. Our seniors should not be penalized with a lifetime surcharge for doing their research on these plans.

IS THIS THE DEMOCRATS' AGENDA?

(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, this week a resolution was introduced in the United States Senate that would censure President Bush over the National Security Agency's surveillance program. We have seen the Democrats launch political stunts before, but this one certainly takes the cake.

They have determined, on their own, that President Bush has broken the law by authorizing surveillance of al Qaeda communications. They are so intent on opposing everything that President Bush is for that they don't seem to realize or even care about the message this sends to the rest of the world as we fight the war on terror.

The fact is, this is a necessary tool in the war on terror, and it is working. As General Michael Hayden, the principle Deputy Director of National Intelligence stated, ''We have learned information from this program that would not otherwise have been available. This information has helped detect and prevent terrorist attacks in the United States and abroad.''

Mr. Speaker, the Democrats have put off releasing their agenda for months now. I guess I can see why, since it includes stripping away important tools to fight the war on terror. Perhaps the Democrats should go back to having no agenda.

□ 1015

WE NEED TO EXTEND THE DEADLINE FOR MEDICARE PART D SIGN-UP

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

Ms. SCHAKOWSKY. Mr. Speaker, President Bush went to New York yesterday to tout his confusing and failing prescription drug plan for seniors.

The Bush administration has botched this plan since day one. For one, Medicare itself put out all kinds of wrong information that increased confusion among already frustrated seniors. Second, low-income seniors that were promised an easy transition from State programs to Federal programs ran into huge problems, leaving some seniors no choice but to go without their drugs. Third, States were forced to step in and pick up the tab for the Federal Government's incompetence. It is no wonder that only about five million seniors have willingly signed up for the plan.

Seniors should not be penalized for the Bush administration's incompetence. Unfortunately, that is exactly what will happen if President Bush does not extend the deadline for seniors to sign up for the plan.

Two months from today, May 15, is the deadline for seniors to sign up for a plan; and if they do not, the administration will permanently increase their premium with a 1 percent penalty for every month they wait to sign up.

Democrats want this deadline extended, and we want to fix the drug plan so it works for seniors and the disabled and not just the drug and insurance companies.

EXTEND THE DRUG BENEFIT DEADLINE

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

Mr. BISHOP of New York. Mr. Speaker, the Medicare drug program is off to a rocky start, as President Bush put it yesterday.

Following a dozen town hall meetings I have held in my district on the part D benefit, my constituents remain confused and doubtful that the drug plan will work for them. As a result, many seniors on Long Island have not yet signed up. Many of those who have chosen a plan are encountering delays in their applications and will not receive their drug cards until after the May 15 sign-up deadline.

Adding insult to injury, seniors will be penalized with a 1 percent premium increase for every month after the deadline passes. This Bush Medicare penalty should not be piled on top of the already overwhelming burden of understanding the drug benefit.

Mr. Speaker, America's seniors deserve real help keeping up with soaring prescription drug costs. Therefore, I urge my colleagues to support a 6-month extension of the sign-up deadline so that seniors are not punished and they receive the affordable life-saving drugs they deserve.

DEFINING DEVIANCY DOWN

(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 late Senator Daniel Patrick Moynihan described the process by which perverse behavior slowly becomes accepted by society over time. He called it ''defining deviancy down.''

A recent newswire story illustrates his point. The story reports that Germany's sex industry is gearing up to handle a record demand for prostitution during the 2006 World Cup soccer tournament.

One man involved in the criminal underworld of German prostitution told the reporter, ''Football and prostitution are a great match. What else could you hope for?''

What else could you hope for? Mr. Speaker, I would hope that the evils of prostitution and human trafficking be condemned by society, not flaunted. I would hope for an end to sexual exploitation of women and children. I would hope for some sanity to prevail in the civilized country of Germany.

The story also reports that there are an estimated 15,000 victims of sex trafficking in Germany at any given time. That, Mr. Speaker, is the real cost of defining deviancy down.

MILITARY RECRUITERS AT COLLEGES

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

Mr. MCHENRY. Mr. Speaker, I rise today to applaud the Supreme Court for upholding the Solomon amendment, which permits the withholding of Federal funds from colleges that close their doors to military recruiters.

This case is a glaring indictment of our liberal influence within our colleges and institutions of higher learning, these spineless liberals who speak of the concept of allowing differing points of view, but in reality they oppose it.

Look no further than one of our Nation's most liberal colleges, Yale University. Last year, it admitted a Taliban spokesman as a special student, even as Yale Law School was suing in Federal Court to ban U.S. military recruiters from its campus.

As Americans, we should be appalled with this seditious behavior and hold these liberals accountable for their actions. Mr. Speaker, the Supreme Court's verdict last week is a victory for common sense and for the protection of our country against liberal lunacy.

POLL BRINGS POSITIVE NEWS

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

Mr. STEARNS. Mr. Speaker, a poll was released today which reaffirms what many on this side of the aisle, Republicans, are telling seniors at our town hall meetings: The Medicare prescription drug program is working.

In a poll conducted last week by Ayres, McHenry & Associates, 6 out of 10 seniors who voluntarily enrolled in the Medicare Part D program reported that they are saving money in the program.

A second survey by the same group found that 9 out of 10 seniors eligible for Medicare and Medicaid, dual eligibles, stated that they were having no

problems using the new Medicare prescription drug benefit. Eighty percent said the program covered the prescription drugs that they need.

Now, you are not going to hear this good news from the Democrats on that side of the aisle. Seniors are saving money and now have more choices than they ever have had.

Mr. Speaker, this is good news from these polls. The Medicare prescription drug program is presently working for America's seniors, and Democrats need to accept that.

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. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 725 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 725

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. When the reading for amendment reaches title II, such title shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I request unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert tabular and extraneous material.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, on March 14 the Rules Committee met and granted an open rule on House Resolution 725, with 1 hour of debate equally divided between the chairman and ranking member of the Appropriations Committee.

The bill shall be considered for amendment under the 5-minute rule and waives all points of order against the bill. Additionally, when the reading for the amendment reaches title II, such title shall be considered as read. This rule accords priority of recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit with or without instructions.

Mr. Speaker, I am proud today to be able to manage this rule. The rule provides for an emergency supplemental funding package to sustain our troops in the ongoing war on terror and to assist in providing emergency relief for those affected in the Gulf States by last year's tremendous hurricanes.

However, Mr. Speaker, the fact that this bill is being brought to the floor under an open rule should not be overlooked. This means that anyone in the majority or the minority may bring to the floor any amendment that is germane to this legislation.

As one of the most important bills that will be brought to the House floor this year, we should all be able to agree that an open rule is the right thing to do and will allow the House to work its will.

The supplemental appropriations package is the sixth supplemental since September 11 that focuses on meeting the challenges imposed on us by the global war on terrorism. Specifically, this supplemental provides for replenishing of those accounts that the military has exhausted during sustained operations in Iraq, Afghanistan, and other areas of the world. Additionally, it provides important funding to assist in our efforts to address the disastrous results of the hurricanes in the gulf coast communities. Finally, these are important measures dedicated to improving the benefits due our soldiers and their families who have often been asked to make the ultimate sacrifice.

Among the important provisions in this bill is a $2 billion effort at the suppression of technology for so-called IEDs, improvised explosive devices, in Iraq and other areas. IEDs, rather than direct engagement with enemy combatants, have caused over half the casualties our forces have sustained in Iraq. Additionally, the supplemental fully funds the enhanced $400,000 Servicemembers' Group Life Insurance benefits and the $100,000 death gratuity benefit for combat-related fatalities.

Mr. Speaker, the Appropriations Committee also addressed several other issues inside the supplemental that are essential to successfully continue to prosecute our global war on terror.

Important obligations are met in the underlying legislation. In particular, this legislation earmarked $850 million over the President's request to ensure that the National Guard receives upgraded Bradleys and Abrams when deploying. Additionally, the bill earmarked another $480 million for new advances in safer up-armoring for Humvees.

Mr. Speaker, H.R. 4939 takes a number of important steps forward in addressing the needs of our military. Today we are likely to debate several amendments that would have a large impact on the effect of the underlying legislation. I would strongly urge Members to closely examine such amendments and reject any not pertaining to the subject matter at hand. The bill we have before us today is an excellent and timely piece of legislation that deserves strong bipartisan support. The underlying legislation is ultimately really about supporting our troops in the field and moving forward in assisting our own citizens drastically affected by the hurricanes.

With respect to Katrina, the underlying legislation provides $9.9 billion to the Department of Homeland Security, primarily intended for FEMA, and major additional funding for flood control and coastal emergencies. Additionally, the Department of Defense would receive $1.8 billion and the Army Corps of Engineers would receive $1.5 billion, mostly for procurement and construction for flood control and coastal emergencies.

□ 1030

$1.3 billion would be set aside for loans to home owners and small businesses to be administered through the Small Business Administration.

Mr. Speaker, this is the third supplemental appropriations request sent to Congress that addresses the fallout from the hurricanes. I am sure we will deal with this issue in the future as needs are defined. It is truly a testament to this Nation that we are able to break through the political logjam and deal with these issues of an emergency nature when this situation demands.

Mr. Speaker, judging from the debate in the Rules Committee yesterday, I suspect Members from both sides of the aisle may mention or attempt to interject into our discussions motions or amendments that are not germane to the underlying legislation. A number of measures are things that I personally support. However, the Rules Committee decided, appropriately in my opinion, that these matters should be dealt with separately and under regular order.

My good friends on both sides of the aisle have often expressed their desire to have major legislation dealt with

under an open rule. That is precisely what we have today. It is my hope that all Members will appreciate that fact and will see the wisdom of pursuing other issues through regular order. Therefore, I urge support for the rule and the underlying bill.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, we are truly at a crossroads in the history of the Nation. Abroad we are engaged in a war that with each passing day becomes more dangerous, just as our path to victory becomes more obscured.

At home we are still dealing with the consequence of the colossal failure of the government to meet its most basic responsibility, to protect our citizens in a time of dire crisis.

It has been 7 months since Katrina devastated the gulf coast, and thousands upon thousands of our fellow Americans are still depending on handouts to survive. They are without their homes, without their jobs, and without a sense of security.

And here in Washington, the principles of integrity, accountability and oversight, the cornerstone values of our democratic government, have been cast aside in favor of political expediency by our elected leadership.

The American people are losing faith in this government. They believe we are headed in the wrong direction, and they want change, and it is not hard to see why. How we ultimately address the challenges before us as a government and as a people will define the future of this Nation for better or worse.

In times like these, when we are so focused on what separates us from each other, it is critical that we remember what binds us together, a commitment to the same core values and principles. I think we can all agree that supporting our young men and women in uniform is a priority for each and every Member of this House, whether we are Democrats or Republicans, and whether we agreed with the Bush administration's reason for going to war in Iraq or opposed them.

And just as we continue the age-old debate on the proper role of government in our society, we should all agree that the kind of collapse that we witnessed when the government failed to respond to Hurricane Katrina must never, ever happen again.

We must renew our commitment to take responsibility for the safety and welfare of the American people in a time of crisis. And we must agree that government has a role in protecting not only the rights, but also the dignity and the humanity of every single American.

We cannot accept, nor should we be willing to tolerate, squalor, abject poverty, and needless suffering in the heart of the United States. The defense of those who defend us abroad and the protection of the defenseless here at home, these are guiding principles that we all share.

Mr. Speaker, how should we go about turning these principles into action in the days and months ahead? We may disagree on how to overcome the challenges that lay before us, just as our Founding Fathers hoped and expected that we would. But all of us here are patriots, and all of us come to the table with our Nation's best interest in mind. And so we must remember to always welcome debate and to keep the floor open to all ideas and proposals, and to subject their merits equally to the rigors of the democratic process.

To pit the pursuits of an agenda against the perpetuation of our democratic traditions, that would be a true crime and a true shame. As we stand up for the principles of democracy here, we must also pledge to restore the second great tenet of our system of government, the integrity and accountability of our Congress. We can no longer allow our leaders to be blinded by the politics of the moment and forget their commitments to ethics and to oversight.

The short-term gains may be tempting for those who hold strings of power, but the long-term consequences are devastating to the people of the Nation as we have already seen. Ethics, integrity and accountability should not be partisan issues. They should be issues of survival because the survival of the system depends on them.

It is on this point that I would ask my colleagues on both sides of the aisle to join me today in taking a stand for our future. During the Second World War, Senator Harry Truman displayed a level of integrity and a strength of character that has been very rare in today's Washington. He dared to investigate his own party. He held his fellow Democrats in Congress accountable for excessive and wasteful war contracts. He provided a mechanism for accountability and oversight during an unprecedented war effort. It was called the Truman Commission.

The commission's purpose was to maximize every dollar we had to spend to ferret out corruption and mismanagement and to infuse a sense of accountability into the American war machine. Its success saved many American lives by ensuring that our tax dollars were spent on what was most important, that was winning the war. And yet, we in this Congress have not had the courage to insist on the same level of accountability that President Truman saw fit to employ over 60 years ago.

Despite the fact that at least $9 billion of money spent on the Iraqi reconstruction is unaccounted for, and despite the fact that we hear reports of payroll checks covering employees who do not exist and of firms being compensated for providing security for flights that never took off, and despite the fact that the Pentagon contracts for body armor have gone to companies that never produced it, all the while, 80 percent of the American Marines lost in Iraq to upper body wounds could have been saved if those soldiers had been provided with the right armor.

Nor have we demonstrated the real commitment to fully investigate the Nation's response to the second great challenge of our time, Hurricane Katrina, and done so again, despite poor planning, misused resources, and homes and relief that still have to reach those who need it.

The question I have for my colleagues today is where is our bravery? Where is our commitment to those we protect and to those who protect us? It is a question that I hope my colleagues who plan to vote for the rule answer definitively here today. When we squander precious resources, when we waste time we do not have, when we fail to hold ourselves accountable, we sacrifice American lives. And when we refuse to insist upon integrity, oversight, and accountability in our own government, we undermine our very democracy at a time when we are trying to spread it abroad. But today we have an opportunity to begin anew and follow the proud tradition of one of America's greatest leaders.

We have before us a Democratic proposal to create an oversight commission, one that will ensure that billions of dollars being spent on the war in Iraq, and today's expenditure brings that to $400 billion, and that the rebuilding of New Orleans and the gulf coast are not lost in the black hole of corruption, cronyism, and no big contracts.

We have an opportunity to restore checks and balances to the system of government and provide the accountability and oversight, which is our responsibility as Congresspersons to provide.

Just like in Harry Truman's day, that responsibility transcends the politics of both Republicans and Democrats. Rather, it speaks to our willingness to preserve the fundamental values of our democratic system and the fundamental values of our Nation.

I strongly urge my colleagues, as we prepare to spend $91.7 billion in taxpayer money, to vote against the rule and in favor of the previous question. It is a vote that will allow consideration of an amendment to create a new Truman Commission and to restore a measure of integrity, accountability, and oversight to this government, values which are so greatly missed.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to note again for the record, while we are going to have discussions of many things here today, this is an open rule, any Member of the majority or the minority is free to bring an amendment to

matters that are germane to the bill. This is as democratic on the floor of this institution as it ever gets. And while many will be, on both sides, disappointed that they didn't get to attach nongermane items to this particular bill, I think we are well served in this House by moving through regular order, which is an argument that we all make from time to time very vigorously on both sides of the aisle, but particularly the minority side.

Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I especially thank the gentleman from Oklahoma for yielding time, inasmuch as I rise today with a heavy heart having to oppose the rule before the House.

It is a rare occasion indeed where I or any Member would stand to oppose a rule produced by our Rules Committee. I simply believe I cannot support a rule that asks Members to choose between supporting our troops and fiscal responsibility, and this is such a rule.

Mr. Speaker, we have an $8 trillion national debt, a debt that has grown by $3 trillion and debt ceiling which may be increased, even in the coming weeks, to nearly $9 trillion. Our record deficit in nominal terms set a 1-month record just a few short weeks ago. We have to put our fiscal house in order. And that means even as we go about the business of funding the war, and funding the ongoing critical reconstruction efforts in the gulf coast, we must do so in a manner that reflects a fundamental commitment to fiscal restraint.

House conservatives lobbied consistently over the last several weeks to allow for this bill to come in the form of two pieces, a vote for our troops and a vote for Katrina. And the legislation we will have before us, though there will be a stripping amendment, will very likely result in a unified bill not giving Members that choice.

But the reason I rise mostly in opposition of the rule is because there is no amendment that is being allowed under a waiver of the rules that will permit us to offset even the cost of a part of this bill through budget cuts. And I simply believe that in this day and age of record deficit and debts, it is absolutely vital that Members of Congress be able to register their commitment to fiscal discipline while we fund the Nation's priorities.

It is for that reason that I was hoping that the Rules Committee would see their way clear, as they have with other aspects of this bill, to waive the rules that prevent legislating in an appropriations bill. In fact, my understanding is that the LIHEAP funding in this bill, in and of itself, is the result of a waiver. We have waived the rules many times to increase spending in the Congress. It would be a welcome change if we waived the rules to cut spending and continue the process of putting our fiscal house in order.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. HENSARLING) who joins me in opposition to this rule.

Mr. HENSARLING. I thank the gentleman for yielding, and I also thank the gentleman from Oklahoma for graciously yielding this time and his good work on the Rules Committee.

I want to associate myself with the gentleman from Indiana's comments. These are extraordinary times calling for extraordinary remedies. We must have a remedy for being able to vote for fiscal responsibility.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Appropriations Committee.

Mr. OBEY. Mr. Speaker, this bill, or the bill which will be debated under this rule, will spend $92 billion of the taxpayers' money. The largest portion of it will be to fund the continuing war in Iraq. It is here because of the most spectacular military blunder committed by any President of the United States in this country's history. We went to war on the basis of bad information, and we are now mired in that war because of the spectacular incompetence and stubbornness of the Secretary of Defense.

We are also going to be asked to fund additional payments to meet the aftermath of the Katrina hurricane, which is another spectacular example of the incompetent management of government by this administration.

□ 1045

I am going to vote against the previous question on the rule because, while some 48 amendments have been noticed to the committee for consideration over the next 2 days, this House has still apparently not found a way to enable us to consider two other amendments.

The first is the one mentioned by the gentlewoman from New York. We feel it is an obligation of this Congress to begin to conduct decent oversight on both the expenditures in Iraq and the expenditures in Katrina. This Congress has a miserable record on oversight. My colleague in the Senate, Mr. FEINGOLD, introduced a resolution censuring the President for various actions that he has taken outside of the law. I believe that the Congress itself deserves censure for not meeting its oversight responsibilities.

One way to meet those oversight responsibilities is to repeat what this Congress did during World War II when it created the Truman Commission. At that time, you had a Democratic Congress that was not afraid to investigate the activities of a Democratic administration, and Harry Truman investigated waste and war profiteering. They held 432 public hearings, 300 executive sessions, went on hundreds of fact-finding missions, issued 51 reports and saved some $15 billion of the taxpayers' money.

We have stories that are rampant today about the abuse of taxpayer money in Iraq and Katrina, and yet this Congress is doing very little by way of aggressive oversight. I am going to vote against the previous question because I want to see an amendment creating a new Truman committee made in order.

The second thing I want to see is I want to see Congress, since the committee has already voted to block the Dubai port deal, I want to see the Congress go beyond that and to establish a rational process to guarantee that in the future our government will know every time a similar transaction is being contemplated. Right now, the only way our government knows is if the two parties who have an economic interest in the deal voluntarily tell the United States Government.

Mr. SABO tried to get that amendment adopted in committee. It failed.

In my view, if you are going the pass the Lewis amendment, which all but two members of the Appropriations Committee supported, it ought to also contain the Sabo amendment so that we do, in fact, establish a rational process so that we are not just looking like a flock of chickens every time something happens that panics the Congress. In that way, we would at least have a systematic way for the administration to review each and every one of these potential sales or transactions, and we would have a way for Congress to do the same.

So, unless those two amendments can be considered by this House, I see no reason why I should support the previous question or the rule, for that matter.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Let me first reply to my good friends, the gentleman from Indiana and the gentleman from Texas, who spoke earlier about their concern about the rule.

I remind them both, and as I will remind repeatedly everyone on this rule, we have an open rule today. If my friends on the other side of the aisle have something they object to, for instance they could strike title II of this particular bill, and, frankly, it would go right back to committee, so there is no need to bring down the rule. The mechanisms are in place, the processes are in place for the House to work its will.

I would also remind my friends on both sides of the aisle that this bill ultimately, not the rule, but the bill itself, is ultimately about providing for the needs of American forces in the field in combat today, now. We can debate whether the war was wise, whether it is conducted well, at our leisure. They need what they need immediately, and we should respond to their needs, regardless of what our opinions are where the war is concerned or regardless of what our opinions are in terms of procurement or spending.

And I say the same thing with respect to our fellow citizens along the gulf coast. They need help now. This

House has responded generously twice already in supplementals. This is the third one. We will be back here again without a doubt dealing with that item. I do not think for procedural questions, particularly when we have an open rule, we should risk slowing down things that our troops in the field need or that our fellow citizens in need along the gulf coast require.

My good friend from Wisconsin, and he is my good friend, made the point which I do not want to leave uncontested that this, quote, President had engaged in the worst military blunder in American history. That is a remarkable statement, considering the Vietnam era where we had Democratic Presidents John F. Kennedy and Lyndon Johnson commit us to a war.

The fact is this war has the lowest casualty rate in American history, and the stakes are enormously high. Were we to lose in this particular endeavor, there is no question that our enemies around the world would gather strength. It would be seen as a victory for terrorists; it would be seen as a lack of will on the part of the United States.

I think the stakes here are worth it. I have been to Iraq on five occasions, and one can always be critical of specific things. I do not think you can be critical of our forces in the field. Their performance is brilliant.

And, honestly, let me say a word here on behalf of the Iraqi people. We did ask them to rise up in 1991, and we did not do a thing. Thousands of them were slaughtered. Now we have come again. We have helped them liberate themselves from one of the worst tyrants certainly in the history of their country and certainly in regional history, and they have asked our help to stay and work through a difficult process.

They have demonstrated their bravery again and again and again in three different elections where they came out to vote under very difficult circumstances. They demonstrate their bravery in the field in their commitment and their willingness to take on an increasing range of responsibility. Even when I am occasionally frustrated with politicians in Iraq, as I sometimes am frustrated with ourselves in this body, I stop and remember they are exceptionally brave people.

My colleagues and I may worry about losing an election. Most of us do not worry about losing our life by engaging in a political process to make our country free. I think when people make that kind of sacrifice in the pursuit of democracy and freedom, they deserve the support of this body among all bodies in this world and certainly this country.

Let me add, frankly, one other point on Katrina. I know many of my colleagues have had the opportunity and taken the opportunity to go down and visit the gulf coast. Personally, I certainly have done that; and I would just tell all my friends that have concerns about the expenditure of funds in that particular area, and sometimes I do as well, go look at the damage. It is massive. It is massive.

Again, we had a very critical and I think very good report issued by a special committee of this body, chaired by my good friend, distinguished chairman of the Government Reform Committee, TOM DAVIS, that was unstintingly critical. I remind my friends on the other side of the aisle, unfortunately, they did not participate in that. They chose to think it would be a sham, and clearly it was not. There are mechanisms and means for us to look at and learn the lessons of Katrina and apply them and let the chips fall where they may in the process. Rejecting the rule will bring down the underlying bill and, in my opinion, is not one of them.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, New Orleans is not the only place where tens of thousands of Americans stand in peril from flooding and drowning because of defective levees. The good people across three congressional districts along the Rio Grande River at the southernmost tip of Texas are just as much at risk with hurricane season only weeks away. That is why I will be offering today an amendment to prevent the next Katrina-like disaster.

We Texans in the Valley must rely on the Federal Government, which has the exclusive, sole responsibility for ensuring the integrity of our levees and protecting our lives and livelihood from flooding. Exactly 1,018 days ago, this Administration received an alarming report from a part of its own State Department that those Federal levees are up to ''9 feet deficient in height,'' geologically flawed, structurally unsound, and would ''overtop along 38 river miles.''

So urgent is the problem that last year the Appropriations Committee asked the Administration to request additional levee money, and I believe the State Department wants to do this, but the President's request is strangely silent on this matter.

Recognizing the risk of loss of lives, the disruption of families, the substantial economic harm that would be caused, 39 local governments, chambers of commerce and economic development corporations have called on this administration to act. So have Congressmen ORTIZ, REYES, HINOJOSA and myself, working together, to seek the $7.8 million requested here which represents the difference between the little bit that was appropriated last year and what the IBWC says it needs to prevent a flooding disaster.

A few million in flood prevention today could save billions of dollars in flood relief. The Federal Government should not shirk its responsibility, its sole responsibility, to protect the lives and livelihood of the good Americans who live and work in the Texas Rio Grande Valley.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, once again we are asked to provide tens of billions of dollars for the war in Iraq under the pretense that this war, now entering its fourth year, is a so-called unexpected emergency. The Iraq war is indeed an emergency, Mr. Speaker, but it is hardly unexpected.

I support the funds provided in this bill for the continuing hurricane relief and recovery for the people in the gulf coast. I support the funding for emergency humanitarian needs, famine relief and peacekeepers in Darfur, Sudan.

I would like to be clear, Mr. Speaker, I support our diplomatic, humanitarian, economic and military activities in Afghanistan, but I simply cannot support a single dime more for the war in Iraq.

Every day, the American people wake up to headlines describing how much worse the situation grows in Iraq: Iraqi Police Tied to Abuses and Deaths; Chaos in Iraq; U.S. General Says U.S. Troops Add to Instability; 72 Percent of U.S. Troops Want Withdrawal Within a Year.

Mr. Speaker, Iraq is in the midst of a spiraling civil war. On February 26, Pentagon officials said that the number of Iraqi army battalions capable of fighting the insurgency on their own has slipped since September from one battalion to none. The newly formed government is paralyzed by sectarian divisions.

The U.S. has turned its back on rebuilding Iraq. Ironically, the Bush administration has no problem cutting and running on reconstruction for Iraq.

Mr. Speaker, did you know that the only new construction aid in this supplemental is for more prisons in Iraq? Not schools or hospitals or roads, just prisons.

As both the GAO and the Inspector General have determined, there never was any systematic plan for stabilization and reconstruction in Iraq. Now we are paying the price.

Over 2,300 American military men and women have paid the ultimate price, their lives, trying to do their best to implement this awful policy, but it cannot be done, Mr. Speaker. And we cannot allow ourselves to be on the floor of this House next year looking at another so-called emergency supplemental for Iraq and talking about 5,000 or 10,000 American troops who have lost their lives.

It is time to bring our uniformed men and women home. It is time to begin a safe, orderly drawdown of our troops, one that we can control. If the Iraqis are not willing to solve their own problems through less bloody means, then why on Earth should American troops die for them?

Like so many of my House colleagues, once we were in Iraq, I felt we had a moral obligation to help the Iraqis rebuild their nation and form a representative government, but, Mr. Speaker, we are not helping anymore. Our presence is part of the problem, not part of the solution.

Mr. Speaker, it is easy for Members of this House to stand up and say, stay the course because, quite frankly, none of us are risking our lives. None of us are in harm's way. None of us are stuck over there because of the stunning failure and ineptitude of politicians in Washington.

□ 1100

If you want to protect our troops, let's bring them home.

So it is with regret, genuine regret, that I must vote against passage of the supplemental. The House has become addicted to voting for more money for a policy that has gone terribly, terribly wrong. It is time to stop.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The Chair would remind Members to attempt, for the benefit of all, to abide time limits in debate.

Mr. COLE of Oklahoma. Mr. Speaker, I came here this morning, obviously, to debate the rule. But as is so often the case in rules debate, we move on to the bill itself and some of the larger purposes. And I am always content and happy to have that debate. I think it is an important discussion for the American people to hear.

My good friend from Massachusetts, from the other side of the aisle, mentioned that essentially things are worse in Iraq. Worse than what? And worse than when? Worse than having Saddam Hussein in power? I think not. I would much rather have him where he is, in a courtroom, in jail, and no longer launching regional wars that claimed over a million lives.

Worse than 423 mass grave sites that have been uncovered since the arrival of coalition forces in Iraq? I think not. Worse than 400,000 Iraqis killed in the decade before the liberation of Iraq? Again, I think not.

I think that we sometimes, on this floor, act as if we are doing a favor to the people of Iraq by leaving. I think that is dangerously misguided logic. I do not think it is a favor. I do not think that it is a favor to the people in Iraq. That is not what their duly elected representatives have asked us to do.

They, by the way, are running enormous risks for their own freedom. They rose up to try to get their own freedom in 1991. We didn't do, in my opinion, what we should have done then. I have been there five times. I see more and more Iraqis doing more and more things for themselves, and I see no one that asks the United States to leave precipitously.

I also would disagree with my good friend on the issue of whether or not our interests are involved in this. I think they very much are involved in Iraq. I think that victory is an extraordinarily important thing for this country to secure. I think staying the course, or remaining and staying with our friends that are fighting now, in part because we are there, is a very important message to send to the region.

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

Mr. COLE of Oklahoma. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I thank the gentleman for yielding and for his courtesy.

I would simply say to the gentleman that the situation in Iraq right now is out of control. There is a civil war. A majority of the Iraqis want us gone. A majority of our troops believe that we should come home.

And I know the gentleman has been there. I have been there, too. Let me tell you something. It is one thing for a United States Congressman to go over and visit in Iraq and be protected 24 hours while they are over there; it is another thing for a American soldier to be put in the middle of a civil war where so many have lost their lives for a policy that has been based on fiction.

Mr. COLE of Oklahoma. Reclaiming my time, I would disagree with the gentleman on a number of points, but on one in particular.

It is not easy for anybody in this body to make the decision to send American troops into harm's way. My father was a career military person. My uncle spent 3½ years in a Japanese prison camp. My brother is a disabled Vietnam-era veteran, although not disabled in Vietnam. I have 15,000 soldiers at Fort Sill that I am privileged to represent. I have got another 8,000 or 9,000 airmen at Tinker Air Force Base that I am privileged to represent. My cousin is a lieutenant colonel in the United States Air Force, who spent 6 months in Afghanistan and 6 months in Iraq under very dangerous and difficult circumstances.

These are not decisions that anybody makes lightly for or against. Those people who are opposed to the war, as my good friend noted in the Rules Committee yesterday, initially, when it was ''popular,'' did not make an easy decision. It is not popular today. Those of us who are still supportive of that effort are not making an easy decision. We are making what we think is the right decision. I respect my friend's motives in that regard. I think he has always been consistent. His judgment has been consistent, even though we have consistently disagreed. I would ask for the same sentiment in reverse; that those of us who hold a different point of view are equally honorable in our motivation, equally intense about what we are doing, and equally convinced the course we are advocating is the correct one.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentlewoman, and I just share with my friend from Oklahoma, too bad we couldn't have had the debate you are now having at the beginning of the Iraq situation instead of going in on false information and on false pretenses. I think it would have been a much more enlightened debate, and I am sure you could have held your own at that point in time as you are doing here.

The shame of it is, of course, that the country was not told we were going into Iraq for anything to do with Saddam Hussein, other than weapons of mass destruction that were never found, connections with al Qaeda that were never found, and on that basis. That is why many in this country feel they have been misrepresented in this situation and that it has been badly prosecuted since then with tremendous incompetency.

The tremendous incompetency continues in a number of different ways, one of which is the contracting that has been going on and the loss of money, the mismanagement of money, the inability to track where money has gone for the American taxpayer in there, which is why Congressman JIM LEACH of Iowa and I have filed over the last several years a bill to set up the Truman Commission, based on the commission that happened during World War II when Senator Truman had a commission investigate the contracting, and in a Democrat administration, and they did two things: one was it made sure that the materials got to the troops that they needed at that time. And it saved lives. It was for their protection, to make sure the money wasn't wasted and that it went for the things the troops needed. And the other, of course, was to make sure the taxpayers' money was being spent as it should.

There are two things that Congress does: one is legislate and the other is oversight, to make sure the taxpayers' money is being spent properly and that the policy is being carried out in the way that it should. This Congress has been incredibly lacking in the oversight area. We have not done our job, particularly with regard to what is going on in Iraq and Afghanistan, which is why I am going to vote against the motion here for the rule. Because we ought to have waivers for the motions that Mr. LEACH and I brought to make sure that we investigate, have a separate commission set up to investigate.

Yes, this is an open rule, but it very pointedly leaves out that type of oversight, both in the Afghan and Iraq situation, and in the Katrina situation, where we are seeing the same kind of incompetence and waste and questionable action that might lead to fraud. In both instances, people will be hurt there if supplies are not gotten to them immediately, and the taxpayer will be hurt if the money isn't spent efficiently. So we ought to do that.

And with respect to the gentleman's argument that we are in such a rush

and this is an emergency, the brief period of time it would take to make those corrections and put those waivers in are not going to bring us beyond the period of time for which money already exists that is protecting our troops and dealing with the people in the gulf area.

So I think it is important that we do our job. It is about time this Congress stood up. Not one dollar more. Because every dollar that is wasted is a dollar that isn't being spent on body armor and roadside jammers for bombs, and up-armor for Humvees. Every dollar wasted is not getting housing and other services to people in Louisiana and Mississippi and that region.

It is time we put the waivers in place and we went forward with these investigatory commissions so that as things are transpiring, we can know that we are doing our job of oversight and the troops in one area, and the victims of the storms in the other area are getting the materials and the things that they need, and that the American taxpayers' money is being protected.

Mr. COLE of Oklahoma. Mr. Speaker, I want to address several of the points of my good friend from Massachusetts.

First, in terms of going into war without the information and without the debate. I was not in Congress when that decision was made, and, frankly, I looked back and have read the debates very carefully, watched the debates at that time, and know that, frankly, everybody that was voting voted on the best information they had available at that time.

Frankly, I remind my good friend that we were operating with a CIA that was run by a President Clinton appointee, that he was pretty adamant in terms of there were WMDs there. That was the shared opinion of every other intelligence agency in the world. And, again, I don't question the motives of the decision that was made.

I would also add this. For me, the more compelling figure is not what we found before we thought we were going, but what we found after. I go back to those mass grave sites and I go back to those tens of thousands of people that were killed. And, frankly, I go back to a level of American responsibility for allowing that to persist, in my opinion, after 1991.

I relate to my friend a story that I heard on my very first visit to Iraq, when I was talking to a young American sergeant. It was becoming evident at that point that the stockpiles we thought were going to be there weren't there. There was dual-use technology, and perhaps the potential to recreate something. No question Saddam Hussein was working his way out of restrictions, but what we thought was there, wasn't there.

And I asked this young sergeant who had risked his life in the drive to Baghdad what he thought, given that information. And he first gave me sort of a nice stock political answer and said basically what I said: Well, we don't know. We are still looking. And I said, but we haven't found any. And he looked at me, and I will never, ever forget what he said when I said, so, was it worth it? And he answered my question with a question.

He said, sir, have you ever been to a mass grave site? And I said, no, I haven't. He said, I have. He said, you haven't seen anything until you see bodies coming out of the ground and hundreds of family members trying to identify them and wailing. And I have seen that, and I wonder why the whole world wasn't here 10 years ago. That is a good question for us to ask ourselves inuring the course of this debate.

I also want to address my friend's point about a commission in two ways. First, by making the point that there is a good deal of oversight that goes on in this process. I used to serve on the House Armed Services Committee. I still do. I have a waiver on that committee now. But that committee, I can assure you, is very thorough in its oversight. I think appropriations has an oversight function.

But, finally, and more importantly, I think on this particular piece of legislation, both sides of the House often ask for an open rule, and anything germane to this piece of legislation, this supplemental appropriation, can be brought here. I think that is a very good thing. Now we are being told we not only want things that are germane to one of the largest spending bills and one of the most important pieces of legislation that we will deal with this year, we want things that are not germane. We want waivers granted.

And, by the way, we are being told that by both sides of the aisle. This is not an exclusive demand. I think it is a misdirected demand. I would like to see us move back toward more open rules, more regular order, and I think this rule is a step in that direction.

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

Mr. COLE of Oklahoma. I yield 20 seconds to my friend.

Mr. TIERNEY. Thank you.

Well, first of all, I was here when we voted on the Iraq thing, and believe me, there was plenty of information for people that wanted to look at it to know which way things were going. And certainly our White House should have known which way things were going, and they made representations that turned out not to be accurate. So people can be responsible for their acts.

Secondly, the mass graves you are talking about are mass graves of the late 1980s, early 1990s, when members of our present administration were over there being friendly with the Iraqis and with Saddam Hussein.

It is never not germane for this body to do its oversight duty. It is always germane.

Mr. COLE of Oklahoma. Reclaiming my time. I disagree with my friend's characterization of when the mass graves were. There are certainly 35 years' worth of mass graves in Iraq, but a lot of them are from 1991 on, and particularly from the uprising of the Shi'a against Saddam Hussein, when an American Army was sitting on their border and we urged them to rise up and did nothing to help them.

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

Ms. SLAUGHTER. Mr. Speaker, I will be happy to yield 30 seconds to the gentleman from Massachusetts.

Mr. TIERNEY. I want to clarify that in 1991, the first Mr. Bush was President, when you were encouraging the uprising to go into that, and that is a period of time when there were many mass graves in that situation.

And, secondly, I just want to drive home the point that there is never a time when oversight for this group is not germane to the function that we do. We legislate, we have oversight, and there has been no effective oversight of either the Katrina situation or what is going on with contracting in Iraq and Afghanistan, not from any committee in this body, and the record is clear on that and it speaks for itself.

Mr. COLE of Oklahoma. Let me just make a quick point on Katrina.

Actually, there was good oversight there. Chairman DAVIS had a very good committee. Unfortunately, my friends on the other side of the aisle chose largely not to participate in an oversight function.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds just to say that President Bush's first Secretary of the Treasury, Mr. O'Neill, wrote a book after he left and commented that the first Cabinet meeting he went to, in January, they were discussing going into Iraq, to his great surprise. So that was planned long before September 11.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Mr. Speaker, I thank the ranking member for yielding.

I am disappointed that the Rules Committee has not allowed me to offer my amendment to strengthen the CFIUS foreign investment review process during consideration of the supplemental appropriations bill.

Americans deserve a rigorous review of foreign investments that affect our national security posture. Never again should we find that the President and the Secretaries of Homeland Security, Treasury and Defense are unaware of a critical transaction until after it has been approved.

As you know, the Appropriations Committee voted overwhelmingly last week to kill the Dubai World Port terminal acquisition, which, it is my understanding, requires a rule waiver to be made germane. It declined, however, to address the larger underlying process problem.

□ 1115

My amendment would strengthen the CFIUS process in the following ways: all transactions that could result in foreign control of any person engaged

in interstate commerce would be required to undergo a full review to determine whether it affects U.S. national security.

Today, foreign firms voluntarily, and let me say that again, voluntarily notify us of these transactions. I believe notification must be mandatory to ensure that our government knows about all such transactions.

My amendment would also retain the Secretary of the Treasury as the chairperson of the committee. The President would be required to approve or disapprove of all transactions. Today, if the President takes no action, the transaction is automatically approved.

The review period would automatically extend to the full 75 days. Current practice allows most transactions to be reviewed within 30 days, with an additional 45 days only if flags are raised.

Congress must be notified of Presidential decisions. Furthermore, Congress could overturn approvals within 30 days by a joint resolution. Today, Congress is notified of a CFIUS transaction only when the President disapproves one.

Within 90 days of enactment, the administration would also be required to report to Congress on foreign ownership of all U.S. critical infrastructure. Today, no one really knows how much of our critical infrastructure is in the hands of foreign companies and foreign governments.

Failing to fix the inherent flaws in the CFIUS process leaves our Nation vulnerable in the future. We should not take that chance. We should act now to strengthen the foreign investment review process.

I urge Members to vote ''no'' on the previous question so this amendment can be made in order and the House can vote on this important issue.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Minnesota for his point. I thought he had a very interesting amendment yesterday in the Rules Committee. I think it is a topic and amendment that deserves a great deal of study because I think the reform of that process is very much in order.

I would prefer that we move through an authorizing committee to do that, as opposed to simply discussing it in the Rules Committee, where we have no background, no staff, and then immediately inject it onto the floor.

My disagreement with my friend is largely over process here, and not necessarily over substance. I hope we do look at that process and do take his very thoughtful amendment into consideration through regular order.

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

Mr. COLE of Oklahoma. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would simply say, ordinarily, I would agree that the authorizing committee should deal with this issue. But given the fact that the Appropriations Committee at the leadership level took the action to wipe out the Dubai deal, to me it was appropriate that we make that provision have even more sense by having it attached by the same committee that did the other deed.

Mr. COLE of Oklahoma. Mr. Speaker, reclaiming my time, I would draw a distinction here. I think there is a big difference between stopping a decision that you disagree with, which I think can be done without a great deal of moving through process, and changing a process itself. I think that is actually a more difficult, time-consuming, complex operation. I think it needs an authorizing committee to look at it.

I think it is very appropriate for the Appropriations Committee to say, stop, we have serious concerns, we do not want to go through with this; and hopefully at that point we would proceed by regular order and consider the gentleman's thoughtful amendments that may come along.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time to close.

I am going to be asking Members to vote ''no'' on the previous question so I can modify the rule and allow the House to consider two very critical amendments.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, the first amendment by Mr. SABO will create a new review and approval process to ensure that the secret, backroom deals, like the irresponsible Dubai Ports World, cannot happen again. The Sabo amendment strengthens the process by which our government reviews future foreign takeovers. It will require that all foreign transactions that could result in foreign control of any entity engaged in interstate commerce must undergo a thorough review that mandates the direct involvement of the President and the Congress.

The second amendment, by Ms. KAPTUR, will create a select congressional committee based on the Truman Committee from the Second World War to investigate and study the awarding and carrying out of government contracts, to conduct military and reconstruction activities in Iraq, and for the rebuilding efforts in the gulf coast in the wake of Hurricane Katrina.

There is ample evidence of the necessity of this modern-day Truman Committee. Every day, more examples of fraud emerge. Billions and billions of dollars have been misused both in this country and overseas, and ensuring vigilant oversight of taxpayer dollars should not be a partisan issue. We owe it to the American taxpayers. We owe it to our brave soldiers in harm's way, and we owe it to the citizens in Louisiana, Mississippi, and Alabama who struggle every day to put their lives back together after the ravages of Hurricane Katrina.

I want to emphasize that this vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the narrow, inflexible agenda of the majority.

A ''no'' vote will allow those of us concerned about the safety and security of America to create a more responsible process for contracting out of our interstate commerce activities to any foreign entities. It would allow us to investigate the spending irregularities that have occurred with respect to the war in Iraq and the reconstruction efforts in the aftermath of Hurricane Katrina. In short, it is a vote to consider the priorities of the American people, the priorities blocked by the majority.

Mr. Speaker, I want to emphasize that a ''no'' vote on the previous question will not prevent the consideration of the supplemental bill. The bill will still be considered in its entirety. However, a ''yes'' vote will prevent us from voting on these two important initiatives. I urge all Members to join with me in supporting our soldiers and vote ''no'' on the previous question.

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

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

In closing, I would like to say I believe we have had an excellent debate today. What is clear to me is the importance and the timeliness of this legislation. With that said, I would encourage Members to listen carefully to the following debate and to vote in support of the underlying legislation.

Additionally, I would encourage Members to be cautious when considering the amendments. This bill has been carefully crafted and worked in a way to ensure that our servicemen receive the best equipment when they go to war.

Equally important, the bill contains important measures to help our fellow citizens in the gulf coast as they continue to deal with the consequences of the worst natural disaster in American history.

Finally, I would ask Members to remember this is not a vote about the wisdom of the war in Iraq. The President and the Congress made that decision years ago. This vote is about giving those we have asked to execute our policy in Iraq the tools they need to do their job. The men and women serving our cause in Iraq ask for nothing more. In good conscience, we should give them nothing less.

Similarly, this is not a debate about the nature of the governmental response to Hurricane Katrina. This matter has been dealt with in a detailed report issued by a select committee chaired by the chairman of the Government Reform Committee, the gentleman from Virginia (Mr. TOM DAVIS).

Finally, this is also not a vote in essence about fiscal discipline. The process that the rule allows would allowed those concerned about spending to strip portions of the bill that concern them and send them back. It would also, of course, allow them at the end to vote against the bill itself if they thought it was too expensive. The rule allows, as I wish to remind my colleagues, for an open rule, that is, any Member of this body, majority or minority, can bring an issue germane to the bill to the floor, have it heard and have it decided. This is a movement toward regular order, and I think it is one we should respect and appreciate by upholding the rule.

To close, I would urge my colleagues to support this rule and the underlying legislation.

Ms. PELOSI. Mr. Speaker, we will soon consider a bill that will provide more than $90 billion for the continued wars in Iraq and Afghanistan and the continued response to Hurricane Katrina. As we debate this bill, we must also put in place measures to ensure that these funds are spent wisely.

As a result of the work of the special Inspector General in Iraq and the General Accountability Office, we know that billions of dollars has been wasted, and fraud and abuse is rife in the Katrina rebuilding and the war in Iraq.

One would presume that after being advised that taxpayer money had been misused, Congress would make certain that similar misuse would not occur in the future. Sadly, that presumption would be wrong. Perhaps no failures have been so regular and so great in the Republican Congress as the failure to do effective oversight.

Today, we have a chance to reverse this record of lax oversight by allowing the consideration of the Kaptur-Sabo amendment. The amendment would add some strength to an oversight process badly in need of it by: establishing a select committee modeled on the World War II Truman Committee and ensuring that Congress would have a vote on the adequacy of the national security review done on any proposed acquisition by a foreign entity of a business involved in interstate commerce in the United States.

The Truman Committee taught two important lessons—especially in war time—contractor performance needs to be closely scrutinized, and that scrutiny can be provided without partisanship.

Reports that $9 billion in money intended for use in Iraq cannot be accounted for should be reason enough to create a Truman-like committee, as envisioned by Ms. KAPTUR, Mr. TIERNEY, and Mr. LEACH. Evidence that money that was supposed to relieve suffering in the areas devastated by Katrina has been misused offers a strong endorsement.

Our recent experience with the Dubai Ports World acquisition should have convinced us that Congress has a role in determining whether and when foreign entities can safely operate elements of our critical infrastructure. These determinations are simply too important to be left solely to the judgment of the executive branch. Mr. SABO proposes a workable, common-sense process. We should consider it today.

Mr. Speaker, the American people expect Congress to do more than write blank checks. They expect us to be aggressive in making sure that money is spent responsibly. Uftfortunately, this Republican Congress has failed to meet this expectation. With this amendment we could begin the oversight of taxpayer dollars that should have begun long ago. I urge my colleagues to defeat the previous question and let us adopt the Kaptur-Sabo amendment.

Mr. LARSON of Connecticut. Mr. Speaker, I rise in opposition to the previous question so that the House can consider a critical amendment that would strengthen the CFIUS review process.

As we know all too well from the recent controversy over the Dubai ports deal, the current process for reviewing foreign takeover of national infrastructure is deeply flawed. Federal law currently allows the Committee on Foreign Investment in the United States (CFIUS) up to 30 days to examine a potential sale and determine whether to begin a more thorough 45–day security investigation. This process is meant to examine the national security implications of handing over critical infrastructure to foreign companies. However, as we now know, far too often the committee forgoes a deeper review of these deals. CIFIUS has investigated an estimated 1500 foreign investment transactions since it was established, of which 25 have gone into the 45 day review and only one has been blocked.

Defeating the previous question would allow the House to consider an amendment offered by Mr. SABO that is blocked by the underlying rule. The Sabo amendment would strengthen the current CFIUS process by requiring all foreign transactions that could result in foreign control of any asset or infrastructure that affects national security to undergo a full review. It mandates a more critical look at these deals by ensuring a 75 day security review of CFIUS transactions and requires the President to either approve or disapprove all deals. The amendment also requires that Congress be notified of Presidential approvals and allows for Congress to overturn decisions within 30 days with a joint resolution. In total, these changes would bring some common sense reform to a process that is central to the security of our vital infrastructure and the American people.

The Dubai Port World deal showed that the actions of the Committee on Foreign Investment in the United States (CFIUS) need to be taken out of the shadows and brought into the light. Congress should not be rubber-stamping the Administration's backroom deals, it should be reviewing them thoroughly. While H.R. 4939 will put an end to the already dead Dubai Ports World deal, focusing on this one transaction ignores the larger flaws in the CFIUS review process and the wide gaps in our port security. This important amendment deserves nothing less than an up-or-down vote.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 725—RULE ON H.R. 4939, MARCH 2006 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ/KATRINA

At the end of the resolution add the following:

SEC. 2. Before consideration of any other amendment it shall be in order to consider the amendments printed in section 3, which may be offered only in the order specified, may be offered only by the Member designated or a designee, shall be considered as read, shall not be subject to amendment except pro forma amendments for the purpose of debate, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived.

SEC. 3. The amendments referred to in section 2 are as follows:

(a) Amendment offered by Representative Sabo:

AMENDMENT TO H.R. 4939, AS REPORTED

OFFERED BY MR. SABO OF MINNESOTA

Page 83, after line 16, insert the following new section:

SEC. 3011A. (a) Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

"SEC. 721. INVESTIGATION OF CERTAIN TRANSACTIONS FOR NATIONAL SECURITY IMPLICATIONS.

''(a) INVESTIGATIONS.—

''(1) IN GENERAL.—Upon receiving written notification, as prescribed by regulations under this section, of any merger, acquisition, or takeover proposed or pending on or after the date of the enactment of this section by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President, acting through the President's designee and the Committee on Foreign Investment in the United States shall conduct an investigation to determine the effects, if any, of the proposed or pending merger, acquisition, or takeover on the national security of the United States.

''(2) TIMING.—Any investigation required under paragraph (1) shall be completed before the end of the 75-day period beginning on the date of the receipt by the President or the President's designee of written notification of the proposed or pending merger, acquisition, or takeover.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Any information or documentary material filed with the President or the President's designee pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding.

''(2) AVAILABILITY TO THE CONGRESS.—No provision of paragraph (1) shall be construed as preventing the disclosure of any information or documentary material to either House of Congress or to any duly authorized committee or subcommittee of the Congress.

''(c) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 (hereafter in this section referred to as the 'Committee') shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members:

''(A) The Secretary of the Treasury.

''(B) The Secretary of State.

''(C) The Secretary of Defense.

''(D) The Secretary of Homeland Security.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Director of the Office of Management and Budget.

''(H) The United States Trade Representative.

''(I) The Chairman of the Council of Economic Advisors.

''(J) The Director of the Office of Science and Technology Policy.

''(3) CHAIRPERSON.—The Secretary of the Treasury shall be the Chairperson of the Committee.

''(4) OTHER MEMBERS.—The Chairperson of the Committee shall involve the heads of such other Federal agencies, the Assistant to the President for National Security Affairs, and the Assistant to the President for Domestic Policy in any investigation under subsection (a) as the Chairperson determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation.

''(5) ROLE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall provide appropriate intelligence analysis and intelligence briefings to the Committee.

''(d) ACTION BY THE PRESIDENT.—

''(1) IN GENERAL.—No proposed or pending acquisition, merger, or takeover, of a person engaged in interstate commerce in the United States by or with foreign persons may occur unless the President, on the basis of an investigation and report by the Committee, finds that such acquisition, merger or takeover, will not threaten to impair the national security of the United States, as defined by regulations prescribed pursuant to this section, and approves the transaction.

''(2) ENFORCEMENT.—The President shall direct the Attorney General to seek appropriate relief, including divestment relief, in the district courts of the United States in order to implement and enforce—

''(A) any finding, action, or determination under this section of disapproval of an acquisition, merger, or takeover; or

''(B) any conditions imposed on any approval of any acquisition, merger, or takeover.

''(3) FINALITY OF DETERMINATIONS.—All actions and determinations under this section shall be final and not subject to judicial review.

''(e) FINDINGS BY THE PRESIDENT.—

''(1) IN GENERAL.—A finding under this section of impairment or threatened impairment to national security shall be based on credible evidence that leads the President to believe that—

''(A) the foreign interest exercising control might take action that threatens to impair the national security; and

''(B) other provisions of law do not provide adequate and appropriate authority for the President to protect the national security.

''(2) FACTORS TO BE CONSIDERED.—Any investigation under this section shall take into account the following factors:

''(A) Domestic production needed for projected national defense requirements.

''(B) The capability and capacity of domestic industries to meet national defense requirements, including the availability of human resources, products, technology, materials, and other supplies and services.

''(C) The control of domestic industries and commercial activity by foreign citizens as it affect the capability and capacity of the United States to meet the requirements of national security.

''(D) The potential effects of the proposed or pending transaction on sales of military goods, equipment, or technology to any country—

''(i) identified by the Secretary of State—

''(I) under section 6(j) of the Export Administration Act of 1979, as a country that supports terrorism;

''(II) under section 6(l) of the Export Administration Act of 1979, as a country of concern regarding missile proliferation; or

''(III) under section 6(m) of the Export Administration Act of 1979, as a country of concern regarding the proliferation of chemical and biological weapons; or

''(ii) listed under section 309(c) of the Nuclear Non-Proliferation Act of 1978 on the 'Nuclear Non-Proliferation-Special Country List' (15 C.F.R. Part 778, Supplement No. 4) or any successor list.

''(E) The potential effects on the proposed or pending transaction on United States international technological leadership in areas affecting United States national security.

''(f) REPORT TO THE CONGRESS.—Upon making any determination to approve or disapprove any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President shall immediately transmit to the Secretary of the Senate and the Clerk of the House of Representatives a written report of the President's determination under this section to approve or disapprove such merger, acquisition, or takeover, including a detailed explanation of the finding made and factors considered.

''(g) CONGRESSIONAL ACTION.—

''(1) IN GENERAL.—If the determination of the President contained in the report transmitted to the Congress under subsection (f) is that the President will approve any merger, acquisition, or takeover under subsection (d) and not later than 30 days after the date on which Congress receives the report, a joint resolution described in paragraph (2) is enacted into law, then the President shall take such action under subsection (d) as is necessary to prohibit the merger, acquisition, or takeover, including, if such acquisition has been completed, directing the Attorney General to seek divestment or other appropriate relief in the district courts of the United States.

''(2) JOINT RESOLUTION DESCRIBED.—For purposes of paragraph (1), the term 'joint resolution' means a joint resolution of the Congress, the sole matter after the resolving clause of which is as follows: 'That the Congress disapproves the determination of approval of the President contained in the report submitted to Congress pursuant to section 721(f) of the Defense Production Act of 1950 on _____.', with the blank space being filled with the appropriate date.

''(3) COMPUTATION OF REVIEW PERIOD.—In computing the 30-day period referred to in paragraph (1), there shall be excluded any day described in section 154(b) of the Trade Act of 1974.

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any existing authority, power, process, regulation, investigation, enforcement measure, or review provided by any other provision of law.

''(j) TECHNOLOGY RISK ASSESSMENTS.—In any case in which an assessment of the risk of diversion of defense critical technology is performed by the Committee or any other designee of the President, a copy of such assessment shall be provided to any other designee of the President responsible for reviewing or investigating a merger, acquisition, or takeover under this section.

''(k) BIENNIAL REPORT ON CRITICAL TECHNOLOGIES.—

''(1) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than May 1, 2007, and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(A) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer; and

''(B) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technology.

''(2) DEFINITION.—For the purposes of this subsection, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or security identified pursuant to this section.

''(l) BIENNIAL REPORT ON CRITICAL INFRASTRUCTURE.—In order to assist the Congress in its oversight responsibilities, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than 90 days after the date of enactment of this subsection and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(1) lists all critical infrastructure, as defined under subtitle B of title II of Public Law 107–296, that is owned, controlled or dominated by an alien, a foreign corporation, or a foreign government;

''(2) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States critical infrastructure; and

''(3) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies controlling critical infrastructure.''.

(b) The amendments made by subsection (a) shall apply to the review and investigation of any acquisition, merger, or takeover which is or becomes subject to section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) (as in effect immediately before the date of the enactment of this Act or on or after such date) that has not become final before the date of the enactment of this Act.

(b) Amendment offered by Representative Kaptur:

AN AMENDMENT OFFERED MS. KAPTUR TO THE FY 2006 EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL

On page 80, after line 19, insert the following:

TITLE IV—ESTABLISHMENT OF A ''TRUMAN'' INVESTIGATIVE COMMITTEE TO PROTECT AGAINST WASTE, FRAUD, AND ABUSE RELATED TO CONTRACTS FOR THE GLOBAL WAR ON TERRORISM AND HURRICANES KATRINA AND RITA REBUILDING EFFORTS

SEC. 1. There is hereby created a select committee on the model of the Truman Committee to investigate the awarding and carrying out of contracts to conduct military

operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts (hereinafter referred to as the ''select committee'').

SEC. 2. (a) The select committee is to be composed of 19 Members of the House, one of whom shall be designated as chairman from the majority party and one of whom shall be designated ranking member from the minority party. The Chairmen and Ranking Members of the following committees will serve on the select committee:

(1) Committee on Armed Services;
(2) Committee on Government Reform;
(3) Committee on Homeland Security; and
(4) Committee on International Relations.

The Chairmen and Ranking Members of the following subcommittees of the Committee on Appropriations will serve on the select committee:

(1) Subcommittee on Defense;
(2) Subcommittee on Foreign Operations, Export Financing, and Related Programs; and
(3) Subcommittee on Homeland Security.

In addition, the Speaker shall appoint 5 members of the select committee, of which 2 members shall be appointed upon the recommendation of the minority leader. Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(b) The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by the Government for military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts and make such recommendations to the House as the select committee deems appropriate regarding the following matters—

(1) bidding, contracting, and auditing standards in the issuance of Government contracts;
(2) oversight procedures;
(3) forms of payment and safeguards against money laundering;
(4) accountability of contractors and Government officials involved in procurement;
(5) penalties for violations of law and abuses in the awarding and carrying out of Government contracts;
(6) subcontracting under large, comprehensive contracts;
(7) inclusion and utilization of small businesses, through subcontracts or otherwise; and
(8) such other matters as the select committee deems appropriate.

SEC. 3. (a) QUORUM.—One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the committee to be actually present, except that the select committee may designated a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) POWERS.—For the purpose of carrying out this resolution, the select committee may sit and act during the present Congress at any time and place within the United States or elsewhere, whether the House is in session, has recessed, or has adjourned and hold such hearings as it considers necessary and to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, and other things and information of any kind as it deems necessary, including relevant classified materials.

(c) ISSUANCE OF SUBPOENAS.—A subpoena may be authorized and issued by the select committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Authorized subpoenas shall be signed by the chairman or by any member designated by the select committee, and may be served by any person designated by the chairman or such member. Subpoenas shall be issued under the seal of the House and attested by the Clerk. The select committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Government.

(d) MEETINGS.—The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless a majority of members of the select committee voting, there being in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(e) APPLICABILITIES OF RULES OF THE HOUSE.—The Rules of the House of Representatives applicable to standing committees shall govern the select committee where not inconsistent with this resolution.

(f) WRITTEN COMMITTEE RULES.—The select committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent wit this resolution or the Rules of the House of Representatives.

SEC. 4. (a) APPOINTMENT OF STAFF.—The select committee staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(b) POWERS OF RANKING MINORITY MEMBER.—All staff provided to the minority party members of the select committee shall be appointed, and may be removed, by the ranking minority member of the committee, and shall work under the general supervision and direction of such member.

(c) COMPENSATION.—The chairman shall fix the compensation of all staff of the select committee after consultation with the ranking minority member regarding any minority party staff, within the budget approved for such purposes for the select committee.

(d) REIMBURSEMENT OF EXPENSES.—The select committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their functions for the select committee.

(e) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the House such sums as may be necessary for the expenses of the select committee. Such payments shall be made on vouchers signed by the chairman of that select committee and approved in the manner directed by the Committee on House Administration. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 5. The select committee shall from time to time report to the House the results of its study and investigation, with its recommendations. Any report made by the select committee when the House is not in session shall be filed with the Clerk of the House. Any report made by the select committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today my look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer a amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. COLE of Oklahoma. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes, if ordered, on adopting the resolution and on suspending the rules and adopting House Concurrent Resolution 190.

The vote was taken by electronic device, and there were—yeas 224, nays 192, not voting 16, as follows:

[Roll No. 40]

YEAS—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—192

Abercrombie
Ackerman
Allen
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—16

Andrews
Baird
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Harris
Istook
McCollum (MN)
Norwood
Peterson (MN)
Ruppersberger
Scott (GA)
Sweeney
Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR) (during the vote). Two minutes remain in this vote.

□ 1152

Mr. ROTHMAN changed his vote from ''yea'' to ''nay.''

Mr. JONES of North Carolina changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. FLAKE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 200, not voting 14, as follows:

[Roll No. 41]

AYES—218

Aderholt
Alexander
Allen
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Case
Castle
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Hall
Hart
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kaptur
Keller
Kelly
Kennedy (MN)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Myrick
Ney
Northup
Nunes
Nussle
Oberstar
Osborne
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Salazar
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Sullivan
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—200

Abercrombie
Ackerman
Akin
Baca
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chabot
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (FL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Hastings (FL)
Hayworth
Hefley
Hensarling
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Poe
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Wexler
Woolsey
Wu
Wynn

NOT VOTING—14

Andrews
Baird
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Harris
Istook
McCollum (MN)
Norwood
Peterson (MN)
Ruppersberger
Sweeney

□ 1203

Messrs. PASCRELL, BOREN, JEFFERSON, SCOTT OF VIRGINIA AND MS. CORRINE BROWN of Florida changed their vote from ''aye'' to ''no.''

Mr. MARCHANT changed his vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

The SPEAKER pro tempore (Mr. KIRK). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 190.

The Clerk read the title of the concurrent resolution.

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, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 1, answered ''present'' 1, not voting 19, as follows:

[Roll No. 42]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—1

Kucinich

NOT VOTING—19

Andrews
Baird
Calvert
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Harris
Istook
McCollum (MN)
Murtha
Norwood
Peterson (MN)
Rangel
Ruppersberger
Sweeney
Waters
Whitfield

□ 1211

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:

Mr. FILNER. Mr. Speaker, on rollcall No. 42, H. Con. Res. 190, I was en route from my Congressional District on official business. Had I been present, I would have vote "yea."

GENERAL LEAVE

Mr. LEWIS of California. 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 consideration of H.R. 4939, and that I may include tabular material on the same.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 725 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4939.

□ 1212

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GILLMOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, today we turn our attention to the fiscal year 2006 emergency supplemental, addressing the global war on terror and the gulf coast disaster assistance.

The committee-recommended funding levels is $91.833 billion, which is $400 million below the President's request.

The bill provides for $67.6 billion in support of Operation Iraqi Freedom and Operation Enduring Freedom. The supplemental fully funds the administration's request of $4.85 billion to train and equip security forces in Afghanistan and Iraq.

The bill earmarks, I repeat, Mr. Chairman, the bill earmarks $850 billion over the President's request to upgrade Abrams tanks and Bradley fighting vehicles. The committee is also earmaking, I repeat, Mr. Chairman, earmarking an additional $480 million over the request for newer, self-up-armored Humvees, for a total of $890 million of earmarks.

The committee has fully funded the President's request to procure and develop countermeasures to prevent IED attacks on our troops. The bill also includes the enhanced $400,000 life insurance benefit for servicemembers and $100,000 death gratuity for combat-related fatalities.

The committee did not fund $1 billion of the request for various construction projects related to security training activities in the region because they were poorly defined and not well justified.

The committee did provide a five-fold increase for the Department of Defense Inspector General to monitor war expenditures.

Under title II, the supplemental provides $19.1 billion for hurricane-related disaster assistance, including $9.55 billion for FEMA's disaster relief fund. The bill also provides $4.2 billion for HUD community development block grants to address long-term recovery and restoration of devastated areas.

□ 1215

The bill also provides the requested amount of $1.46 billion for various flood control projects and levee repairs by the U.S. Corps of Engineers.

This legislation also requires FEMA to provide better reporting on the expenditure of disaster funds and provides funding for the Inspector General of the Department of Homeland Security and the Department of Justice to investigate and prosecute fraud cases.

Like most Members of the House, I have heard from many of my constituents expressing strong concerns about the possibility of foreign-owned companies managing U.S. ports. As a result of those concerns, the House Appropriations Committee overwhelmingly, and in a bipartisan fashion, adopted an amendment that prohibits the company, Dubai Ports World, owned by one of the governing bodies of the United Arab Emirates, from taking over the operation of any port facility in the United States.

It was not my intention, Mr. Chairman, to have the committee rewrite the Defense Production Act or change the Committee on Foreign Investment in the United States, the CFIUS process. Those are very complex policy decisions which rest primarily with the Financial Services Committee. Additionally, the Homeland Security Committee, the Armed Services Committee, the Committee on Energy and Commerce, and the Committee on International Relations have a great deal of interest in this matter.

The straightforward amendment adopted in our committee was crafted to block only the Dubai Ports World deal. This is a national security issue. This is a national security bill. Our goal is to ensure that security of our ports is in America's hands.

During our debate, Mr. Chairman, on the supplemental, I fully expect an amendment to strike this language from the bill. This striking amendment, which will likely fail on a broad bipartisan basis, gives our Members the opportunity to voice their strong opposition to the port deal. It will also send a strong and unmistakable message that the Congress and the American people stand united on the critical national security issue that involves the ports.

Mr. Chairman, I urge an aye vote on the passage of this legislation.

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

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member of the Foreign Operations Subcommittee.

Mrs. LOWEY. Mr. Chairman, I rise in support of this bill, and I am pleased to have worked with Chairman KOLBE to develop the foreign assistance portion of this measure. The bill cuts the amount requested for international assistance by about $140 million from the administration's request, and rescinds an additional $17 million in previously appropriated funds that are no longer needed.

However, I do have concerns about what we have included and what we have not included. I am particularly concerned about the lack of funding in this bill for Afghanistan. During the chairman's recent visit to Afghanistan, the ambassador and USAID staff outlined a need for $600 million in FY 2006 supplemental funding to help address the power and infrastructure needs in Afghanistan.

Our ambassador, the Afghan government, and provincial leaders all agreed that progress on reconstruction and development was critical to help consolidate the rule of law, curtail the influence of the Taliban and al Qaeda operatives and combat opium poppy cultivation.

Yet, the President's request does not contain the $600 million that Ambassador Neumann requested. It does not even contain the $407 million that Secretary Rice requested in her submission to OMB. The President requested just $62 million for assistance to Afghanistan in the supplemental, one-tenth of what is needed. The committee further cut this amount providing only $8 million for Afghanistan.

Now, I do understand that Chairman KOLBE and Chairman LEWIS are frustrated with the lack of response from the State Department on the counter-narcotics program in Afghanistan, and I share that frustration. However, in this instance, I fear that we are cutting off our nose to spite the State Department's face. I do not think this is a responsible strategy. And before this bill is enacted, I hope we can find the means to restore or even increase the

administration's request for Afghanistan.

While I applaud the funding in this bill for Sudan and other humanitarian needs in Africa, I was disappointed that the administration did not seek robust funding for the fledgling democracy in Liberia and the critical transition in Haiti. I am pleased that the committee accepted an amendment by Representative JACKSON to add $50 million in assistance to Liberia. It is important that the United States send a strong message of support to Liberia, particularly as we prepare to receive President Ellen Johnson Sirleaf, the first woman to be elected head of state in Africa.

This money will provide critical short-term support to meet refugee and humanitarian needs, as well as to help stabilize Liberia in the initial months of her administration. First Lady Laura Bush and Secretary Rice pledged that the U.S. would stand by Liberia during this period of transition, and I think our bill with the addition of $50 million in economic support funds does just that.

Finally, let me speak to the bulk of funding in the foreign operations bill which is for Iraq. I am not convinced that providing more money for Iraq will cure the problems for that country. But I will support the additional funding because I think we owe our men and women in uniform in Iraq every tool to achieve success.

I am dismayed that the committee defeated on a party-line vote, however, my amendment to ensure proper oversight of these additional resources. My amendment would have simply placed the additional funds in the foreign operations title of the bill under the oversight of the Special Inspector General for Iraq, as is the case for prior funds appropriated for assistance to Iraq.

By voting against this commonsense amendment, the Republicans in our committee sent the message to American taxpayers that while Congress expects them to bear the burden of reconstructing Iraq, the Republicans in Congress are not interested in ensuring that the money is accounted for and effectively spent. I hope the issue is corrected when the bill is taken up by the Senate. I urge my colleagues to support this bill.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. YOUNG), my mentor, the former chairman of the Appropriations Committee, who now chairs the Subcommittee on National Security.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California for yielding me the time. I want to compliment him for having produced this very important supplemental appropriations bill in record time, and a very good bill.

I want to expand a little on what the chairman has said about this bill. For example, we have increased the President's budget by $850 million to ensure that Army tracked combat vehicles such as Abrams tanks and Bradley fighting vehicles will be upgraded, especially for the units that will be rotating into Iraq in the coming months. An increase of $360 million in equipment for the Marine Corps is provided based on an assessment of their most pressing shortfalls. And $273.7 million additional is provided for Air Force procurement, including additional predators, electronic countermeasures to protect our aircraft, and funding to ensure the continuation of the C–17 production line.

Very importantly, Mr. Chairman, the committee recommendation supports and enhances the President's request for the National Guard and Reserve forces. We have included in the war supplemental portion of this bill a total of $3.57 billion for the Guard and Reserve, an increase of $320 million over the amounts requested by the President.

We have been able to add to the request the following items: $230 million for the Abrams Tank Integrated Management or AIM program, to support fielding of National Guard combat brigades; $50 million for 42 Bradley fighting vehicles to complete two Army National Guard combat brigades; and $40 million to cover shortfalls in the Army Reserve personnel accounts.

All and all, Mr. Chairman, this is a good bill. It does speak to the needs of those who are fighting the war. I highly recommend its passage.

Mr. OBEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as I said earlier, this bill is here because of a massive failure of American leadership, which goes right to the very top in the White House.

We are going to be spending $90 billion in this bill, most of which goes for Iraq, a war which was engaged in by our country, initiated by our country on the basis of bad information and manipulated intelligence. After we were in the war, we were told by the administration that Iraqi reconstruction would cost between $1 and $2 billion and could be financed by Iraqi oil revenues.

After the administration submitted its reconstruction request for over $18 billion, Secretary Rumsfeld told us, ''We just had no idea of how bad the Iraqi economy was.''

That certainly is an understatement.

The administration then claimed that we would be greeted as liberators and that 6 months after the invasion, we could begin withdrawing troops. Since then, the insurgency has exploded. We have lost over 2,300 U.S. troops who have been killed. Thousands have been injured. Many more Iraqis have been killed and a continuing U.S. troop deployment in Iraq of around 130,000, down only slightly from the 150,000 in the year before.

We have had a failure to plan for adequately equipping our troops with armor. And as a result, our troops have been rummaging for scrap metal from garbage dumps and they have had to deal with a myriad of other equipment shortages.

Then we have seen the disgraceful stories about Abu Ghraib. We have seen stories about torture all being done in the name of the United States, in the name of every citizen of this country. We have reports that more than 100 people have died in custody, and then we have reports that the administration is spying on Americans and eavesdropping on Americans. I want to make it clear, I want our government to eavesdrop on every person that it needs to eavesdrop on in order to protect this country, but I want it done in a way which is constitutional, and in a way which is in conformance with the law, not outside the law, and right now that is not the case.

So this bill comes before us with the United States divided and with the American people confused about what our mission is, what our purpose is, and what our plans are. And now we are asked to provide this additional money.

I will vote for this bill because, while I have grave misgivings about the war, and while I believe that Mr. Rumsfeld should have resigned a long time ago, I intend to support whatever money is necessary in order to support our troops. But having said that, let me just make another observation. We are going to be spending $91 billion. $19 billion is for Katrina. Over almost $70 billion is for Iraq. And I am told that those funds will be expended at a rate of about $6.8 billion a month. And yet we are going to be squabbling over the next 2 days over a fraction of that amount that some of us believe should be used to provide heating for our elderly, education for our kids, and medical care for our veterans.

Three years after this war began, does anybody here really believe the President of the United States when he tells us that this is all about bringing democracy and freedom to Iraq? $400 billion and then some later, does anybody believe that Congress did the right thing when this Congress handed a blank check to the administration? After more than 17,000 Americans wounded in Iraq, does anyone think Congress was right to sit on its hands when it was clear that this White House and the civilian leadership at the Pentagon did not have the first clue about what they were doing?

□ 1230

Mr. Chairman, in addition to the divisions which we face on Iraq, we face some other problems with this bill.

This bill, for instance, contains Mr. LEWIS' amendment shutting off and shutting down the ports transaction involving Dubai. At the same time, however, the committee blocked the Sabo amendment which would have created a process which would have guaranteed that our government would know each and every time such a transaction was being contemplated. Without the Sabo

amendment, we are still in a position where notice to the American government of any such transaction is optional. We do not believe on this side of the aisle it ought to be optional.

Secondly, the committee blocked efforts, again by Mr. SABO, to add $3.4 billion for crucially needed funding to strengthen port security and border security.

The committee cut back my amendment to provide $1 billion to help low-income Americans pay for higher energy prices which are in large measure arising today because of our misadventures in Iraq. The committee cut back that effort to $750 million with no guarantee that a single dollar of that will be provided to people who need it this year.

Then the committee declined to support a provision by Mr. BERRY which would have repaired the prescription drug plan that has now gone into effect and which would have at least given seniors more time to sort out their confusion before they have to commit themselves to signing up for one plan or another.

The committee also refused to adopt, well, to save time, I will skip the other three points that I think were important to discuss, but let me simply say this, Mr. Chairman. There will be a lot of debate on this bill over the next 2 days, and a lot of it will be focused on Iraq. But I think it is important for each and every American to understand and it is important for each and every man and woman representing this country in uniform to understand that our divisions about the advisability of the war and about what ought to happen next in that war have nothing whatsoever to do with our feelings for those who wear the uniform of the United States and are presently engaged in this contest. They have done every possible thing that could be asked of them. We owe them our gratitude for their sense of sacrifice, their willingness to answer the call of their country, and I do not think that turmoil over the advisability of the war ought to be mistaken for disagreement that we owe a debt of obligation to each and every person who is fighting in that war.

I wish we had a similar sense of self-sacrifice on the part of persons who are not participating in that war. It sometimes seems that the only people who are being asked to sacrifice are military families. We are telling the rest of the country, while some folks are off to war, ''Do not worry, folks, we are going to give you a nice fat tax cut, and people who make $1 million a year are going to get $110,000 tax cut.'' No sense of self-sacrifice there.

So, Mr. Speaker, I intend to vote for this bill in the end, but we could have adopted a number of amendments which would have made this a much more balanced product, and I would hope that as we go through the debate that we will find a way to at least address some of the issues which we failed to address when the committee dealt with the bill last week.

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

Mr. LEWIS of California. Mr. Chairman, I am happy to yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Homeland Security Subcommittee.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman from California for yielding the time and, more importantly, for ushering out this important bill in short time and in good order, and I urge my colleagues to support this supplemental appropriations for the global war on terror and hurricane recovery.

Mr. Chairman, without a doubt, Hurricane Katrina was the worst natural disaster the Nation has ever seen, covering more than 93,000 square miles, claiming over 1,300 lives. Nearly 7 months after landfall, Hurricane Katrina continues to consume us as a Nation, both with recovery and rebuilding, as well as questioning what went wrong and why.

The bill before us today fully funds the ongoing work of FEMA. Since Katrina made landfall, and including the $9.5 billion in this bill, the Congress has provided more than $44.5 billion in supplemental funds for Gulf coast recovery just through the Disaster Relief Fund. That is a staggering sum of money, Mr. Chairman, and one that reflects our commitment to help our Nation recover from the devastation of the 2005 hurricane season.

Mr. Chairman, we are a little more than 2 months away from the 2006 hurricane season. I do not think that is a particularly welcome observation for those still recovering from the 2005 season.

I am pleased that this bill includes several important programs that will help us prepare. One of the lessons learned, Mr. Chairman, in Katrina was the importance of early warning and communications. The bill before us today includes $70 million to allow FEMA to improve public alert, warning and communications systems.

The Bipartisan Committee on Hurricane Katrina and the White House's ''Lessons Learned'' identified critical failures in FEMA's ability to manage its workload. To address some of those concerns, this bill includes $5 million to hire additional personnel for logistics management, inventory management, and contract management. With these additional staff on board before the 2006 hurricane season begins, FEMA will be better prepared to position critical assets, as well as plan for short-term recovery operations such as debris removal and housing.

Katrina also showed us that much work remains on both the national response plan and the national incident management system. This bill includes $5 million to immediately begin a review of those two important documents.

Mr. Chairman, I am also pleased this bill includes funds for ongoing work of the Coast Guard as it relates to the war on terror and addresses an unexpected shortfall within the Secret Service based on increased protective operations driven by the latest terrorist tactics and the current threat environment.

As reported by the full committee, this bill is free of extraneous matters, and I believe it is important that we maintain that clean bill of health. I suspect there will be attempts to add additional funds to areas deemed critical such as port security, border and immigration security, nuclear non-proliferation, first responders and aviation security. I would remind my colleagues that the 2007 appropriations cycle is already upon us. I believe debate on these very important issues should be reserved and considered within the context of the regular appropriations cycle in which we are engaged even now.

I also understand there may be attempts to take funds from the Disaster Relief Fund and use them for other purposes. I would urge my colleagues to oppose those attempts.

I urge, Mr. Chairman, all of us to support this bill.

Mr. OBEY. Mr. Chairman, I yield 7 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my good friend the distinguished minority leader of the House Appropriations Committee.

Mr. Chairman, a lot of us on this side and virtually everyone on the other side are going to vote for this bill, but we should do so with considerable reservations.

First of all, two-thirds of it goes to fund the Iraq War; even though, after 4 years, there is still no end in sight. You wonder if this is not more good money going after bad or at least after a mission that has yet to be defined.

We will now have spent $490 billion from fiscal year 2001 through fiscal year 2007. Mr. Chairman, the cost of the entire Vietnam War, adjusted for inflation, was exactly the same cost that we have now appropriated.

Mr. Chairman, the most credible poll that was just taken showed that three-quarters of the American troops believe that we should withdraw within the year, and over half said it should be within 6 months.

Even more telling, a poll that was conducted on January 28 of this year among Iraqi citizens showed that 82 percent of Sunnis and 69 percent of Shi'a want U.S. troops withdrawn immediately. These are the people that we are trying to save for democracy, and in fact, the majority of both Shi'a and Sunnis believe that the U.S. will hurt, that is their word ''hurt,'' Iraq over the next 5 years unless it withdraws immediately. Mr. Chairman, we need an exit strategy that is going to work and that has the support of the people we're trying to help.

Now the other reservation we have is over the way in which this money is being spent. We are told that about $8.8

billion has been used inappropriately of Iraqi reconstruction funds that we appropriated. It is unaccounted for, according to the Inspector General in Iraq. There are 50 investigations going on. A Halliburton subsidiary just acknowledged, admitted, that they overcharged the government by $63 million for a contract.

We need a Truman Committee-type investigation. It saved the American taxpayer tens of billions of dollars in the 1940's. It was rejected in the full committee, but it should be made part of this bill.

Now another major part of this bill deals with Hurricane Katrina. I was just down there in Louisiana, Mr. Chairman, on my own tab, for what it is worth what I learned about the contracting process down there is just stunning. It makes you wonder whether we should be providing any money unless we can get a handle over the way the money is spent.

Let me give you a thinly-veiled hypothetical example. One contract, for example, we give it to a prime contractor to fix roofs for $25,000 a roof. Eighty percent of it goes to a subcontractor, then 60 percent to another subcontractor, to another subcontractor, and, finally, it gets down to a company that actually puts the roof on for $1,200 a roof. You do the math, Mr. Chairman. Virtually all of the money goes to these contractors who never banged a hammer on a nail, and you know how we found out about it? Because the actual undocumented aliens who did the work contacted a FEMA person on the field, wondering how they were going to get paid. You go figure, Mr. Chairman.

Another contract went for debris removal, prime contractor, subcontractor, down again through reiterations, finally goes to the company that is already doing the very work for the City of New Orleans for a fraction of the cost but they never saw 90 percent of the money. These are things a Truman Committee could look into and fix.

Beyond the need for more oversight on the contracting process of the Federal Government, Mr. Chairman, we have some other issues that should have been part of this bill. The members of the full committee in the last omnibus appropriations conference had put the bill to bed, finished it up, when the majority leader of the Senate came over and added 45 pages providing liability exemption for drug companies.

□ 1245

We wanted to rectify that by striking the language we never approved. That was not done.

The third issue that we debated in full committee, and unfortunately it lost, was to give Medicare recipients an extra 7 months within which to make a decision as to whether to participate in Medicare part D. If Medicare senior citizens don't sign up by May 15, they have to then wait for another 7 months and they will pay an extra 1 percent a month. That means there will be a tax, if you will, a penalty of 7 percent for the rest of their lives applied to their insurance premiums.

It is too confusing a program. They need more time to decide. We ought to give them another 7-month extension so that they can make that decision by the end of this calendar year. If we don't ten million seniors will pay this penalty for the rest of their lives.

Mr. Chairman, there are so many other issues in this bill that we could discuss. Some of them will be discussed. But the bottom line is that it is an awful lot of money. It is the largest supplemental we have ever passed in this body. The largest appropriation as a supplemental ever considered. We have to provide it, but we ought to show more scrutiny towards the way the money is being spent.

And finally, Mr. Chairman, there is a provision here with regard to Dubai Ports World attempted purchase of American ports. I know I am in the distinct minority. It was a 62–2 vote, and I was one of the two that opposed this language. We have to identify our friends, and Dubai is our friend. The fact is that the Homeland Security Secretary said if this deal goes through it will strengthen port security, yet we ignore that information as well as the reality of the fact that Dubai is doing everything to be a bridge to the moderate Arab world. We blew up that bridge in committee, as far as I am concerned, Mr. Chairman, and I would hope we will try to rectify some of that damage.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. GILLMOR, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation with the Speaker, the majority and minority leaders, the Chair announces that during the joint meeting to hear an address by her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested. The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, March 9, 2006, the House stands in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at about 1:50 p.m. the following proceedings were had:

□ 1350

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HER EXCELLENCY ELLEN JOHNSON SIRLEAF, PRESIDENT OF THE REPUBLIC OF LIBERIA

The Speaker of the House presided.

The Assistant to the Sergeant at Arms, Bill Sims, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort Her Excellency Ellen Johnson Sirleaf, the President of the Republic of Liberia, into the Chamber:

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Florida (Mr. PUTNAM);

The gentleman from Arkansas (Mr. BOOZMAN);

The gentleman from Nebraska (Mr. FORTENBERRY);

The gentleman from Iowa (Mr. LEACH);

The gentlewoman from Florida (Ms. ROS-LEHTINEN);

The gentleman from California (Mr. ROYCE);

The gentleman from New Jersey (Mr. SMITH);

The gentleman from South Carolina (Mr. WILSON);

The gentleman from Arizona (Mr. FLAKE);

The gentlewoman from California (Ms. PELOSI);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Georgia (Mr. LEWIS);

The gentleman from New Jersey (Mr. PAYNE);

The gentlewoman from California (Ms. WATERS);

The gentleman from North Carolina (Mr. WATT);

The gentleman from Rhode Island (Mr. KENNEDY);

The gentlewoman from Michigan (Ms. KILPATRICK);

The gentlewoman from California (Ms. LEE); and

The gentlewoman from California (Ms. WATSON).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort Her Excellency Ellen Johnson Sirleaf, the President of the Republic of Liberia, into the House Chamber:

The Senator from Tennessee (Mr. FRIST);

The Senator from Alaska (Mr. STEVENS);

The Senator from Indiana (Mr. LUGAR);

The Senator from Illinois (Mr. DURBIN);

The Senator from Wisconsin (Mr. FEINGOLD); and

The Senator from Rhode Island (Mr. REED).

The Assistant to the Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, Ambassador from the Republic of Djibouti.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 2 o'clock and 6 minutes p.m., the Assistant to the Sergeant at Arms announced the President of Liberia, Her Excellency Ellen Johnson Sirleaf.

The President of Liberia, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia.

[Applause, the Members rising.]

ADDRESS BY HER EXCELLENCY ELLEN JOHNSON SIRLEAF, PRESIDENT OF THE REPUBLIC OF LIBERIA

President JOHNSON SIRLEAF. Mr. Speaker, Mr. Vice President, Members of the United States Congress, and distinguished guests, I am deeply touched by the honor bestowed on my small but proud West African Republic of Liberia and on myself by inviting me to address this body of representatives of the people of the great United States of America. By this invitation, you have paid one of the greatest tributes there is to all those who laid down their lives for my country to be free and democratic. I can only say a big thank you.

The people of Liberia and the people of the United States are bound together by history and by values. We share a deep and abiding belief in the power of freedom, of faith, and of finding virtue in work for the common good.

The national motto of Liberia, founded, as you know, by freed American slaves, is: ''The love of liberty brought us here.'' We became the first independent republic in Africa. Our capital, Monrovia, is named for your President, James Monroe. Our flag is a star in a blue field and red and white stripes. Its one star makes us the ''lone star state'' in Africa. Our constitution and our laws were based upon yours. The U.S. dollar was long our legal tender and still is used alongside the Liberian dollar today.

But our ties greatly exceed the historical connection. I stand before you today as the first woman elected to lead an African nation, thanks to the grace of almighty God; thanks to the courage of the Liberian people, who chose their future over fear; thanks to the people of West Africa and of Africa generally, who continued to give hope to my people. Thanks also to President Bush whose strong resolve and public condemnation and appropriate action forced a tyrant into exile; and thanks to you, the Members of this august body, who spurred the international effort that brought blessed peace to our nation.

It was the leadership of the 108th Congress, more than 2 years ago, that paved the way for a United Nations force that secured our peace and guaranteed free and fair elections. It was your $445 million addition to a supplemental appropriations bill that attracted additional commitments from international donors. With those funds, we have laid the foundation for a durable peace, not only in Liberia, but in the whole West African subregion. Special appreciation goes to the 109th Congress, those of you in this room, for the effort in recent weeks to meet Liberia's developing needs.

Honorable ladies and gentlemen of this Congress, I want to thank you. The Liberian people have sent me here to thank you for your vision. Our triumph over evil is also your triumph.

Our special relationship with the United States brought us benefits long before the autumn of 2003. Thousands of our people, including myself, have been educated in American missionary schools and gone on to higher training in this country. You have generously welcomed tens of thousands of our people as they fled war and persecution.

I was among them. In 1985, after challenging the military regime's failure to register my political party, I was put in jail with several university students who also challenged military rule. This House came to our rescue with a resolution threatening to cut off aid to the country unless all political prisoners were freed. Months later, I was put in jail again, this time in a cell with 15 men. All of them were executed a few hours later. Only the intervention of a single soldier spared me from rape. Through the grace of almighty God and the mercy of others, I escaped and found refuge here, in Washington, D.C.

But long before that, our country and I benefited from Liberia's special relationship with the United States. My family exemplifies the economic and social divide that has torn our nation. Unlike many privileged Liberians, I can claim no American lineage. Three of my grandparents were indigenous Liberians; the fourth was a German who married a rural market woman. That grandfather was forced to leave the country when Liberia, in loyalty to the United States, declared war on Germany in 1914.

Both of my grandmothers were farmers and village traders. They could not read or write any language, as more than three-quarters of our people still cannot today; but they worked hard, they loved their country, they loved their families, and they believed in education. They inspired me then, and their memory motivates me now to serve my people, to sacrifice for the world and honestly serve humanity. I could not, I will not, I cannot betray their trust.

My parents were sent at a young age to Monrovia, where it was common for elite families to take in children from the countryside to perform domestic chores. They endured humiliations and indignities, but my mother was fortunate to be adopted by a kind woman, and both my parents were able through this system to go to school, a rarity at that time for poor people. My father even became the first native Liberian in the Liberian national legislature.

I was not born with the expectation of a university education from Harvard or being a World Bank officer or an Assistant Secretary-General of the United Nations. When I was a small girl in the countryside, swimming and fishing with twine made from palm trees, no one would have picked me out as the future president of our country.

I graduated from the College of West Africa, a United Methodist high school. I waited tables to support my studies in the United States, college in Wisconsin and graduate school in Massachusetts. I went on to enjoy the benefits and advantages of a world-class education.

So my feet are in two worlds, the world of poor rural women with no respite from hardship, and the world of accomplished Liberian professionals, for whom the United States is a second and beloved home. I draw strength from both.

But most of our people have not been as fortunate as I was. Always poor and underdeveloped, Liberia is only now

emerging from two decades of turmoil that destroyed everything we managed to build in a century and a half of independence. The costs of our conflict run wide and deep, manifested in varied ways: mismanagement, corruption, bad governance, massive looting of public treasury and assets. Unlike the tsunami in Asia and Katrina here in your own country, where the destruction and human casualty were caused by nature, we participated in or stood silently by in our own self-destruction. Our country agonized with your citizens and the victims and families of these natural tragedies and our country also agonized with itself over the effects of a senseless civil war.

In the campaign months, I traveled to every corner of our country. I trudged through mud in high boots, where roads did not exist or had deteriorated past repair. I surveyed ruined hospitals and collapsed clinics. I held meetings by candlelight, because there is no electricity anywhere, including the capital, except from private generators. I was forced to drink water from creeks and unsanitized wells, all of which made me vulnerable to the diseases from which so many of my people die daily.

I came face to face with the human devastation of war, which killed a quarter of a million of our 3 million people and displaced most of the rest. Hundreds of thousands escaped across borders. More, who could not, fled into the bush, constantly running from one militia or another, often surviving by eating rodents and wild plants that made them sick and even killed them.

Our precious children died of malaria, parasites and malnourishments. Our boys, full of potential, were forced to be child soldiers, to kill or be killed. Our girls, capable of being anything they could imagine, were made into sex slaves, gang-raped by men with guns, made mothers while they still were children themselves.

But listening to the hopes and dreams of our people, I recall the words of a Mozambican poet who said, ''Our dream has the size of freedom.'' My people, like your people, believe deeply in freedom; and in their dreams, they reach for the heavens.

I represent those dreams. I represent their hope and their aspirations. I ran for President because I am determined to see good governance in Liberia in my lifetime. But I also ran because I am the mother of four, and I wanted to see our children smile and play again.

Already, I am seeing those smiles. For even after everything they have endured, the people of Liberia have faith in new beginnings. They are counting on me and my administration to create the conditions that will guarantee the realization of their dreams. We must not betray their trust. All the children I meet, when I ask what they want most, say, ''I want to learn.'' ''I want to go to school.'' ''I want an education.'' We must not betray their trust.

Young adults, who have been called our lost generation, do not consider themselves lost. They, too, aspire to learn and to serve their families and their communities. We must not betray their trust.

Women, my strong constituency, tell me that they want the same chances that men have. They want to be literate. They want their work recognized. They want protection against rape. They want clean water that won't sicken and kill their children. We must not betray their trust.

Former soldiers tell me they are tired of war. They do not want to have to fight or run again. They want training. They want jobs. If they carry guns, they want to do so in defense of peace and security, not war and pillage. We must not betray their trust.

Entrepreneurs who have returned from abroad with all their resources, risking everything to invest in their country's future, tell me they want a fair and transparent regulatory environment. They want honesty and accountability from their government. We must not betray their trust.

Farming families who fled the fighting for shelter in neighboring countries or found themselves displaced from their communities want a fresh start. They want to return home. They want seeds. They want farm implements. They want roads to get their goods to market. We must not betray their trust.

I have many promises to keep. As I won elections through a free and peaceful process, I must preserve freedom and keep the peace. As I campaigned against corruption, I must lead a government that curbs it. As I was elected with the massive vote of women, I must assure that their needs are met.

We are not oblivious to the enormity of the challenges we face. Few countries have been as decimated as ours. In the chaos of war, our HIV rates have quadrupled. Our children are still dying of curable diseases, tuberculosis, dysentery, measles, and malaria. Schools lack books, equipment, teachers, and buildings. The telecommunications age has passed us by. We have a $3.5 billion external debt, lent in large measure to some of my predecessors who were known to be irresponsible, unaccountable, unrepresentative, and corrupt. The reality that we have lost our international creditworthiness bars us from further loans, although now we would use them wisely.

Our abundant natural resources have been diverted by criminal conspiracies for private gain. International sanctions, imposed for the best of reasons, still prevent us from exporting our raw materials. Roads have disappeared and bridges have been bombed or washed away. We know that trouble could once again breed outside our borders. The physical and spiritual scars of war are deep indeed.

So with everything to be done, what must we do first? We must do everything we can to consolidate the peace that so much was paid to secure, and we must work to heal the wounds of war. We must create an emergency public works program to put the whole nation to work and give families an income through the rebuilding of critical infrastructure, strengthening security and attracting investment. We must rehabilitate the core of an electricity grid to high-priority areas and institutions and visibly demonstrate to the people that government can provide necessary services.

We must bring home more of our refugees and resettle the displaced. We must give them the tools to start anew, and encourage more of our skilled expatriates, who have the knowledge and the experience to build our economy, to return home. For those unable to come home, we must appeal to you to grant them continuing protective status, and residency where appropriate, to put them in a condition to contribute to their country's reform and development.

We must complete the demobilization of former combatants and restructure our army, police and security services. We must create legal systems that preserve the rule of law, applied to all without fear or favor.

We must revive educational facilities, including our few universities. We must provide essential agricultural extension services to help us feed ourselves again, developing the science and technology skills to ensure that we prosper in a modern global economy. We must create an efficient and transparent tax system to ensure the flow of government revenues and create a hospitable investment climate.

With few resources beyond the will of my people, I want you to know, we have made a strong beginning. During my first few weeks in office, by curbing corruption we have increased government revenue by 21 percent. We have canceled noncompliant forestry concessions and fraudulent contracts; required senior government appointees to declare financial assets; implemented cash management practices to ensure fiscal discipline and sharpen efficiency; met the basic requirements for eligibility under the U.S. general system of preferences and initial Ex-Im Bank support; restored good relationships with bilateral and multilateral partners; commenced the process leading to an IMF-supported staff monitoring program; accelerated implementation of the Governance Economic Management Plan, the GMAP; and launched a Truth and Reconciliation Commission to investigate the abuses of war.

But while we seek national unity and reconciliation, we must not sacrifice justice. I respect the lifesaving role that our West African neighbors, particularly Nigeria, played at no small cost to them in accepting to host Mr. Charles Taylor. Liberians are deeply grateful. But I say here, as I have said before, Liberia has little option but to see that justice is done in accordance with the requirements of the United

Nations and the broad international community.

I know that my government must go beyond these strong beginnings, must do much more than we have done so far, and we must do it quickly. Our people's courage and patience are formidable, but their expectations are high. And their needs are urgent.

This does not mean that we want big government. We cannot afford it, and we believe that government should not attempt to do what civil society and business can do better. The people of Liberia know that government cannot save the country. Only their own strength, their determination, their creativity, resilience and their faith can do that.

But they have the right to expect the essentials that only a government can provide. They have the right to a government that is honest and that respects the sanctity of human life. They need and they deserve an economic environment in which their efforts can succeed. They need infrastructure, and they need security. Above all, they need peace.

That is the task of my administration. To meet that challenge, to do what is right, I ask for the continuing support of this Congress and the American people.

Honorable ladies and gentlemen, my appeal comes with the recognition of all that you have already done. In addition to the financial assistance to disarm our fighters and feed and house our displaced, the artful diplomacy of the United States was central to ending our long conflict. We thank you with all our hearts.

As small and impoverished as we are, we cherish the friendship we have had with you. During the Second World War, we stood together, even if only symbolically, to fight Nazi expansionism and tyranny. At the request of President Roosevelt, we planted rubber trees after the Japanese seized the Indonesian supply. When U.S. law prohibited sending ships to a Europe at war, we agreed to establish a shipping registry to help transport American goods. During the Cold War, we hosted a submarine tracking center, an intelligence listening post, and one of the largest Voice of America transmitters in the world.

Again, we ask that we continue working together, but we do not ask for patronage. We do not want to continue in dependency. The benefits of your assistance must be mutual.

Honorable Members of Congress, much is at stake for all of us. Liberia at war brought misery and crimes against humanity to its neighbors, a toll that is beyond calculation. A peaceful, prosperous Liberia can contribute to democracy, stability, and development in West Africa and beyond.

Nine times—nine times—in the past 15 years, the United States has been forced to evacuate official Americans and their dependents from our country, at enormous cost to your taxpayers. Monrovia, I am told, is the most evacuated U.S. embassy in the world. I am determined that you will not need to rescue your people from our shores for a 10th time. You contribute hundreds of millions of dollars to a U.N. peacekeeping force in Liberia. A fraction of this will be required to support a peaceful and stable Liberia.

Honorable Members of this great Congress, think with me about this. What is the return on an investment that trains young combatants for life, rather than death? What is the yield when our young men can exchange their guns for jobs? What is the savings in food aid when our people can feed themselves again? What is the profit from educating our girls to be scientists and doctors? What is the dividend when our dependence ends, and we become true partners rather than supplicants?

Honorable Members, we know that there is no quick fix for the reconstruction of our country; but Liberians, young and old, share their government's commitment to work, to be honest, to unite, to reconcile, and to rebuild. A nation so well endowed, so blessed by God with natural resources should not be poor. Starting from a small base, as we do, we have rubber and timber and diamonds and gold and iron ore. Our fields are fertile. Our water supply is plentiful. Our sunshine is warm and welcoming.

With your prayers and with your help, we will demonstrate that democracy can work, even under the most challenging conditions. We will honor the suffering of our people, and Liberia will become a brilliant beacon, an example to Africa and to the world of what the love of liberty can achieve. We will strive to be America's success story in Africa, demonstrating the potential in the transformation from war to peace; demonstrating the will to join in the global fight against terrorism; demonstrating that democracy can prevail, demonstrating that prosperity can be achieved.

The people of Liberia have already rolled up their sleeves, despite overwhelming obstacles, confident that their work will be rewarded, confident in the hope and promise of the future.

The women of Liberia and the women of Africa, some in the marketplaces and some in the high levels of government, have already shared their trust and their confidence in my ability to succeed and ensure that the doors of competitive politics and professionalism will be opened even wider for them.

Honorable Members, I will succeed. I will not betray their trust. I will make them proud. I will make you proud in the difference which one woman with abiding faith in God can make.

God bless you.

[Applause, the Members rising.]

At 2 o'clock and 49 minutes p.m., Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 2 o'clock and 50 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1544

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 3 o'clock and 44 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

RECESS

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

Accordingly (at 3 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1644

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOUSTANY) at 4 o'clock and 44 minutes p.m.

WAIVING POINTS OF ORDER AGAINST PROVISIONS IN H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all

points of order against provisions in H.R. 4939 be waived.

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

There was no objection.

PERMISSION TO OFFER CERTAIN AMENDMENTS AT ANY POINT DURING FURTHER CONSIDERATION OF H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 4939 in the Committee of the Whole pursuant to House Resolution 725, that the following amendments may be offered at any point in the reading:

An amendment by Mr. GILCHREST regarding section 3011; and an amendment by Mr. SABO, regarding the Defense Production Act; and that each such amendment may be offered only by the Member named in this request or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and that each amendment shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 725 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4939.

□ 1646

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. BOOZMAN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, 28½ minutes remained in general debate. The gentleman from California (Mr. LEWIS) has 19 minutes remaining and the gentleman from Wisconsin (Mr. OBEY) has 9½ minutes remaining.

Who yields time?

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I want to commend the gentleman from California (Mr. LEWIS), the Chairman of the committee, for his work in bringing this supplemental appropriations bill to the floor. He has really done an outstanding job of, I think, balancing the different interests that are involved here.

I want to take my time, Mr. Chairman, Members, to speak a bit about that part of the bill that deals with the foreign assistance funds. That is Chapter 3 of H.R. 4939.

The Foreign Operations portion of the fiscal year 2006 supplemental is $2.08 billion. That amount is $140 million, or 6.7 percent less than the request of the administration of $2.2 billion.

Now, here is how we arrived at this lesser figure.

First, we eliminated funding requested by the President that is not for the current fiscal year. That is $74 million. We eliminated funding that was requested for non-emergency costs. That is $99 million. And we reduced costs by rescinding previously appropriated funds of $17 million that are not needed because of changed circumstances.

Let me talk for a minute about specific regions and countries. First, Iraq. The bill provides new budget authority of $1.67 billion for Iraq, or two-thirds of the amount in foreign assistance is going to Iraq. But that is a reduction of $58 million from what the President requested. This reduction represents the amount requested for fiscal year 2007 costs for the U.S. Agency for International Development. As I said a moment ago, we concluded that this 2006 supplemental bill should not be used to pre-fund expenses of the next fiscal year.

In addition, the supplemental transfers $185 million from the Iraq Relief and Reconstruction Fund appropriation to augment the new funds provided in this supplemental. These are still unobligated funds that are appropriately applied to the purposes of this legislation. And that brings the total available to Iraq of $1.85 billion.

Many Members are greatly concerned about Darfur and our efforts to stave off genocidal warfare in that region of Africa. Though a fraction of the amount requested for Iraq, our bill attempts to accomplish this. It contains $201 million, fully funding the President's request for Darfur programs. This includes $123 million for the African Union Mission in Sudan, or called AMIS, for peacekeeping activities. The administration has assured us that this $123 million will finance the entire U.S. fiscal year 2006 contribution.

Also included in this amount is $11.7 million for refugee assistance and $66.3 million in nonfood assistance in the International Disaster and Famine Assistance Account. The plight of displaced persons in Darfur remains critical and is pathetic.

The supplemental bill provides new budget authority of only $8.4 million for Afghanistan. This is a reduction of $54 million from the request but does not constitute a lessening of our commitment to this emerging democracy. Rather, it represents, first, the amount requested, $16 million, for fiscal year 2007 funds for USAID. It reduces that amount. Second, it eliminates the amount requested for non-emergency requirements of $38 million. The $8.4 million fully funds the request for emergency replacement of an electric turbine generator and assistance for migration and refugee requirements.

My colleagues should know that the Secretary of State has not yet met the requirements of the fiscal year 2006 Appropriations Act which requires a certification that the Government of Afghanistan is fully cooperating with U.S.-financed efforts to eradicate poppy cultivation. It did not seem prudent at this juncture to appropriate any non-emergency funds for Afghanistan until that certification can be made.

The legislation includes $10 million in the Democracy Fund appropriation for the promotion of democracy, governance, human rights, independent media and the rule of law programs in Iran. This is a reduction of $55 million from the requested amount. However, $50 million of that is for broadcasting efforts and is addressed in Chapter 6 of this bill, the jurisdiction of Mr. WOLF's subcommittee.

For Liberia, the bill includes a total of $63.8 million. $13.8 million of that amount would be used to cover the extraordinary costs of refugees returning to Liberia, and $50 million will provide assistance for economic and project support.

Now let me turn to the issues that are not specific dollar amounts. One of these is a general provision, Section 3012, not in Chapter 3 of the bill. It deals with assistance to the Palestinian Authority.

I want to be clear. This bill includes no new, no additional funding for the Palestinian territories, and the President's supplemental request included no such funding. However, the fiscal year 2006 Foreign Operations Appropriations Bill did include $150 million to support the Palestinian people and build the capacity of the Abbas-led government. Since the fiscal year 2006 bill was passed, as my colleagues know, Hamas won a majority of the Palestinian legislature in the recent elections.

The provision included in this bill before us today reconfirms and reemphasizes congressional oversight of our foreign assistance programs to this troubled region. It directs that no fiscal year 2006 or prior year funding can be used to support the Palestinian Authority or a successor entity until the

government fulfills the requirements of the so-called Quartet Statement. It also suspends U.S. assistance to the Palestinian Authority until the administration completes its review of the entire assistance program.

To be clear, this provision will not halt, nor should it halt, humanitarian assistance to the Palestinian people. We can and we must hold the elected leadership in the Palestinian territories to account for their messages of violence. But we should not punish the people of the territories for asserting themselves peacefully and democratically against corruption in their quest for a better life.

I urge my colleagues to vote in favor of this supplemental. The foreign operations funding contained in Chapter 3 has been scrubbed so that only emergency requirements remain, and that is $140 million reduction from the President's request.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN) for the purpose of a colloquy.

Ms. ROS-LEHTINEN. Mr. Chairman, last year Hurricanes Katrina, Rita and Wilma dealt a triple blow to the residents of my district. Florida's commercial fishermen were among the hardest hit, yet these small business owners did not receive any special disaster assistance from last year's Hurricane Supplemental Appropriations Bill and minimal aid from other Federal agencies. Both their livelihoods and the future of this important industry are threatened. That is why I am requesting the gentleman's help in securing the necessary resources to assist these hard-working men and women.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. ROS-LEHTINEN. I yield to the gentleman from California.

Mr. LEWIS of California. I am certainly aware of the devastating impact of last year's hurricane season, and you have my assurances that I will work with you and do everything I can to address this issue when we go to conference with the Senate on this bill.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY) for the purpose of a colloquy.

Mr. BOUSTANY. Mr. Chairman, I appreciate your bringing this important legislation to the floor. I will include for the RECORD a letter I recently received from several elected officials from my district which explains in great detail the devastation Hurricane Rita inflicted on Southwest Louisiana and the need for Federal support in its aftermath.

The Nation suffers from Rita amnesia, because the residents of Southwest Louisiana did everything right. We heeded the Federal warnings, evacuated before the storm, saving thousand of lives in the process. In fact, there were no deaths after Rita.

We returned after the storm and immediately got to work to begin the long process of rebuilding our communities and restoring our way of life. The FEMA Long Term Community Recovery Team has said that Southwest Louisiana is leading the State in the recovery effort.

Southwest Louisiana is not looking for a Federal handout, but we need the Nation's help to recover from this unprecedented storm. Debris removal has been slow. 5.73 million cubic yards so far has been collected, enough to cover a football field with a pile of debris 1 mile high. Homes are now destroyed or uninhabitable. And, in fact, in Cameron Parish, 90 percent of the homes were reduced to slabs of concrete. Industries are hurting. The Lake Area Industry Alliance, home to a vast petrochemical complex which serves the entire U.S., reports damages to its facilities of nearly $50 million; and that is just one example.

Mr. Chairman, we cannot ignore the plight of Southwest Louisiana, and I urge my colleagues to support this important legislation. Remember Rita. I yield back.

CITY OF LAKE CHARLES,
March 11, 2006.

Re Hurricane Rita Recovery in Southwest Louisiana.

Hon. CHARLES BOUSTANY,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN BOUSTANY: First and foremost, we from Southwest Louisiana want to thank you for your support in our efforts to recover from Hurricane Rita. You have been very vocal in your effort to help us and we sincerely appreciate it. This letter is intended to give you information to support your efforts and to remind you that we stand ready to work with you in this effort. However, it has become very evident that others in our nation's capitol have forgotten about the destruction that occurred as a result of that storm.

We are not asking them to take our word for it. Just this week Governor Rick Perry testified in Washington D.C. and according to AP wire reports he requested that Texas be given $2 billion dollars, because ''states slammed by Katrina are getting more generous help than his state, *which bore the brunt of Hurricane Rita.*'' Governor Perry's significant funding request indicates his belief that Hurricane Rita was a destructive storm.

We do not intend to compete with our Texas neighbors for recovery money. We acknowledge that Hurricane Rita inflicted serious damage on Southeast Texas. But Southwest Louisiana also suffered significant devastation from this storm as well. The eye of the storm made landfall in Cameron Parish on September 24. The highly destructive northeast quadrant of the storm (with its winds and storm surge) was most destructive in Cameron Parish and in Calcasieu Parish in Louisiana. Cameron Parish as we knew it no longer exists. We, as Governor Perry, are concerned that we run the risk of being overshadowed by Hurricane Katrina when it comes time to allocate limited resources to the recovery effort.

Southwest Louisiana's elected officials, emergency responders and citizens worked hard to take the initiative to comply with evacuation orders, maintain discipline after the storm and truly prioritize our needs in a professional manner. Included below for your review is an overview of what happened in Calcasieu and Cameron Parishes during the Katrina and Rita storms. Hopefully this information will help you and your staff in your efforts to prevent Congress and the federal agencies responsible for hurricane relief from forgetting the devastation that occurred across the coastal parishes of Louisiana and in Southwest Louisiana in particular.

Hurricane Katrina also impacted Southwest Louisiana. Calcasieu Parish alone welcomed approximately 20,000 evacuees from Hurricane Katrina by opening shelters at a cost of nearly $1 million. The support of our community for the evacuees was overwhelming. Food, clothing, money and time were donated. Businesses and residents offered shelter, entertainment and support. The Lake Charles American Press described the effort as our community's finest hour. When Hurricane Rita approached our area, the first concern was to evacuate these people to safety.

When Hurricane Rita passed through Southwest Louisiana, our citizens listened to officials and heeded warnings to evacuate. Residents of Cameron and Calcasieu Parishes left the area on heavily congested roadways to the north along with residents of Texas who had already been given an order to evacuate. Gas supplies were limited and hotels to the north were full with evacuees from Hurricane Katrina, many who had evacuated a second time to escape Hurricane Rita.

Residents of Calcasieu Parish began returning to the area after the storm starting September 30, to ''look and leave''. They returned to find over 19,000 homes or approximately 25 percent of the housing stock was destroyed. Another 35 percent of the housing was damaged. Power was out throughout most of the area for one to three weeks causing widespread loss of water and sewer systems and shuttering industry and retail businesses. Gasoline was a rare commodity. Approximately half of the trees in Calcasieu Parish were destroyed or damaged.

Industries and public facilities were also heavily damaged. Lake Charles Regional Airport suffered over $20 million in damage including the passenger terminal, which was damaged beyond repair. The facility was closed approximately fifteen days after the storm. Chennault International Airport, home to Northrop Grumman, suffered approximately $40 million in damages and was closed for four weeks after the storm. Damages to other aviation industry businesses brought the estimated damage to our aviation industry to approximately $90 million.

The Lake Area Industry Alliance, home of a vast petrochemical complex important to the entire United States, reported damages of approximately $50 million to their members' facilities. Damage to off-shore rigs and the closure of the Port of Lake Charles (the nation's 12th largest port) caused supply disruptions to production facilities. Supply disruptions and power outages resulted in loss of production, worker layoffs and additional startup costs. Lyondell Chemical Company closed its facility, costing the community 295 well paying jobs with benefits; it will be impossible to replace this facility.

The six casinos of our gaming industry were shut down during the power outage. Harrah's two riverboat casinos and hotel were damaged beyond repair. Harrah's facility is currently closed; our community has lost 2,000 jobs as a result.

McNeese State University and Sowela Technical College sustained extensive damage. The Calcasieu Parish School System experienced heavy damage to school facilities and closure of all public schools for approximately four weeks. Damage to education facilities is estimated at $57 million.

The Calcasieu Parish Police Jury and area municipalities suffered damages to facilities of approximately $30 million. The parish

wide highway system, including three movable bridges in Calcasieu Parish, required extensive debris removal and repairs to make them safe for traffic. The I–10 bridge over Lake Charles, the main east-west traffic artery through southwest Louisiana and across the southern U.S. was closed following the storm for structural inspection after a barge ran into a supporting structure. An early estimate of parish-wide highway damage is $20 million.

Cameron Parish, our sister parish to the south was totally devastated. Although there was no loss of life, Cameron suffered the loss of a way of life. Approximately 90 percent of the homes in Cameron, the Parish seat were destroyed. Other communities suffered similar or worse fates. The major industries—oil, agriculture, seafood and tourism—were destroyed. It will take years for the residents to recover. And Southwest Louisiana will never be fully recovered until Cameron is rebuilt and back ''in business'' again.

Cameron Parish contains four wildlife refuges, all of which sustained significant damage. The Sabine National Wildlife Refuge of 125,000 acres was officially closed after Hurricane Rita. Facilities were destroyed and the landscape was littered with debris from damaged structures, vehicles, dead animals and hazardous chemical containers. The refuge cannot reopen until the hazardous debris is removed and there is no safety risk to the public. In 2004 the economic effect of the refuge and its visitation was $9 million, supporting 108 jobs and $1 million in tax revenue. This is an average return of $10.18 for every federal dollar spent operating the refuge. Annually 300,000 people tour the Creole Nature Trail, which is designated an All-American Road. Nature trail brochures are being pulled out of circulation by bureau officials.

The Southwest Louisiana community immediately began cleaning up and repairing damages in order to begin recovery from this storm. Temporary ''blue'' roofs were installed on 17,104 houses and apartments. An estimated 5.73 million cubic yards of storm debris was collected, enough to cover a football field with a pile more than one half-mile high.

In addition to residents who were displaced from their homes due to damage, approximately 10,000 evacuees from other places are now residing in Calcasieu Parish. Hotel vacancy is essentially zero and there is a shortage of affordable housing for residents. Because of this housing shortage, many residents have not been able to return to the Parish. Many businesses are still unable to operate for normal business hours because of a shortage of workers. Although many minimum wage jobs are advertised and unfilled for long periods of time, unemployment in the Parish has more than tripled from 5.3 percent in 2004 to 16.2 percent in November 2005, an increase of 10.9 percent due to a number of complex reasons.

We understand the scale of the storm in Hurricane Katrina. And we understand that Southeast Texas was affected by the Hurricane Rita, but please do not penalize us for being aggressive in our efforts to help ourselves recover. It has been said by the FEMA Long Term Community Recovery Team that Southwest Louisiana is leading the state in the recovery effort. But true recovery requires more than just debris removal and new roofs. Because of the devastation caused by Hurricane Rita, we need to retool and rebuild the economy of Southwest Louisiana. We cannot depend on the existing businesses and industry to rebuild the economy of our area. We must be creative and aggressive in our efforts to both diversify and expand our economy if we are to accomplish the long term recovery goals FEMA and others have set for our area.

Hurricanes Rita and Katrina have impacted 30–40 percent of the economy of our state. It will take years to truly recover from this disaster in terms of real economic recovery. Please help us remind your colleagues that no state in the history of our great nation has ever suffered the extent of economic and social disruption that Louisiana has as a result of these two storms.

Some would say that it is this ''can do'' attitude that has prevented us in Southwest Louisiana from getting national media attention. We don't want media attention, but we do need your attention. Please assist us in getting our ''fair share'' of federal funding for our recovery effort. And please consider extending the GO Zone Legislation for parishes hardest hit by these storms. We need at least an additional two years to take advantage of the economic recovery offered by this bill. And when it comes to the allocation of Community Development Block Grant monies to the individual states, please include an allocation for Hurricane Rita parishes/counties as well.

Thank you again for all you have done in the recent months to focus attention on the recovery of Southwest Louisiana. If you need additional information or we can assist you in any way, please do not hesitate to contact us.

Sincerely yours,

RANDY ROACH,
Mayor, City of Lake Charles

WILLIE MOUNT,
Louisiana State Senate

GERALD THEUNISSEN,
Louisiana State Senate

CHUCK KLECKLEY,
Louisiana House of Representatives

ELCIE GUILLORY,
Louisiana House of Representatives

RONNIE JOHNS,
Louisiana House of Representatives

DAN MORRISH,
Louisiana House of Representatives

BRETT GEYEMAN,
Louisiana House of Representatives.

[From American Press Editorial, Mar. 10, 2006.]

HEY, CONGRESS, HOW ABOUT US?

On Wednesday, President Bush once again toured New Orleans' areas damaged by Hurricane Katrina.

The President's visit, his 10th, comes on the heels of another visit by a large congressional delegation to New Orleans and parts of Mississippi hit by Hurricane Katrina.

There were about 100 people in the delegation, including Speaker of the House Dennis Hastert and Minority Leader, Nancy Pelosi.

The trip was organized by Hastert's office and the Federal Emergency Management Agency.

Meanwhile, residents of Calcasieu, Cameron, and Vermilion parishes who are picking up the pieces from the devastating Hurricane Rita wonder if they are being forgotten or if anybody in Washington, D.C., cares.

We understand that the areas in New Orleans and the Mississippi Coast are hurting, but so are Southwest Louisiana and Southeast Texas.

It's an insult to Southwest Louisiana residents that more than five months after Hurricane Rita struck here they are still waiting for members of Congress to come and see the devastation Rita wrought.

Members of Congress need to talk to Cameron Parish residents who have seen their entire way of life blown away by Rita.

Why do Louisiana Gov. Kathleen Blanco and Texas Gov. Rick Perry have to go to Washington to beg Congress to send more funds for Hurricane Rita relief?

All of this is a stark reminder about how Congress is out-of-touch with what needs to be done to help Southwest Louisiana and Southeast Texas get back on track.

Louisiana Seventh District U.S. Rep. Charles Boustany Jr. is aware of the problem with Rita amnesia in Washington. He sent a letter to Hastert and Pelosi when he learned about the congressional visit to New Orleans and Mississippi, urging them to include Southwest, Louisiana in their fact-finding tour.

Hastert responded in a March 1 letter that he considered including a tour of Southwest Louisiana in their recent visit, but it was not possible.

''Unfortunately, logistics and time constraints made it impractical to tour the parts of Louisiana impacted by Hurricane Rita during this trip,'' Hastert wrote.

He added that he wants to arrange a ''future visit'' so he can ''personally come down to Southwest Louisiana.''

Time's a-wastin', Mr. Speaker.

A number of congressional delegations have visited Louisiana and Mississippi in months past. Why didn't any come to this part of the state? Why does Boustany have to beg members of Congress to come here? Why haven't U.S. Sens. Mary Landrieu and David Vitter come here with a delegation of their Capitol Hill colleagues in tow to see Southwest Louisiana?

Landrieu of New Orleans and Vitter of Metairie have been on the forefront in getting assistance for Katrina-ravaged areas.

They represent this part of the state, too.

Vitter recently asked Don Powell, the federal recovery and rebuilding coordinator, to tour storm-damaged areas in Southwest Louisiana.

It's the members of Congress, not Powell, who will approve the relief funds this area so desperately needs.

Landrieu and Vitter need to help bring a large congressional delegation here to Southwest Louisiana. The sooner the better.

Mr. GENE GREEN of Texas. Mr. Chairman, I fully support the funding for our troops in this Emergency Supplemental; the men and women serving our country in Iraq and Afghanistan must have equipment to effectively fight insurgents, and the harsh environment has taken its toll on everything from helicopters to tanks to armored vehicles.

I am concerned however that we are not addressing the impact of lost equipment and vehicles when our National Guard and Reserve units are forced to leave their equipment in Iraq.

Some reports state that Guard and Reserve units in the U.S. are only equipped at 30 percent of pre-war levels. The FY06 Defense Appropriations bill included $1 billion for reequipping units here at home, but the Guard needs $20 billion to address the shortage.

Money is tight in times of war, but national security is hollow if we leave our homeland unprotected to fight wars overseas. If we are going to increase the federal debt limit yet again—by nearly $800 billion this time—and extend tax cuts, we should also equip the men and women who protect the homeland from terrorist attacks and natural disasters.

This is extremely important for constituents in the district I represent. In 2001, Tropical

Storm Allison, just weeks into the hurricane season, flooded tens of thousands of homes and businesses in Southeast Texas. The Guard was a critical part of the rescue and recovery effort, using its large trucks and equipment to reach individuals stranded by the high water. During Katrina and Rita, the Guard again played a major role in rescue and recovery efforts after a natural disaster.

With the start of hurricane season on June 1st—less than three months away—we must ensure Guard units along the Gulf coast have the equipment they need to save lives.

I also want to talk about housing for Katrina and Rita evacuees. We have 100,000 evacuees in the City of Houston's emergency housing program, but frankly FEMA and HUD have been very difficult to work with.

FEMA told the City to sign 1-year leases for evacuees and promised in writing to reimburse Houston. First, these reimbursements have been extremely slow, and the our cities and apartments are becoming the bank for FEMA.

I met with Houston apartment owners that have not been paid rent for 90 days—I could not get away with that in my apartment in D.C., but FEMA gets away with it.

Second, these commitments are not being honored. Instead, they are going to pull the rug out from under probably 30,000 of these evacuees that FEMA says won't qualify for housing help after March 31.

In the coming weeks, 30,000 evacuees in Houston are going to get a letter giving them 30 days notice before eviction, even if they have a 1-year lease that FEMA promised to reimburse back in September. Many of these evacuees are schoolchildren.

FEMA has no plan for where the folks that they decide no longer qualify for housing assistance are going to find housing or where they are going to go. Rental rates are going to go up due to the influx of evacuees. Houston's section 8 housing program is full.

30,000 Americans should not end up on the streets of Houston and America should not stand for it. FEMA made commitments to 1-year leases and they are not abiding by their written commitments.

Mr. Chairman, I fully support the hurricane relief funding in this bill and the funding for the men and women in Iraq and Afghanistan, but I believe that there is a tremendous amount of work yet to be done.

Mr. ORTIZ. Mr. Chairman, I rise to support the amendments by my colleagues in Texas, Mr. HINOJOSA and Mr. DOGGETT; our levee system in South Texas has long passed the point of insufficient—we are in an emergency situation.

The Lower Rio Grande Flood Control Project has several components, including the levee system along the Rio Grande, which is in a state of disrepair. This amendment provides $10 million for IBWC; it has no effect on budget authority; and it reduces outlays by $2 million for FY 2006.

The integrity of the 500 mile levee system is the responsibility of the Army Corp of Engineers and the International Boundary and Water Commission. The IBWC has not received any consistent federal funding necessary to rehabilitate this critical levee system.

An indirect impact from Hurricane Emily last September brought water levels along the South border to critical levels that we have not seen in decades.

It was Hurricane Katrina that gave each American a tutorial on the utter importance of levees when it comes to protecting U.S. lives and property.

In the 2 major storms that blew ashore last fall, Katrina gave us a glimpse of the damage possible if these levees are not repaired . . . and Emily that made us hold our collective breath as the waters rose near the top of the levee system.

Like New Orleans, the population protected by these levees is enormous. South Texas is a densely populated area, and is the front door of international trade. Millions of lives and the nation's economy could hang in the balance when these levees fail. Evaluations of the present condition of these levees conclude the system is deficient in both hydraulic capacity and structural integrity.

The investment we ask to include today as part of this emergency supplemental is a small price to pay to ensure the integrity of these levees when we have the next major hurricane. Hurricane season is rapidly approaching, and this is the last opportunity to fix the levee system before hurricanes start blowing into the Gulf. Let us not be penny wise and pound foolish about the dangers that await us, as we were with the New Orleans levees.

We know the damage that can happen . . . and we know it will only come at a profoundly bad time, as millions of residents are trying to flee the coast . . . and the U.S. economy takes a multi billion dollar hit.

Mr. PAUL. Mr. Chairman, I rise in opposition to this legislation, which makes ''emergencies'' out of non-emergencies and fails to provide assistance to my home State of Texas, which did suffer an emergency in the form of Hurricane Rita last summer.

First, I should note to my colleagues and the American taxpayer that, at almost $92 billion, this is the largest supplemental appropriations request in the history of the U.S. Congress.

Is it really an emergency to send $1.2 billion to pay off our allies for their help in Afghanistan? Won't these countries in close proximity presumably benefit more than even we will from the stability that we are told U.S. troops will provide? Perhaps these countries should be paying us for stabilizing their neighborhood. But no, it is always the U.S. taxpayer who ends up paying.

Is $36 million more for taxpayer-funded broadcasting programs overseas really an emergency?

Is $30 million to build roads in Liberia an emergency, when roads in Texas are still unrepaired after Hurricane Rita?

Mr. Chairman, I am offering an amendment to this ''emergency'' supplemental that reduces some of the non-emergency ''emergencies'' by $500 million and allocates that money for the recovery of the State of Texas from Hurricanes Katrina and Rita. Additionally, my amendment will take another half-billion dollars from the non-emergency portions of this bill and apply it toward the Federal deficit.

The real emergency is the rate that this government is spending money we do not have on policies that we cannot afford while ignoring what should be our real priorities.

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

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

The Acting CHAIRMAN (Mr. BOOZMAN). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. When the reading for amendment reaches title II, that title shall be considered read.

Pursuant to the order of the House of today, the following amendments may be offered at any point in the reading:

An amendment by Mr. GILCHREST, regarding section 3011;

An amendment by Mr. SABO, regarding the Defense Production Act.

Each amendment may be offered only by the Member named in the request or a designee, shall be considered read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; shall not be subject to a demand for division of the question; and shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional expenses for ''Public Law 480 Title II Grants'', during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $350,000,000, to remain available until expended: *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.

AMENDMENT OFFERED BY MR. GILCHREST

Mr. GILCHREST. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILCHREST.

Strike section 3011.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from Maryland (Mr. GILCHREST) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Maryland.

□ 1700

Mr. GILCHREST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there has been a great deal of dialogue in the last few weeks about this issue of Dubai Ports World controlling U.S. ports. What I would like to do with this amendment, Mr. Chairman, is to explain what the Dubai Ports World issue is, and in the process, hope my colleagues will vote in favor of this amendment which strikes the section of the supplemental appropriations bill, the section 3011.

I would at first like to give some frame of reference as to what it means to be the Dubai Ports World, which basically has purchased P&O, a British firm, that works with scheduling for the loading and unloading of cargo at our Nation's ports.

The Baltimore Sun, which is a newspaper in Maryland that represents the Port of Baltimore, one of the largest ports in the United States, says the following: ''Potentially lost in this uproar is a clear understanding of what a stevedore company does.'' Stevedore, that is what the Dubai Ports World is going to do. They are going to employ stevedores.

For the record, its employees, of Dubai Ports World, do not touch any cargo. No employee of the Dubai Ports World touches cargo. They are not in charge of port security. They do not oversee shipping manifests. That means they don't know what is in the containers. Stevedores, which is what the Dubai Ports World is going to be, are the middle managers who tell longshoremen, who are Americans, who are employed by the ports, who are employed by the State and local governments that control the ports, the longshoremen are the ones that load and unload the cargo.

Dubai Ports World will be able to tell them when that ship is going to dock and how to unload it. USA Today, many foreign companies, including one from Singapore, China and Taiwan, are doing business today at U.S. ports, leasing some terminals, to schedule the loading and unloading.

General Tommy Franks, this is what General Tommy Franks says about this particular issue: I personally believe that we have no greater ally in seeking a resolution of problems in the Middle East, the Palestinian issue, the Israeli issue, than we have found in the United Arab Emirates.

Finally, Mr. Chairman, this quote, and there are quotes from every major newspaper in this country, this is a quote from The New York Times: ''Dubai is not a democracy, and it is not without its warts. But Dubai is a bridge of decency that leads away from the failing civilization to a much more optimistic, open and self-confident society. Dubaians are building a future based on butter, not guns; private property, not caprice; services more than oil and globally competitive companies, not terror networks. Dubai is about nurturing Arab dignity through success, not suicide. As a result, its people want to embrace the future, not blow it up.

Dubai, the United Arab Emirates. We have a difficult, nearly impossible situation in Iraq, difficulties in the Arab world. Who do we need most to bridge the gap of the lack of knowledge? Who do we need most in the Arab world to connect and bridge that gap between the United States and that culture? It is the United Arab Emirates.

It is time for us to recognize that this is an ally that we need to integrate with the United States as far as global issues and global terror issues are concerned.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. BOOZMAN). The gentleman is recognized for 10 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield half that time to my colleague from Wisconsin (Mr. OBEY).

The Acting CHAIRMAN. Without objection, the gentleman from Wisconsin will control 5 minutes.

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this has been a very frustrating day. I can remember when this place used to be a legislative body. Now it has unfortunately become 99 percent a political institution, and even the politics of the institution doesn't seem to be working out too well on either side of the aisle.

What we have before us now is a holy picture debate. This is a Potemkin amendment. It is a Potemkin debate, and it is another example of how Congress has been reduced to dealing in symbols rather than dealing with substance.

We have had this country in a frenzy about the Dubai involvement in American ports over the past couple of weeks. The Appropriations Committee had a vote, and by vote of 62 to 2, the committee adopted an amendment by the distinguished chairman of the committee, Mr. LEWIS, which shut off the ability of the Dubai company to make their purchase of American port facilities.

We tried, in the committee, to make that action more rational by also establishing a process under which we would have a regularized notice to our government every time such a transaction is being proposed. The committee saw fit to turn that down.

We are now out on the floor. What is going on now is that there is such a frenzy to have every single member of the House also on record on this issue, that we now have a faux debate going on. As I read this, the only purpose of this debate today is to allow every Member of the House to cast a vote. It is what I call a holy picture vote, and it means that when the votes come, this amendment is going to be overwhelmingly defeated.

The only purposes I see that will have been accomplished by taking this time, is that Members will then have a vote in their pocket that they can take home and brag to people about. I admire the gentleman from Maryland and his willingness to be a sacrificial lamb on the amendment. I know that one or two people on this side of the aisle, such as Mr. MORAN, share his view, and I admire them for their courage.

I have to say that I really am frustrated to see on this, and a number of other amendments today and tomorrow, this House is going to deal with these issues in a symbolic manner rather than discussing it in a thorough, systematic way that might bring some additional credit to the House.

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

Mr. GILCHREST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I don't feel like I am a sacrificial lamb, and I am not doing this for any other purpose other than to give our strongest ally in the Middle East, the United Arab Emirates, the dignity that they deserve. There are Americans that feel they can do this in a most positive fashion.

Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my good friend from Maryland.

Mr. Chairman, I have no illusions about the results of this vote. It is going to be pretty much proportionate to the 62–2 vote that we took in the full Appropriations Committee, Mr. KOLBE and I being in the minority. But I want to share with my colleagues why this is the wrong thing to be doing.

The fact is that Dubai is our natural bridge to the modern, peaceful and progressive Arab world, and, with this amendment, instead of crossing that bridge, we blow it up.

The fact is that we currently have over 600 ships that are using Dubai, U.S. naval vessels. We have more than 77,000 military personnel who take leave in Dubai, and we have never had a security incident. In fact, more U.S. military personnel take liberty, port leave, in other words, in the United Arab Emirates today than in any other place in the entire world.

The UAE wants to be our friend. They want to invest some of those petro-dollars back in the United States. They want to modernize. They want, in fact, to trade with Israel. They want to trade with Europe. They want to trade with the United States. They are under a lot of political pressure, but, in fact, the emirs are standing up to that pressure.

Couldn't we be expected to do the same? Are we going to yield to the fear

and the prejudice that I think motivates this amendment? Because it is not reasoned judgment. In fact, the Committee on Foreign Investment in the United States was to be conducting a 45-day thorough investigation. Then we would be able to make an informed decision. At the end of that investigation they were going to make recommendations.

But the reality is there aren't a whole lot of things that need to be changed with this transaction. It is a financial transaction. U.S. longshoremen still handle the cargo. The U.S. Coast Guard provides physical security. The Customs Service inspects the cargo.

In fact, it was the UAE who was first, right away, to sign the U.S. Container Security Initiative. We asked them to. They are doing everything. And, my friends, the Director of the Department of Homeland Security, Secretary Chertoff, said if this deal goes through, it will make our ports more secure, not less.

Listen to the experts.

Mr. LEWIS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am doing this in no small part because I have been looking for an accurate description of ''holy pictures'' for some time now since I have been dealing with my friend from Wisconsin, and in this process we are going through today, I think I may have found at least one snapshot.

What we have done in this bill is attempt to respond to a very serious concern on the part of the American public regarding having a country or an organization that is related to a country in the Middle East having authority or control over any of our ports in this country. It is viewed by many as a serious national security issue, and this is a national security bill.

Our goal is to make certain that we have thought through this Dubai Ports World deal very carefully before moving forward. The language is to stop that deal. It is rather straightforward. The 62–2 vote in the committee indicates the broad cross-section of public reaction reflected in the membership to going forward without some action on the part of the committee, and thus this language in the bill. It is rather straightforward.

I welcome this discussion today, and intend to be as helpful as I can to those opposing our language.

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

Mr. GILCHREST. Mr. Chairman, I yield 2½ minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding.

Let me paraphrase the words that Mr. OBEY said a few minutes ago. Rather than holy pictures, I would say this provision of the bill is a little bit like sprinkling holy water over the issue. It has no effect.

Dubai has already announced that they are going to sell their interests. The deal already went through. There is no effect of this provision in actually blocking the sale. This is making everybody feel good, that they can thump their chest and say we are doing something really tough here.

There are three good arguments, Mr. Chairman, as to why we should not be doing this.

First, it diverts our attention from the real issue. The real issue, is we don't have good port security.

□ 1715

In fact, our port security is terrible. It is very poor. This diverts us from really dealing with the issue that we do not inspect more than 2 percent of all containers. We do not really have a system for tracking containers and we do not know the origin of these containers. Containers start in one place in Malaysia and go to Singapore and then go to Vancouver, and then by train to Chicago. We have no idea where it originated and what might have been put into the container.

We do not have the information. We have bad port security. And Congress has a responsibility for the oversight and to make sure that the Department of Homeland Security is doing the job it should be doing.

This diverts our attention from this issue and, allows everybody to feel good about what they are doing. It has no effect, none, on port security, or on the security of the United States.

The second reason why this is bad, it is damaging, as has been indicated by the gentleman from Virginia, it is damaging to our relationship with the United Arab Emirates.

The United Arab Emirates, Dubai, is the largest port in the world outside of the United States for U.S. warships. This last year 56 warships docked in the United Arab Emirates, Dubai, the same port that is managed by this company, and 590 supply vessels. All supplies that go to Iraq go through this port.

Now we are inviting trouble. If Dubai decides that they want to retaliate against the United States, we will be up a creek without a paddle when it comes to getting our supplies into Iraq.

And then, the third reason, it sends the wrong signal to investors around the world. It says to investors around the world that we are not really a reliable trading partner or a reliable investment partner. It says to them, that, the United States has rules that they are supposed to follow, and then they throw them overboard.

This has been confirmed to me in at least one email that I have received from somebody who is an investor in Singapore. It said that many of his clients are reconsidering some of their investments in the United States, investments that create jobs for American workers in this country, because we do not have a reliable policy.

This is good politics but bad policy, and this provision should be removed from the bill.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to express my support for H.R. 4939. I will be supporting the Supplemental Appropriations Act so our Armed Forces who are so bravely working to rebuild Iraq and fight the global war on terror have all of the tools and equipment they need to be successful.

My support comes, however, with a great deal of consternation. Because in this voting for this legislation I will also be forced to support unrelated spending for the rebuilding of the gulf coast.

Let me be clear. I believe that we need to help those devastated by Katrina. I have been there twice. But we must do it in a responsible manner with a clear understanding of where and how the money is spent.

It is clear that we must sustain military operations and reconstruction efforts in Iraq and Afghanistan, continuing making progress and tracking down and bringing terrorists to justice and procure the necessary equipment for our troops to carry out their mission.

It is unclear to me, however, why we must couple this funding with gulf coast relief funds. Both are worthy causes, but in my view the spending for the latter is in desperate need for further oversight and explanation.

For instance, we should be taking a closer look at the $9.6 billion included for FEMA's problematic Disaster Relief Fund and the $4.2 billion included for community development block grants, which are not even required to go to the gulf coast areas. These funds should not be incorporated into a bill with those for our military force protection needs, including up-armored Humvees, Abram tanks, Bradley fighting vehicles.

Congress has already allocated $62.3 billion to hurricane relief and recovery. I believe that it is Congress' responsibility to demand a strict accounting of how these dollars are spent, and any further funds allocated to the gulf coast for hurricane relief should be offset with other savings.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. We are on the amendment dealing with the Dubai Ports. Does the gentleman know that?

Mr. GINGREY. Mr. Chairman, I did not know that. I apologize.

Mr. LEWIS of California. I thought that is why you were asking to speak. But that is okay. Just go right ahead.

Mr. GINGREY. Mr. Chairman, I will go ahead and complete. I do apologize for that. I was not aware of that.

But I think it is important, in conclusion, that we work toward rebuilding and restoring normalcy for those who are affected by Katrina. However,

we should do so in a stand-alone bill to ensure that we have proper oversight.

Mr. GILCHREST. Mr. Chairman, this is what I would like to conclude with. Dubai Ports World will have no administrative authority over any ports. They will have no security responsibility over any ports in the United States. That is retained by the Federal and State governments, completely.

All the longshoremen will still be American longshoremen that load and unload these ships. The Dubai Ports World is an organization made up of American investors, and chief executive officers of the United States are officers in this Dubai Ports World organization. They are a strong ally. Let this vote signal dignity and worth to the United Arab Emirates. I urge my colleagues to vote for the motion to strike.

Mr. LEWIS of California. Mr. Chairman, I will use just a few seconds to close.

We oppose this amendment for security purposes. This language should remain in the bill to make certain that Dubai Ports World does not have any management control or authority over any of our major ports.

Mr. OXLEY. Mr. Chairman, while I understand the sentiments and the security concerns of the Members here today on this ports issue, I feel strongly that free trade is a core American value that is worth fighting for. I look forward to making the case for free trade and for economic engagement with our moderate Arab allies here today.

But first, let's consider what we are and are not voting on today. The U.S. Congress cannot stop this sale, as this provision would seek to do. We simply do not have jurisdiction beyond our shores. In fact, the sale has already happened and the shareholders will be paid over the next couple of weeks. While I appreciate the desire of Members to stop the sale, the fact is that this language does nothing of the sort.

I'm not sure what the goal is. The language certainly does not stop the purchase by Dubai Ports World, and—even more important—does nothing to improve the security of our ports. I would argue that this provision does not improve our security but will damage us economically, militarily, and diplomatically.

It seems as if we are operating in a fact-free zone here.

The facts are that companies based in many other countries are already managing most of the Nation's ports. Will we be seeking to overturn these contracts next?

The fact is that no American company chose to bid on Peninsular and Oriental. There is only one American company large enough to take on this kind of contract, and my understanding is that firm is already at capacity. Would we simply wish an American ports management company into creation?

Let's talk a little about port security. We know that no matter who manages port operations, the U.S. Coast Guard, the U.S. Customs Service, and U.S. longshoremen continue to be responsible for port security, the checking of cargo, and the handling of cargo.

Stephen Flynn of the Council on Foreign Relations testified before Congress: "We need to know what's in the box more than we need to know who is moving them around a container yard."

So if our concern truly is port security, why are we not focusing on supporting that overall effort?

The fact is that Dubai Ports World is of course involved with the Jebel Ali port, one of the largest and among the most advanced ports in the world. According to The New York Times, it is the world's 11th largest port and annually handles more than 7.5 million containers, many of them going directly to and from the United States. On a number of issues, they have cooperated with the U.S. government to allow for our inspections.

Robert C. Bonner, formerly with Customs, was quoted in The New York Times: "Dubai has acknowledged the absolute importance of securing cargo against terrorists."

On cargo security, we ought to be concerned about what's being onloaded in foreign ports just as much as we are concerned about what's being offloaded on our shores. Once a dangerous ship arrives, it's far too late for concern.

So if we trust Dubai Ports World on the first crucial half of a cargo transaction—the loading—why would we not trust the company to be involved in U.S. cargo operations in a strictly management capacity?

Nonetheless, the company has moved forward to sell the operations to a U.S. buyer. DPW announced yesterday it has retained credible, well-known legal and financial firms to handle this transaction. The company has agreed to abide by a voluntary commitment to hold U.S. ports separate until the sale is complete.

And still, it seems that it's not enough. I would ask: What more would we have DPW do? When will this be dead enough to satisfy the U.S. Congress?

The action, I am sad to say, sends exactly the wrong message to the world about the climate for international businesses in the United States. It sends the wrong message about our willingness to engage in transactions that create growth and jobs here at home. It tells the world that we are an unreliable trading partner.

While we are sometimes obsessed with the so-called "outsourcing" of American jobs abroad, why are we not similarly concerned about our ability to "insource" jobs through foreign direct investment?

Moving to the military aspect of our relationship with Dubai, today we may blatantly insult a moderate Arab ally that has generously allowed the use of its port and airfield facilities for our military. General Peter Pace, chairman of the Joint Chiefs of Staff, has called the U.S. military relationship with the UAE "superb." Dubai provides servicing and port security that is good enough for the U.S. Navy.

I worry how that relationship will proceed in the future, and I believe that this entire affair will end up as diplomatic disaster for the United States throughout the moderate Middle East.

Lawrence Lindsey recently wrote in The Wall Street Journal: "The UAE isn't any old Arab country. It sits astride the Strait of Hormuz through which a fifth of world oil passes. Iran sits on the other side. . . . From a global perspective, efforts by the U.S. Congress to alienate the UAE at this time look about as sensible as Russian roulette."

There are many other respected voices who have spoken to the economic, security, and global issues raised in this controversy.

Robert Samuelson, the renowned economist, wrote recently in The Washington Post about how this action will damage American interests. In addition to the damage done to our relationship with the UAE and other allies in the Middle East, Samuelson holds the view that it has weakened worldwide confidence in the dollar.

Samuelson concludes, "Every country has the right to protect its security interests. But those interests must be defined coherently and not simply as the random expression of political expediency."

James Glassman of the American Enterprise Institute testified before a Financial Services subcommittee: "Our ties through trade, in fact, have made us more safe as our trading partners become more prosperous, open and democratic. But our politicians and pundits should know that we can't pick and choose. If we decide to deny firms from developing nations—Arab, Asian or otherwise—from investing in the United States, those firms will go elsewhere. And we will pay the price—in higher interest rates, higher mortgage rates, higher inflation, lower stock prices, less participation in a world [that is] growing more and more creative and exciting."

Since World War II, the United States has enjoyed economic growth and an increase in economic standard of living that has never before been achieved in world history. This has gone hand-in-hand with our values of democracy and freedom of thought. We have watched other nations fail because they were too closed, either economically or politically or both. One of the critical factors in our stunning success has been free trade and the free movement of capital throughout the world.

I can't say it any better than Thomas Friedman, who wrote: "People across the world still look to our example of pluralism, which is like no other. If we go Dark Ages, if we go down the road of pitchfork-wielding xenophobes, then the whole world will go Dark Ages."

"There is a poison loose today, and America—America at its best—is the only antidote. That's why it is critical that we stand by our principles of free trade and welcome the world to do business in our land, as long as there is no security threat."

This is a feel-good vote in the heat of the moment that I think the House will live to regret. It's time for us to decide whether we are going to continually respond to 9/11 with a reactive fear, or whether we're going to move forward and engage the world with confidence. Today, I will vote for the latter.

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BOOZMAN). The question is on the amendment offered by the gentleman from Maryland (Mr. GILCHREST).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. LEWIS of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN (Mr. BOOZMAN). Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland (Mr. GILCHREST) will be postponed.

AMENDMENT OFFERED BY MR. SABO

Mr. SABO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SABO:

Page 83, after line 16, insert the following new section:

SEC. 3011A. (a) Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

"SEC. 721. INVESTIGATION OF CERTAIN TRANSACTIONS FOR NATIONAL SECURITY IMPLICATIONS.

''(a) INVESTIGATIONS.—

''(1) IN GENERAL.—Upon receiving written notification, as prescribed by regulations under this section, of any merger, acquisition, or takeover proposed or pending on or after the date of the enactment of this section by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President, acting through the President's designee and the Committee on Foreign Investment in the United States shall conduct an investigation to determine the effects, if any, of the proposed or pending merger, acquisition, or takeover on the national security of the United States.

''(2) TIMING.—Any investigation required under paragraph (1) shall be completed before the end of the 75-day period beginning on the date of the receipt by the President or the President's designee of written notification of the proposed or pending merger, acquisition, or takeover.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Any information or documentary material filed with the President or the President's designee pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding.

''(2) AVAILABILITY TO THE CONGRESS.—No provision of paragraph (1) shall be construed as preventing the disclosure of any information or documentary material to either House of Congress or to any duly authorized committee or subcommittee of the Congress.

''(c) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 (hereafter in this section referred to as the 'Committee') shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members:

''(A) The Secretary of the Treasury.

''(B) The Secretary of State.

''(C) The Secretary of Defense.

''(D) The Secretary of Homeland Security.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Director of the Office of Management and Budget.

''(H) The United States Trade Representative.

''(I) The Chairman of the Council of Economic Advisors.

''(J) The Director of the Office of Science and Technology Policy.

''(3) CHAIRPERSON.—The Secretary of the Treasury shall be the Chairperson of the Committee.

''(4) OTHER MEMBERS.—The Chairperson of the Committee shall involve the heads of such other Federal agencies, the Assistant to the President for National Security Affairs, and the Assistant to the President for Domestic Policy in any investigation under subsection (a) as the Chairperson determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation.

''(5) ROLE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall provide appropriate intelligence analysis and intelligence briefings to the Committee.

''(d) ACTION BY THE PRESIDENT.—

''(1) IN GENERAL.—No proposed or pending acquisition, merger, or takeover, of a person engaged in interstate commerce in the United States by or with foreign persons may occur unless the President, on the basis of an investigation and report by the Committee, finds that such acquisition, merger or takeover, will not threaten to impair the national security of the United States, as defined by regulations prescribed pursuant to this section, and approves the transaction.

''(2) ENFORCEMENT.—The President shall direct the Attorney General to seek appropriate relief, including divestment relief, in the district courts of the United States in order to implement and enforce—

''(A) any finding, action, or determination under this section of disapproval of an acquisition, merger, or takeover; or

''(B) any conditions imposed on any approval of any acquisition, merger, or takeover.

''(3) FINALITY OF DETERMINATIONS.—All actions and determinations under this section shall be final and not subject to judicial review.

''(e) FINDINGS BY THE PRESIDENT.—

''(1) IN GENERAL.—A finding under this section of impairment or threatened impairment to national security shall be based on credible evidence that leads the President to believe that—

''(A) the foreign interest exercising control might take action that threatens to impair the national security; and

''(B) other provisions of law do not provide adequate and appropriate authority for the President to protect the national security.

''(2) FACTORS TO BE CONSIDERED.—Any investigation under this section shall take into account the following factors:

''(A) Domestic production needed for projected national defense requirements.

''(B) The capability and capacity of domestic industries to meet national defense requirements, including the availability of human resources, products, technology, materials, and other supplies and services.

''(C) The control of domestic industries and commercial activity by foreign citizens as it affect the capability and capacity of the United States to meet the requirements of national security.

''(D) The potential effects of the proposed or pending transaction on sales of military goods, equipment, or technology to any country—

''(i) identified by the Secretary of State—

''(I) under section 6(j) of the Export Administration Act of 1979, as a country that supports terrorism;

''(II) under section 6(l) of the Export Administration Act of 1979, as a country of concern regarding missile proliferation; or

''(III) under section 6(m) of the Export Administration Act of 1979, as a country of concern regarding the proliferation of chemical and biological weapons; or

''(ii) listed under section 309(c) of the Nuclear Non-Proliferation Act of 1978 on the 'Nuclear Non-Proliferation-Special Country List' (15 C.F.R. Part 778, Supplement No. 4) or any successor list.

''(E) The potential effects on the proposed or pending transaction on United States international technological leadership in areas affecting United States national security.

''(f) REPORT TO THE CONGRESS.—Upon making any determination to approve or disapprove any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President shall immediately transmit to the Secretary of the Senate and the Clerk of the House of Representatives a written report of the President's determination under this section to approve or disapprove such merger, acquisition, or takeover, including a detailed explanation of the finding made and factors considered.

''(g) CONGRESSIONAL ACTION.—

''(1) IN GENERAL.—If the determination of the President contained in the report transmitted to the Congress under subsection (f) is that the President will approve any merger, acquisition, or takeover under subsection (d) and not later than 30 days after the date on which Congress receives the report, a joint resolution described in paragraph (2) is enacted into law, then the President shall take such action under subsection (d) as is necessary to prohibit the merger, acquisition, or takeover, including, if such acquisition has been completed, directing the Attorney General to seek divestment or other appropriate relief in the district courts of the United States.

''(2) JOINT RESOLUTION DESCRIBED.—For purposes of paragraph (1), the term 'joint resolution' means a joint resolution of the Congress, the sole matter after the resolving clause of which is as follows: 'That the Congress disapproves the determination of approval of the President contained in the report submitted to Congress pursuant to section 721(f) of the Defense Production Act of 1950 on _____.', with the blank space being filled with the appropriate date.

''(3) COMPUTATION OF REVIEW PERIOD.—In computing the 30-day period referred to in paragraph (1), there shall be excluded any day described in section 154(b) of the Trade Act of 1974.

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any existing authority, power, process, regulation, investigation, enforcement measure, or review provided by any other provision of law.

''(j) TECHNOLOGY RISK ASSESSMENTS.—In any case in which an assessment of the risk of diversion of defense critical technology is performed by the Committee or any other designee of the President, a copy of such assessment shall be provided to any other designee of the President responsible for reviewing or investigating a merger, acquisition, or takeover under this section.

''(k) BIENNIAL REPORT ON CRITICAL TECHNOLOGIES.—

''(1) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than May 1, 2007, and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(A) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer; and

''(B) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technology.

''(2) DEFINITION.—For the purposes of this subsection, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or security identified pursuant to this section.

''(1) BIENNIAL REPORT ON CRITICAL INFRASTRUCTURE.—In order to assist the Congress in its oversight responsibilities, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than 90 days after the date of enactment of this subsection and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(1) lists all critical infrastructure, as defined under subtitle B of title II of Public Law 107–296, that is owned, controlled or dominated by an alien, a foreign corporation, or a foreign government;

''(2) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States critical infrastructure; and

''(3) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies controlling critical infrastructure.''.

(b) The amendments made by subsection (a) shall apply to the review and investigation of any acquisition, merger, or takeover which is or becomes subject to section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) (as in effect immediately before the date of the enactment of this Act or on or after such date) that has not become final before the date of the enactment of this Act.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Minnesota (Mr. SABO) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. SABO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am disappointed that the Rules Committee has not allowed me to offer my amendment to strengthen the CFIUS foreign investment review process to this bill.

Americans deserve a rigorous review of foreign investments that could affect our national security. We all know now that the Bush administration was sleepwalking through the review of the Dubai Ports World transaction to acquire shipping terminals at six major U.S. ports.

We should fix the process. Never again should we find that the President and the Secretaries of Homeland Security, Treasury and Defense are unaware of a foreign takeover of a critical U.S. asset until after it is approved.

The bill kills the Dubai Ports World deal. It does not, however, deal with the larger problem of an inadequate foreign investment review process. An amendment I offered in committee would have fixed the problem for the future.

My amendment would strengthen the CFIUS process in the following ways: all transactions that result in foreign control of any person engaged in interstate commerce would be required to undergo a full review to determine whether it affects U.S. national security.

Today, foreign firms voluntarily, let me say that again, voluntarily notify us of these transactions. I believe notification must be mandatory to ensure that our government knows about all such transactions.

My amendment would also retain the Secretary of the Treasury as the chairperson of the committee.

Under my amendment, the President would be required to approve or disapprove all transactions. Today, if the President takes no action, the transaction is automatically approved.

My amendment would extend the CFIUS review period to the full 75 days. Current practice allows most transactions to be reviewed within 30 days, with an additional 45 days of review only if flags are raised.

The amendment would also require the Congress to be notified of Presidential decisions. Furthermore, Congress could overturn approvals within 30 days by a joint resolution. Today, Congress is notified of a CFIUS transaction only when the President disapproves one, and we discover about approvals, like we did in the most recent case, through the press.

Under my amendment, the administration would also be required to report to Congress on foreign ownership of all U.S. critical infrastructure within 90 days of enactment of this bill. Today, no one really knows how much of our critical infrastructure is in the hands of foreign companies and foreign governments.

If we fail to fix the deep flaws in the CFIUS process, our Nation will be vulnerable in the future. We should not take that chance. We should act now to strengthen the foreign investment review process.

I would hope the gentleman from California, the distinguished chairman, would not insist on his point of order so the House may have a vote on this amendment.

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, this place is really something else. We just had a debate on an amendment that doesn't do ''nothing'' to or for ''nobody''.

The Dubai deal is already dead, and so it is irrelevant whether this House votes for the Gilchrest amendment or not. Because the Dubai deal is already dead, the Lewis Amendment is eviscerated; it does not do anything. It leaves the country with the same problem that we had before we discovered the Dubai controversy.

What Mr. SABO is doing today is what he usually does, which is to try to bring a bit of objectivity and concern for substance into a political pit. And what Mr. SABO is saying in his amendment is ''Let's fix the process so that we do not have the future spectacle of a President to the United States being clueless when a transaction like Dubai is about to take place.''

So what Mr. SABO is saying is, ''Look, the problem with the process is that, right now, it is voluntary, whether or not the people with an economic interest in such a transaction ever notifies our government or not.''

What the Sabo Amendment would do is to say, ''Let's make sure our government always knows what is happening with these kind of transactions.'' And the second thing the Sabo Amendment does is to make certain that Congress can have a role, if it chooses, in this process. Because right now the only time Congress is ever informed is if the President turns down a transaction. They are not informed if the President goes ahead with it.

So I would suggest it would be quaint indeed if this House uses a technicality in the rules to eliminate the only amendment that does something and then makes a big political production out of voting on the Gilchrest amendment, which is totally irrelevant. It is as irrelevant as the Lewis amendment is, because Dubai is already done, the deal is gone, it is quashed.

What Mr. SABO is trying to do is to create some order for the future.

Mr. SABO. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

□ 1730

Mr. MORAN of Virginia. I thank my good friend. I rise in support of this amendment.

As I suggested in addressing the last amendment, we need to be driven by people with expertise, not by fear and prejudice. What Mr. SABO is suggesting is that we get the facts on the table so that we can make the most informed judgment. That is all it is. We are not necessarily going to automatically reject anyone or accept anyone.

Let's have the facts on the table, take the time, let the experts on the Committee for Foreign Investment in the United States do a thorough investigation. I think it will satisfy our constituents' concerns, but it will also enable us to make much more responsible decisions that we have made in the last week. Thank you, Mr. Chairman.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I rise to make a point of order.

Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill and, therefore, violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. SABO. Mr. Chairman, I am disappointed that a point of order is

raised on this very good amendment, but I would concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. GILCHREST

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. GILCHREST) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 38, noes 377, not voting 17, as follows:

[Roll No. 43]

AYES—38

Bartlett (MD)
Barton (TX)
Blumenauer
Brady (TX)
Campbell (CA)
Cannon
Conaway
Davis, Tom
Ehlers
Flake
Franks (AZ)
Gilchrest
Gillmor
Hensarling
Hoekstra
Jefferson
Kline
Kolbe
Linder
Lungren, Daniel E.
McCrery
McDermott
Miller (MI)
Moran (VA)
Neugebauer
Olver
Oxley
Rahall
Reichert
Rohrabacher
Sabo
Schwarz (MI)
Shadegg
Smith (WA)
Thomas
Thornberry
Wilson (SC)
Young (AK)

NOES—377

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bass
Bean
Beauprez
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—17

Andrews
Becerra
Boren
Buyer
Davis (CA)
Davis (IL)
Duncan
Evans
Harris
Hastings (FL)
Lantos
Matsui
McCollum (MN)
Norwood
Peterson (MN)
Sweeney
Westmoreland

□ 1800

Messrs. BOEHNER, SCOTT of Georgia, NUNES, WYNN, Ms. PRYCE of Ohio, Messrs. SAXTON, MEEK of Florida, TIAHRT, Mrs. MUSGRAVE and Mr. RANGEL changed their vote from ''aye'' to ''no.''

Messrs. FRANKS of Arizona, McDERMOTT, and HENSARLING changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GINGREY) having assumed the chair, Mr. BOOZMAN, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2006

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4944.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 4944, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 2, not voting 18, as follows:

[Roll No. 44]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx

Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Goode
Taylor (MS)

NOT VOTING—18

Andrews
Boren
Buyer
Davis (CA)
Davis (IL)
Diaz-Balart, M.
Duncan
Evans
Harris
Hastings (FL)
Matsui
McCollum (MN)
Meehan
Norwood
Pelosi
Peterson (MN)
Sweeney
Tiberi

□ 1820

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 44, H.R. 4944, I was en route from my Congressional District on official business. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. NORWOOD. Mr. Speaker, though I was absent on Wednesday, March 15, 2006, for personal reasons, I wish to have my intended votes recorded in the CONGRESSIONAL RECORD for the following series:

MARCH 15, 2006

Rollcall vote 40 on Ordering the Previous Question on H.R. 4939—"aye."

Rollcall vote 41 for the Adoption of the Rules for H.R. 4939—"aye."

Rollcall vote 42 on Approving H. Con. Res. 190—"aye."

Rollcall vote 43 on the Gilchrest Amendment to H.R. 4939—"nay."

Rollcall vote 44 to pass H.R. 4944—"yea."

PERSONAL EXPLANATION

Ms. MATSUI. Mr. Speaker, I was participating in a meeting at the White House on Wednesday, March 15, 2006, and missed two votes. Had I been present, I would have voted as noted below:

Rollcall vote 43: "nay."

Rollcall vote 44: "yea."

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore (Mr. KUHL of New York). Pursuant to House Resolution 725, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4939.

□ 1820

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GINGREY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Maryland (Mr. GILCHREST) had been disposed of and the bill had been read through page 2, line 18.

The Clerk will read.

The Clerk read as follows:

CHAPTER 2

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $6,506,223,000: *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.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,061,724,000: *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.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $834,122,000: *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.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,145,363,000: *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.

Mr. DELAY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purpose of a colloquy with Chairman WOLF.

I understood that the Justice Department is working on a plan to distribute $125 million in emergency funds that were provided in the last hurricane supplemental bill for State and local law enforcement.

Yesterday, in our Appropriations subcommittee hearing, I asked the Attorney General what portion of the funds Texas would receive. The Attorney General told me, ''The law requires us to consult with both House and Senate appropriations, and that is ongoing. Believe me, the last thing I want to do is to victimize the victims again, victimize the States who stepped in and bore the brunt of these terrible tragedies.''

Texans did exactly that. Our citizens stepped in and bore the brunt of these terrible tragedies directly with the fallout from Hurricane Rita and indirectly by taking in hundreds of thousands of evacuees.

The Attorney General should deliver to the committee a plan that includes the needs of law enforcement agencies in Texas. Do you agree, Chairman WOLF?

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Virginia.

Mr. WOLF. I do agree. Texans stepped up and helped out in a tremendous way. I hope the Attorney General will work quickly to deliver a plan that meets the gentleman's concerns.

Mr. DELAY. I appreciate the chairman's attention on this matter.

Mr. THORNBERRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, all of us have images embedded in our mind about the devastation coming from Hurricane Katrina and Hurricane Rita. We are finding out even today that hurricanes are not the only way that Mother Nature can cause destruction.

In my district, wildfires are raging. It is estimated that, since Sunday, approximately 850,000 acres have been consumed by wildfires. It is estimated by the governor's office that, in the last 3 months or so, approximately 3.7 million acres in Texas have been burned by wildfires. For my colleagues' benefit, that is bigger than the size of Connecticut. Approximately 2 percent of the land mass in Texas has been burned in these fires just in the last 3 months.

In the fires that are going on now, it is estimated that 10,000 to 12,000 head of cattle have been destroyed because of these fires. Obviously, this devastation is continuing. It is not possible in this bill to take action to have some sort of disaster relief, but I know all of my colleagues are concerned about disasters, whatever the cause may be.

I am particularly grateful to the subcommittee chairman, the gentleman from Texas (Mr. BONILLA), for his concern and consideration in looking at ways, as this bill moves forward, when perhaps we can look at ways to assist those who are devastated by what may well be the fires of the century.

Mr. BONILLA. Mr. Chairman, will the gentleman yield?

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

Mr. BONILLA. Mr. Chairman, Mr. THORNBERRY makes absolutely clear that this is a situation we need to deal with. While there are tragedies that continue in the gulf states and much of the money being debated in this appropriations bill is going for a much-needed cause, the people in Texas that have been affected by these fires are not getting the attention that others are getting and have been getting now for many, many months.

This has been going on for so many days and weeks with no end in sight. I want to assure Mr. THORNBERRY this is only the beginning in this process. While he is one of the great leaders in this effort to try to provide some relief for many of our producers that have been affected, the entire delegation from our State is working hard on this. I commit to the gentleman that we will work diligently to try to remedy this and to provide some assistance for these producers that have been affected.

Mr. THORNBERRY. I thank the subcommittee chairman.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, first let me say that I very much appreciate Mr. THORNBERRY bringing this matter to my attention.

As the gentleman and I discussed earlier, the territory we are talking about in Texas is just about the size of my district, in which you can put five eastern States. That is a huge territory.

I have been watching the problem with real interest, and there is no question that the House and our committee need to be responsive. We will do everything we can to work with you.

Mr. THORNBERRY. Mr. Chairman, I appreciate the gentlemen working on this.

If I can emphasize one thing, it is hard for the pictures to convey the magnitude of this disaster. When you have more than 3.5 million acres that are devastated, 12,000 head of cattle, it is a disaster of enormous proportions, and I appreciate very much the willingness of the distinguished chairman and other Members to work to help mitigate the effects of this disaster when it is completed.

□ 1830

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am being asked every two seconds by Members, what is the story about tonight. Let me simply suggest, and ask the gentleman from California if he concurs. It is my understanding that what we are trying to do is to put together a unanimous consent agreement under which we would be able to complete our business of debating all of the pending amendments within about another 11 hours. That assumes that we can get that UC agreement. If we can't, the debate could go on far longer. We don't quite have that UC agreement worked out yet, but we are trying to. And what we are hoping to do is to proceed with a number of amendments, the Millender-McDonald, Souder, Engel, Shays, Hyde, Burton, Capuano, Salazar, Doggett, Hinojosa, Melancon, Jefferson, Reyes, Jackson-Lee, and Tierney/Leach. We are trying to get at least that far tonight. We don't know if we can. I would ask the gentleman if he has any disagreement with what I just said.

Mr. LEWIS of California. Well, I appreciate the gentleman yielding. And he said it very well. We are putting together a unanimous consent agreement that will package these amendments to protect the rights of those Members who filed amendments. We are trying to expedite the process so we can complete this work tomorrow. In the meantime there are amendments that are going forward. And with that, I very much appreciate the gentleman's cooperation.

Mr. OBEY. And I would simply say, my understanding is if we can reach this UC agreement, there will be no further votes tonight.

Mr. LEWIS of California. That is right. I anticipate that we will, and I am hopeful that that is the case. Under those circumstances, we will have no more votes tonight.

Mr. OBEY. It is also my understanding that afterwards, there is an intention to have the Energy and Commerce Committee also bring up a matter relating to the Low Income Heating Assistance Program.

Mr. LEWIS of California. At the end of this part of the process, that is right. We will go to Energy and Commerce.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

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

Mr. HOYER. Mr. Chairman, I rise, and I will be very brief, in support of the gentlewoman, the ranking Democrat on the House Administration Committee, which has jurisdiction over elections, who I understand will be offering an amendment which I offered in committee dealing with the challenges to the five-state region struck by Katrina and by Rita as it relates to the administration of elections.

As we know, New Orleans has an election coming up within the next 30 days. Other jurisdictions have elections. I tried to offer $5 million in the committee through the EAC. I want to say that the gentlewoman, I appreciate her leadership on this issue. I support her amendment. I hope it is made in order. I hope it is not objected to. And I hope that we can see it adopted.

I want to tell the gentlewoman as well that Mr. KNOLLENBERG and I have been discussing this, because FEMA has said that they cannot spend, under the Stafford Act, certain expenditures which are required to administer the elections, particularly in New Orleans, because that is upon us, but in other jurisdictions as well. They did pay for the loss of machines. They did pay for the loss of ballot boxes and other paraphernalia necessary, but they have said under the Stafford Act they cannot pay for the election expenses in either Alabama, Mississippi, Louisiana. The gentlewoman's amendment speaks to that and I would certainly be in support of it.

Mr. Chairman, I plan to vote for the emergency supplemental appropriations bill that we are considering today.

H.R. 4939 will pay for supplies and materiel that our forces in Iraq and Afghanistan desperately need to carry out their mission.

The supplemental will also provide much needed resources to Gulf-Area States that were ravaged by hurricanes Katrina and Rita.

However, this bill is not perfect.

I am disappointed that the appropriations committee did not address a problem that has come to light in recent weeks with respect to voting in States that suffered the brunt of hurricanes Katrina and Rita.

On August 29, 2005, residents in Gulf Coast States endured one of the most devastating

natural disasters in our nation's history. Tens of thousands of voters were displaced.

One month later, hurricane Rita caused additional widespread damage to voting infrastructure in Gulf-Area States.

An extraordinary amount of the Gulf region's election infrastructure—voting machines, polling places, and voting materials—were destroyed or severely damaged by the destruction wrought by hurricanes Katrina and Rita.

In Louisiana alone, over 250 polling places in the State's coastal parishes were destroyed.

To make matters worse, tens of thousands of people were forced to temporarily resettle in cities and towns throughout the United States while their communities are rebuilt.

Many if not most of these displaced people have every intention of returning to their communities as soon as conditions allow.

In the meantime, they are determined to maintain as many ties to their communities as they can.

Understandably, they would like to participate in elections that will be held this year in their communities.

Unfortunately, FEMA has proven ineffective at delivering assistance to election officials in hurricane-stricken States who are busy mounting what may be the most extensive and expensive voter outreach, education, and absentee voting program in the Nation's history.

According to FEMA's narrow reading of the "Robert T. Stafford Act," the agency is only empowered to make reimbursements to States to replace destroyed voting machines, but not for outreach to displaced voters.

In other words, FEMA can pay to replace damaged or destroyed voting machines, but it cannot pay to help States plan and execute the voter outreach and voter absentee programs that will be crucial to maintaining electoral continuity in 2006.

As a consequence, of the roughly $3.8 million in claims that the State of Louisiana has so far submitted for reimbursement, for example, only $1.2 million have been approved by FEMA.

During markup of this bill last week, I offered an amendment that would have provided funds to the election assistance commission to help States pay for the entire range of activities that are crucial to running fair, accurate, and secure elections in 2006.

I regret that my amendment was not accepted, and I regret that the bill before us today does not include a provision specifying that under the Stafford Act FEMA is authorized to reimburse States for a wider range of election activities than the agency insists.

Let me be clear: I do not blame this omission on partisanship because there is nothing partisan about the issue.

Democratic, Republican, and Independent voters in the Gulf States all endured last year's trauma.

However, I am very pleased that Chairman KNOLLENBERG recognizes the significance of this issue and has agreed to work to address it in conference.

In the days ahead, I look forward to working with Chairman KNOLLENBERG and his staff to ensure FEMA has the necessary authorities to reimburse the hurricane-stricken States for a much wider range of essential election activities than FEMA claims it has under current law.

The Acting CHAIRMAN (Mr. GINGREY). The Clerk will read.

The Clerk read as follows:

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $166,070,000: *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.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $110,412,000: *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.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $10,327,000: *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.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $1,940,000: *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.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $96,000,000: *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.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $1,200,000: *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.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $18,380,310,000: *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.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $2,793,600,000: *Provided*, That up to $75,020,000 shall be available for the Department of Homeland Security, ''United States Coast Guard, Operating Expenses'': *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,722,911,000: *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.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,328,869,000: *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.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $3,259,929,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

(2) not to exceed $10,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes;

(3) not to exceed $1,200,000,000 to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph; and

(4) not to exceed $44,500,000 for Cooperative Threat Reduction

: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $100,100,000: *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.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $236,509,000: *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.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $55,675,000: *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.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $18,563,000: *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.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $178,600,000: *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.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $30,400,000: *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.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Security Forces Fund'', $1,851,833,000, to remain available until September 30, 2007: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further,* That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further,* That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further,* That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Iraq Security Forces Fund'', $3,007,000,000, to remain available until September 30, 2007: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further,* That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further,* That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further,* That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $533,200,000, to remain available until September 30, 2008: *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.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $203,300,000, to remain available until September 30, 2008: *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.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,983,351,000, to remain available until September 30, 2008: *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.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $829,679,000, to remain available until September 30, 2008: *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.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $7,528,657,000, to remain available until September 30, 2008: *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.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $293,980,000, to remain available until September 30, 2008: *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.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $90,800,000, to remain available until September 30, 2008: *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.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $330,996,000, to remain available until September 30, 2008: *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.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $111,719,000, to remain available until September 30, 2008: *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.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $3,260,582,000, to remain available until September 30, 2008: *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.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $663,595,000, to remain available until September 30, 2008: *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.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $29,047,000,

to remain available until September 30, 2008: *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.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,489,192,000, to remain available until September 30, 2008: *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.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $331,353,000, to remain available until September 30, 2008: *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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $424,177,000, 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $126,845,000, 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $305,110,000, 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $145,921,000, 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.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $502,700,000: *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.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,153,562,000 for operation and maintenance: *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.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

In chapter 2 of title I, in the item relating to ''Defense Health Program'', insert after the dollar amount the following: ''(reduced by $20,000,000) (increased by $20,000,000)''.

Ms. MILLENDER-MCDONALD. Mr. Chairman, my amendment addresses one of the most critical needs facing our men and women returning home from Iraq and Afghanistan, and that is accessible and reliable prosthetic and orthotic care for our veterans.

Like no war before, the war in Iraq has seen unprecedented numbers of injuries due to surprise bomb attacks.

And like no other war before, troops are often surviving those attacks, though many of them lose limbs. This bill creates new demands and challenges for our health care system that we must provide for our returning men and women. In addition, 20 percent of our practitioners will be retiring over the next 10 to 20 years, a further need for training.

My amendment today provides $20 million to expand the U.S. training capacity for prosthetics and orthotics to the U.S. schools accredited by the National Commission on Orthotic and Prosthetic Education.

This expansion will dramatically improve services for the Nation's military amputees and orthopedically disabled returning from the current conflicts in Iraq and Afghanistan.

The need to provide more orthotic and prosthetic practitioners is compelling. The demand for orthotic and prosthetic provider services is expected to increase by 25 percent for orthotic care and 47 percent for prosthetic care by 2020. At present, only 200 to 225 new practitioners are trained each year in the United States.

On a broader scale, my amendment is an excellent investment in a health field that will continue to grow. For example, over 1.2 million individuals live with limb loss/absence in the United States.

Annually, physicians perform over 185,000 amputations in the United States at about 507 a day. The number of amputations is expected to rise due to devastating complications of diabetes. The growing need for rehabilitation practitioners well trained in the various disciplines of rehabilitation will continue to be a growing trend.

Finally, this funding will be an investment in our veterans hospitals across the country.

I ask, Mr. Chairman, that my colleagues support this important amendment.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise as Chairman of the Military Quality of Life Subcommittee on Appropriations within whose responsibility this amendment lies, to thank the gentlewoman for offering this amendment. This is a very important issue. And there is definitely a need for future training in prosthetics to meet the needs of our wounded veterans, and indeed, some of our active duty service people.

The only concern I have is that this would take $20 million out of the defense health budget and move it basically to training. Now, this is a very perspective, thoughtful idea. It needs to be done. And the only concern is the current needs of the defense health budget. But I am prepared, Mr. Chairman, to accept this amendment, to move forward, and as we come to conference, if there is any need to reassess, we would do that. But in the spirit in which it is offered, I am prepared to accept the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD.)

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $156,800,000, to remain available until expended: *Provided,* That these funds may be used only for such activities related to Afghanistan and the Central Asia area: *Provided further,* That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further,* That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT NO. 1 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SOUDER:

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)''.

Mr. SOUDER. Mr. Chairman, my intention is to withdraw this amendment. But I want to express my frustration at actually a combination of issues but particularly related to Colombia; that I have been a strong advocate that the military has been slow in responding in Afghanistan to the interrelationship to the heroin problem in Afghanistan into the military efforts, and will be there again next week to meet on the ground to see how we are progressing. And I have grave concerns that the DOD money that is being spent in Afghanistan is not being spent as wisely as I would like. Nevertheless, I am happy that the Defense Department is starting to understand the link between what is being done in narcotics and the heroin funding the attacks on our troops and men and women in our armed services there.

□ 1845

We have a grave problem down in the eastern Pacific, and that is, we have spent this money in the Andean Initiative and in Plan Colombia. What we have seen, as naval resources, which are very limited, have been transferred out of that zone, and the DOD has not made additional investments in, that my amendment would address the problem of an oiler.

When our Coast Guard vessels go out to interdict in drug interdiction through the Department of Homeland Security, they have always been dependent, just like many intelligence assets are, on DOD. DOD has not given them an oiler with which to refuel.

So logically the drug dealers, which we see far more than we used to, we can see them coming at us. We have gone from 20,000 to 30,000 deaths in America, real deaths in the streets of America, because we are not interdicting things that we can see, because we don't have an oiler in the eastern Pacific.

Last Sunday in The Washington Post, a big article about Guatemala, a top antidrug person being corrupt. Why is Guatemala being corrupted? Why do we hear about the gangs in El Salvador related to narcotics? Why do we hear about the problems in the southwest border related to narcotics?

We can see the stuff coming, but unless DOD makes some investment in an oiler, we can talk all we want about intercepting narcotics. But if you don't have a way to refuel their ships out in the water, and the United States Navy takes all the resources on it, we can't fight the war on narcotics.

I am going to withdraw this amendment, because I understand the supplemental is focused on Afghanistan and Iraq. I support the antinarcotics efforts in Afghanistan, but I am very concerned, and I am hoping that the Appropriations Committee will work with us on getting this oiler, work with DOD, because this is essential to the war on drugs.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN (Mr. GINGREY). Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $6,120,000, 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.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for the ''Intelligence Community Management Account'', $158,875,000: *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.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1201. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2006, except for the fourth proviso.

SEC. 1202. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading ''Drug Interdiction and Counter-Drug Activities, Defense'', not to exceed $40,000,000 may be made available for support for counter-drug activities of the Governments of Afghanistan and Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Law 106–398 and Public Law 108–136), and conditions on the provision of support as contained in such section 1033 shall apply for fiscal year 2006.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to such Governments for counter-drug activities.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

SEC. 1203. Notwithstanding 10 U.S.C. 2208(l), the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in fiscal year 2006 shall not exceed $1,500,000,000: *Provided*, That the amounts made available pursuant to 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.

SEC. 1204. In addition to amounts authorized in section 1202(a) of Public Law 109–163, from funds made available in this chapter to the Department of Defense, not to exceed $423,000,000 may be used to fund the Commander's Emergency Response Program and for a similar program to assist the people of Afghanistan, to remain available until December 31, 2007.

SEC. 1205. Supervision and administration costs associated with a construction project funded with ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' appropriations may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 1206. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for ''Child Survival and Health Programs Fund'', $5,300,000, 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.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL:

Page 26, line 8, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 26, line 16, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 27, line 17, after the dollar amount, insert the following: ''(increased by $40,000,000)''.

Mr. ENGEL. Mr. Chairman, I ask unanimous consent to have the amendment considered at this point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. ENGEL. Mr. Chairman, my amendment speaks to the immediate needs of our southern neighbor, Haiti. This amendment would increase economic support funds by $40 million, development assistance by $5 million, and child survival and health funds by $5 million, totaling an additional $50 million for Haiti. It is my intention to offer and withdraw this amendment.

After a history of instability, poverty and democratic setbacks, Haitians

poured onto the streets of their country last month to cast their votes, demonstrating a desire for a better future. After a contested vote-counting period, the front-runner in the presidential election, Rene Preval, was declared the winner with nearly 52 percent of the official vote, compared to less than 12 percent to his closest contender.

Such a large mandate and a large margin of victory gives Preval a strong mandate and legitimacy to reform and rebuild Haiti's institutions and fractured society. Yet the challenges are vast. The same massive underlying problems still plague Haiti, and a second round of elections looms in the coming weeks.

Now is the time, I very strongly believe, for the United States to tangibly demonstrate that it stands with the Haitian people in their quest for democracy and stability. We have long had a special relationship and a special obligation to the people of Haiti. I believe that there exists a limited window of opportunity to help Haiti, which was opened by the recent successful elections.

We should seize this opportunity by expanding our assistance to Haiti and the Haitian people in the immediate future. My amendment does just that. My amendment provides $50 million in emergency FY 06 supplemental assistance for our impoverished neighbor in the south. Haiti, of course, is the poorest country in the Americas.

Specifically, the amendment increases economic support funds by $40 million, developmental assistance by $5 million and child survival and health by $5 million. This supplemental funding directly addresses the profound social needs in Haiti, while providing support for future elections, reconciliation and efforts to jump-start local economies.

Mr. Chairman, I would like you to know that members of the Subcommittee on the Western Hemisphere, where I am the ranking member, recently wrote a bipartisan letter supporting $50 million of additional assistance for Haiti in this supplemental legislation.

I would like to thank Chairman BARTON and the other members of the subcommittee for their support. I will include this letter in the RECORD.

Elections signal the beginning of a transition, not an end. Thus we believe that this additional assistance is the least we can do at this critical time to help Haiti. We obviously have a stake in their democracy-taking route, having Haiti so close to our shores. Of course, there is a large Haitian-American community in this country which has ties to Haiti that further bind our two countries together as well.

Mr. Chairman, as this legislation moves forward, I ask that the House work with the Senate to include emergency aid for Haiti. It is my hope that, in the end, Congress will heed the bipartisan call of the subcommittee and provide important additional aid to Haiti.

As I said, I am going to withdraw my amendment at the end because I believe that this is the best way to move this amendment forward, by working with the Senate, and hopefully we get it there and it comes here. So I urge my colleagues to listen to our pleas.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I understand the gentleman from New York is going to withdraw his amendment, and I will not take more than a few seconds here. I want to make only one point to other Members here.

What the gentleman is proposing is certainly something that is humanitarian, and we certainly agree with his efforts to try to do everything we can to restore order to the very troubled nation of Haiti. But I think it is important to understand that knowing these elections were coming in the 2006 appropriations bill, the foreign assistance amount included in there is $194 million. In addition, the President is requesting in FY 2007 $163 million.

Almost none of the $194 million in the FY 2006 bill has been obligated, so there is no possibility that we are going to need these additional funds. In other words, this is not an emergency at this point. If additional funds are needed, we could easily add them in to the 2007 bill, but we have almost all of the $194 million appropriated in 2006 that are still available for obligations to help this country get on its feet.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the victory of Rene Preval in the first round of elections in Haiti does open a window of opportunity to rescue this country from its failed state status. Now is the time for the United States to tangibly demonstrate that it stands with the Haitian people in their quest for democracy and stability.

Mr. Chairman, I was disappointed that the administration's supplemental request did not contain funding for Haiti, because I do think we have limited time to make a difference by providing assistance to ensure that the second round of elections, which are just weeks away, are free, fair and transparent. This money will help fund quick impact programs to promote reconciliation and stabilization and to expand our participation in the U.N. civilian police training and vetting program.

I appreciate the comments of my chairman and his willingness to make sure that we have adequate funding for Haiti, but I think this amendment does send an important signal to the Haitian people that the U.S. is committed to help them as they pull their country out of chaos.

The United States must show that we care about more than elections, that we care about what comes afterwards as well. So I am very pleased that the chairman addressed this issue.

I am pleased that Mr. ENGEL is withdrawing the amendment, and I look forward to working with the chairman and working with Mr. ENGEL to ensure that we are supportive and that Haiti gets the money that it deserves to try to get it on the right track and move that country ahead. It is an embarrassment to the region, it is an embarrassment to the world, that Haiti has not been able to get this support it needs. So, working together, I am hopeful that we can take positive action to get Haiti on the right track.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me thank our new ranking member of the Western Hemisphere Subcommittee for his leadership and for his commitment to the people of Haiti. I think today illustrates the type of commitment that he has in terms of his truly understanding the critical needs of the Haitian people. So I want to commend you, Mr. ENGEL, for your leadership, and thank you for putting this out here, at least so we can have a debate and discuss why Haiti deserves this $50 million.

Let me just say, first of all, that we all know that on February 7 the Haitian people demonstrated their faith in the democratic process, and today the United States needs to send a signal. We need to show our support for their commitment and for their persistence.

I co-chaired the Haiti Task Force with the great leader Congressman CONYERS. Many members of this Haiti Task Force have worked for many, many years to help the Haitian people, not only with their democracy, which, of course, they have engaged in in terms of the democratic process over the years, but also, most importantly, with their economic development and their humanitarian assistance and the infrastructure assistance that they so desperately need.

Haiti is the poorest country in the Caribbean, and we need to begin to provide resources in a very real way, and I mean in a real way, to the people of Haiti under the leadership of the newly democratically elected government.

This amendment, and it is just the beginning, it is only $50 million, begins to rectify some of the inadequacies of this supplemental, which, of course, we have heard there is really no money in it for Haiti.

So we need to support the Engel amendment. We need to send a message to the world, to the Caribbean, to CARICOM, that we support democracy in Haiti, that we support development assistance for Haiti, that we support economic assistance, that we support an increase to help the Haitian people address their health care needs. The HIV and AIDS pandemic is rampant in Haiti. The highest incidence of AIDS in the Caribbean is in the country of Haiti.

So whatever we do today in terms of this $50 million, I think we need to understand that we need more than $194 million to address the basic needs of the Haitian people.

So, Mr. ENGEL, this is an excellent first step. I hope that people throughout our country recognize that there are those of us here in the House who want to support the aspirations and the needs and the desires and the dreams of the Haitian people, and we should do so by passing this amendment, this $50 million.

□ 1900

Mr. ENGEL. Mr. Chairman, I want to thank Congresswoman LEE and Congresswoman LOWEY for their support and Congressman KOLBE for his explanation.

Mr. ENGEL. Mr. Chairman, in the hope that this will move the process along so that Haiti will get all of the money it needs, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN (Mr. GINGREY). Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $10,500,000, 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.

INTERNATIONAL DISASTER FAMINE ASSISTANCE

For an additional amount for ''International Disaster and Famine Assistance'', $136,290,000, to remain until expended: *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.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $61,600,000, 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.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND–

For an additional amount for ''Economic Support Fund'', $1,584,500,000, 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.

AMENDMENT OFFERED BY MR. SHAYS

Mr. SHAYS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHAYS:

Page 27, line 17, after the dollar amount, insert the following: ''(reduced by $10,000,000) (increased by $10,000,000)''.

Mr. SHAYS. Mr. Chairman, this amendment would designate $10 million of economic support funds for the Community Action Program, also known as CAP, in Iraq. That is what this amendment does.

I would like to say, Mr. Chairman, that a real hero in this House is Mr. KOLBE who has made sure that these programs have flourished. In my 11 trips to Iraq, I am absolutely convinced the best thing we have done in all of our expenditures on the economic side of the table has been to support these CAP agencies.

There were five NGOs, nongovernment organizations. There are still four left. They stand potentially to lose money in June or July and not have the carry-over into the next fiscal year. What this amendment ensures, with Mr. KOLBE's help, is that that money will be extended so that we can keep them in place.

When we talk about keeping them in place, for instance, one of these nongovernment organizations, and it is typical, has about 130 employees who are all Iraqis throughout Iraq and only seven who are not Iraqis, one or two Europeans, one or two eastern Europeans, and one or two Americans; and when you add up the others we are talking about over 600 Iraqis. And what are they doing? They are rebuilding schools, they are repairing water and sewer lines, building health clinics, helping what takes place in the schools. Just a host of other infrastructure and development projects.

In the report that was done by the Appropriations Committee, and I would like to read from it, it expresses my sentiments better than I could. This is what the report says, ''The CAP program has generated a network of more than 1,300 community associations across 17 governorates in Iraq, and has trained 17,281 community association members.''

The January, 2005, audit by the Office of Inspector General USAID found that the CAP, ''achieved 98 percent of its intended outputs, including citizen participation, inner-government cooperation, local government cooperation, local employment generation, and consideration of environmental concerns.''

The bottom line is, these programs are working extraordinarily well. And I thank Mr. KOLBE, and the chairman of the Appropriations Committee as well, for ensuring that these organizations do not have to close up shop, and fire a whole host of Iraqis.

I would like to just say, in addition, I am a strong supporter of making sure that we do everything we can to have the Iraqis succeed. It is astounding that last year they had three elections. They established a government. That government established a constitutional convention. They created a constitutional convention.

Then we had a second election, ratified by 79 percent of the Iraqis who voted. And then, once the constitution was established, December of this last year, 76 percent of all Iraqi adults voted, not 76 of those who registered, 76 percent. And 30 percent of their new assembly is made up of women. That is extraordinary progress on the political side. We are training their police, their border patrol and their army. I wish we had not allowed it to disintegrate.

But now they are getting to critical mass, so we are seeing the military side, we are seeing the political side. This is the economic side that Mr. KOLBE is focusing on.

Mr. KIRK. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Illinois.

Mr. KIRK. Mr. Chairman, I strongly support the Shays amendment because this continues the CAP program led by groups like Mercy Corps in Iraq who are able to operate with very low levels of security because they are so heavily supported by the local community.

This is a phenomenally successful program. The gentleman is exactly right.

Mr. SHAYS. Mr. Chairman, if I can just add, reclaiming my time, evidently not one of these projects done by these organizations have had to deal with assaults by Iraqis, have had a building or something which was then destroyed by insurgents. They have all survived.

I thank Mr. KOLBE from the bottom of my heart for his help in this effort.

Mrs. LOWEY. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I rise in support of the gentleman's amendment, and I understand and I am pleased that the chairman is going to accept it, because ICAP is one of the few overwhelming success stories with respect to Iraq reconstruction.

Since 2003, ICAP has worked with communities in all of Iraq's 18 governorates to empower ordinary Iraqis to determine, implement and monitor reconstruction and development in their communities.

We all talk about how Iraqis need to run their own country, choose their own government, fight their own battles, make their own priorities. ICAP is aimed at accomplishing just this goal.

Its implementing partners have trained more than 620 Iraqi staff members. In turn, they have trained over 17,000 community action group members. And ICAP partners do not contract with multi-national corporations to get their work done. Only Iraqi contractors carry out ICAP projects. So, as we move forward, ICAP can be an excellent complement to the new provincial reconstruction teams being established throughout Iraq.

The gentleman's amendment would ensure that ICAP does not run out of funding this summer, as it certainly will if no further resources are provided. So it would be a shame to end this program prematurely. Mr. Chairman, I urge my colleagues to support this amendment.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will be very brief. I am prepared, as the gentleman from Connecticut has already indicated, to accept this amendment.

The Community Action Program, to which this is directed, has been a proven and effective way to build community-based democracy in Iraq and linkages between community and provincial governance, and I think it has worked very well. The experience that we have had in Iraq has really been very much in favor of what we have been trying to do there.

These funds ensure the continuation of that Community Action Program through the fiscal year 2006, and I commit to the gentleman that we are going to consider further appropriations for this proven program in the regular appropriations bill for 2007.

For that reason, I am happy to accept this amendment and hope that we can move forward.

Mr. SHAYS. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, there is a concern obviously with continuing resolutions. Is there a way to deal with that issue?

Mr. KOLBE. Yes. If there is a scenario in which funding for activities in the foreign operations appropriations bill are funded for a period of time under a continuing resolution, I believe the funds would be available, on a prorated basis, to continue the CAP program until regular appropriations were enacted.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF STATE

DEMOCRACY FUND

For an additional amount for ''Democracy Fund'', $10,000,000 for the advancement of democracy in Iran, 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.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 27, strike line 24 and all that follows through line 5 on page 28.

Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Page 36, strike line 14 and all that follows through line 21.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. GARRETT of New Jersey. Mr. Chairman, we are on the floor tonight to discuss a supplemental emergency appropriation, supplemental meaning that we are adding to something to complete it or to bring it to fruition. An emergency, just ran out and grabbed the dictionary, meaning an unexpected serious occurrence or situation urgently requiring prompt action.

Well, unfortunately, the language in the bill in this area of additional foreign aid is not an unexpected situation or emergent. That is just not my opinion. That is actually the opinion of the committee itself.

The language that we seek to strike is approximately $15 million in additional foreign aid, $5 million to expand public diplomacy information programs relating to Iran, and $10 million in democracy funds for the promotion of democracy, governance, human rights, independent media, and the rule of law in Iran.

Iran is certainly not an ally of this Nation that we are here tonight to seek assistance of $15 million. Again, not my opinion, that it is not an ally of this country. This administration itself called Iran part of the Axis of Evil. Iran, who wants to wipe Israel off the map of the world; Iran, who wants to assist Hamas in any way they possibly can; Iran, who neglects and fails to listen to the world's heed and continues to expand its nuclear program. And yet tonight we have a supplemental program of approximately $15 million to assist that nation.

Again, I say that this is not my opinion, that this is not an emergency situation. The committee in its report says that it is disappointed in the Department of State's failure to provide adequate and timely justification of the emergency nature of these funds.

If the State Department then cannot supply us and cannot supply the committee with the very information that it needs to say that this truly is an emergency situation, why then is this House considering providing an additional $15 million to support Iran?

The rest of the supplemental obviously has worthwhile programs in it. We are trying to assist our men and women overseas who find themselves in harm's way as we speak here tonight with military assistance. We are trying to assist those people down in the gulf coast to rebuild their lives with Katrina aid.

But, at the same time, we have articles such as this added to this Christmas tree list, if you will, of programs to the supplemental bill that do not meet the criteria of an emergency situation.

□ 1915

So, Mr. Chairman, I would say that we should strike the language in the bill that would delete $5 million for public diplomacy and $10 million for economic support fund for Iran.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, regretfully, I must make a point of order against the amendment because it proposes to amend portions of the bill not yet read.

Section 17 of chapter 2 of the House Practice book states in part, ''It is not in order to strike or otherwise amend portions of a bill not yet read for amendment.''

And for that reason I would make a point of order.

The Acting CHAIRMAN (Mr. GINGREY). The gentleman from California (Mr. LEWIS) has raised a point of order. Does the gentleman from New Jersey (Mr. GARRETT) wish to be heard on the point of order?

Mr. GARRETT of New Jersey. Mr. Chairman, if I may have a colloquy with the chairman?

The Acting CHAIRMAN. The Chair cannot entertain a colloquy on a point of order.

Mr. GARRETT of New Jersey. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $107,700,000, 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.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana:

Page 28, line 9, after the dollar amount, insert the following: ''(reduced by $26,300,000) (increased by $26,300,000)''.

Mr. BURTON of Indiana. Mr. Chairman, I have discussed at length with the chairman of the subcommittee from Arizona and the chairman of the full committee the problems that we faced with Plan Colombia.

In the last 5 or 6 years, there have been 23 aircraft lost that are vitally important to the drug interdiction problem that we are facing. This chart shows you where the drugs are coming from and where they are going according to our intelligence agencies. And once drugs, heroin and cocaine, get beyond Colombia, 65 percent of them, almost two-thirds of them, work their way into the United States onto the streets, into the schools, into the playgrounds of this country.

President Uribe just came out up here recently and told us without the additional assets that are asked for in this amendment, he will not be able to do the job in dealing with the drug problem that we face here in America. So we have to decide as a Congress are we going to continue to fight the war against drugs or are we going to start acquiescing? Are we going to start caving in?

According to President Uribe, they need 23 aircraft. We have talked to the appropriators, and I really appreciate Mr. KOLBE for working on this, and Mr. LEWIS, the chairman. We have decided on a compromise right now. I hope that will help President Uribe. It is not going to solve the problem, but at least it is a step in the right direction.

What it does is provides three DC–3s, which will be able to surveil the area and help us interdict these drugs that are getting beyond Colombia and up into the United States. They have been doing a good job without all the assets they need, and with these additional DC–3s, which have all the technology that is necessary to police this area, it should help a great deal.

Make no mistake about it. We still need the Hueys. We still need the Blackhawks. Something like 70 percent of the aircraft they have used in this area have been destroyed in the last 5 or 6 years, and they need help down there. And President Uribe himself came all the way to the United States to make a plea for this help.

I have talked to the Speaker about it as well as the leaders of the Committee on Appropriations. And I hope my colleagues on the Democrat side as well will see fit to support this. We have a war against drugs. I have some colleagues who serve with me on the Government Reform Committee that told me in Baltimore there is an 80 percent increase in the amount of heroin usage in the minority community. If we are going to deal with that problem, we have to provide the resources for President Uribe and the Colombian national police and the Colombian military to deal with this problem.

In addition to that, we have other problems in South America and Central America that need to be dealt with which this equipment will also help us with. And we also have the problem with possible terrorists coming in. This surveillance effort will help in that regard as well.

I have a lot more things I would like to say, but I understand my time is about expired. I hope you will accept this amendment and I really appreciate you working with us.

Mr. Chairman, I thank Chairman HYDE, chairman DAVIS, Congressman SOUDER, Congressman CHABOT and the staff of the International Relations Committee for their exceptional work on crafting this critically important amendment.

Colombian President Alvaro Uribe is a key ally in the War on Drugs and a strong ally in Latin America. Last year, under his leadership and with U.S. and international support, Colombia succeeded in destroying 170,000 hectares of illegal coca (aerial and manual eradication), thus removing a potential 150 metric tons of cocaine with a street value of over $15 billion. Colombia's police and military forces captured or shared in the capture of another 223 metric tons of cocaine and cocaine base.

Despite these many successes, experience has taught us that if the cocaine and heroin make it to the coasts of Colombia, it has a 65 percent chance of getting into the United States. This is due, in part, to the reduction in assets monitoring the trafficking routes. We have excellent intelligence, we know where the smugglers are going but we lack the assets in theater to properly intercept the drugs headed our way.

Since 2000, we have witnessed—and thanks to aggressive oversight efforts by this Congress exposed—a nearly 70 percent reduction in military Marine Patrol Aircraft (MPA) used to interdict these deadly drugs after they reach the Colombian coast.

Furthermore, more than 23 aircraft including fixed wing spray planes and helicopters of the Colombian National Police (CNP) have been lost in action. The losses include both Black Hawk and Huey 2 helicopters used by the police anti-drug units in support of high altitude eradication of the opium corp. In 2003 alone, nearly 25 percent of the aircraft used in spray operations were lost, and they have not been replaced as of yet.

We cannot continue to enjoy even modest success at interdicting and destroying these drugs unless we make up these losses.

The Burton Amendment will restore critical anti-narcotic air and surface assets in the Colombian Navy and National police. The Amendment provides for $99.4 million in counter-drug emergency assistance to help replace some of the 23 Colombian National Police (CNP) aircraft lost in the fight against narco-terrorism since 2000. The money will also would provide three (3) new aircraft to serve as Marine Patrol Aircraft (MPA) for the Colombian Navy's drug interdiction efforts. In addition, the proposal will cover the operational and maintenance expenses for two year for these new aircraft.

I know that many of my colleagues are concerned about the cost of this amendment and the fact that we've asked for the funds to be considered as emergency spending.

I would respectfully remind those of my colleagues who oppose this amendment that the streets of America are awash in drugs. Because many of our own military maritime and air interdiction assets were removed from the Caribbean basin to deal with the challenges of homeland security after 9/11, we have left critical gaps in our drug interdiction net. The end result is that today the Central American Transit Zone is being exploited by drug-traffickers like never before.

We ignore this problem at our own peril, as the very routes being used to ship dangers narcotics to our shores could just as easily be used to smuggle in terrorists or weapons of mass destruction. Although there is no solid evidence yet of Central and South America traffickers and Al-Qaeda, many law enforcement officials have commented on the positive benefits to both groups from such a linkage. I believe it is not a question of if Al-Qaeda will try to exploit this glaring hole in our security net but when. The emergency is now and it is very real.

Spending this modest sum now to consolidate the major gains of the Plan Colombia program and strengthen our homeland security effort will save us far more money in comparison to the potential cost of cleaning up the mess should we allow Plan Colombia to ultimately fail, or al-Qaeda to exploit this situation to kill thousands more innocent Americans.

I respectfully ask my colleagues to vote for this amendment.

Mrs. LOWEY. Mr. Chairman, I rise in opposition to the amendment.

With great respect for my colleague, I rise in opposition to the gentleman's amendment though I think he raises a valid concern. I just returned from Colombia, and I think there is a real need to boost the Colombian government's interdiction efforts. I think, in fact, I think that greater focus on interdiction may well be more effective than our current emphasis on eradication. However, I think the responsibility for funding this program lies first and foremost with the Colombian government.

The President of Colombia was in Washington just a few weeks ago and met with Chairman KOLBE and me. He did not indicate to us any pressing need for this assistance. In fact, I believe the State Department is seeking to reprogram funds away from Colombian aviation programs and the Colombian national police to finance the demobilization programs.

That said, I do agree that the gentleman raises an important point. I think it is time that we look at a different mix for funding for Colombia, one that boosts spending on alternate development and interdiction programs and reduces funding for eradication programs which I think are ineffective at best. However, I think this amendment is better considered in the context of FY 2007 appropriations process where a more comprehensive discussion of the Colombia program can take place, and I think that is what is really needed here.

There is no emergency requirement for the funding. It does not belong in the supplemental. Therefore, I do urge my colleagues to vote against this amendment.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the gentleman from Indiana has indicated, this amendment he has offered here does represent a compromise that we have worked out so I do rise to say that we support this amendment. Let me say I do agree with my colleague, the ranking member of the subcommittee, the gentlewoman from New York, in many of comments that she made. It is correct that when President Uribe, for whom I have the greatest respect and believe he has been one of the truly great leaders of Colombia in recent decades, I think when President Uribe came to visit with us, he did not give us any indication that this was the money that he was seeking, that he needed additional funds for.

However, having said that, I believe this is an important aspect of our efforts to interdict drugs coming to Central America and Mexico, and then on into the United States. For us it is the frontline of our war against drugs, and for that reason I do think that this amount which represents a reasonable compromise and does not damage our other programs from which the funds are taken in Iraq, for that reason, I think it is one that can be supported.

Mr. Chairman, I would support this amendment.

Mr. HYDE. Mr. Chairman, after 7 years of work on anti-narcotic efforts in Colombia, we are now seeing the fruits of our labors in the drug wars. Americans, and especially our young people, are greatly benefiting here at home from our policies in Colombia and the strong support of the government of President Alvaro Uribe.

We are concerned, however, with the recent waning support by some in the administration for our vital counterdrug initiatives. A focused part of our war on drugs is comprised of the interdiction and spray airplanes used by the Colombian police and military. We have funded a number of these aircraft, but several have been lost because of serious maintenance problems or have been shot down or destroyed.

Since the year 2000, more than 23 aircraft, including spray planes and vital helicopters, have crashed or been lost in action. This includes one of the original Black Hawk helicopters which we in the Congress obtained for the Colombian National Police, CNP, to use against the opium crops as early as 1999. The administration's FY07 budget fails to address these shortfalls.

Moreover, after some correspondence, the State Department dismissed my recent call for the replacement of these aircraft.

What we need is a small, but targeted, assistance package to replace lost anti-drug aircraft and to provide a few new Marine Patrol Aircraft, MPA, of modest cost for the Colombian Navy. We are asking that $99.4 million be directed for the operational costs of maintaining and replacing aircraft used by the Colombian police and military for drug interdiction efforts.

Of that $99.4 million, we ask for $31 million to be allocated for the purchase and operation of ten Huey II helicopters, $40 million be used for the purchase and operation of two UH–60 Black Hawks, one of which will be dedicated to interdicting high value targets, HVT, $2 million to be given toward the upgrade and purchase of flight simulators to be used by the CNP for training on safety and night operations, and $26.4 million to be allocated for the purchase and operation of three DC–3 aircraft which will be used by the Colombian Navy as Marine Patrol Aircraft for multi-role shore interdiction and support missions.

The assistance we provide to Colombia is equally as important to the United States as our assistance in fighting terrorism in Iraq and Afghanistan. Lest we forget, more Americans die each year from using deadly heroin and cocaine that originate from nearby Colombia than did those on the day of the 9/11 attacks in New York, Pennsylvania, and at the Pentagon. We must continue to sustain our war against drugs and the progress we have been witnessing in Colombia.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. BURTON) will be postponed.

Mr. OBEY. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I would like to ask the gentleman from California (Mr. LEWIS) a question. As the gentleman knows there is a tradition of courtesy in this House which dictates that when either party has a function that the House will not be in session beyond say 5 or 6 o'clock.

We have made an exception this evening despite the fact that there was a dispute in the Republican caucus earlier in the day, which ate up an extra hour and a half and despite the fact that we have been told that other legislation needed to be brought to the floor. We still indicated our desire to cooperate in establishing a time limit, because we were trying to facilitate the Members of both parties leaving here tomorrow afternoon.

It now appears to me that despite our willingness to do that, we are getting a continual stream of new amendments being produced on the majority side, which are preventing us from reaching a time agreement that would enable us to get out of here at a reasonable hour tomorrow afternoon. I would like to know what the status of the situation is because at this point, I frankly see no purpose in continuing tonight if all we are going to do is give people more time to draft more amendments.

We have imposed a deadline on our side of the aisle and told Members that amendments will not be considered if they come in after a certain hour. But my understanding is on the Republican side there are still amendments coming in and the majority is being pressured to put them on the list. I do not mind working cooperatively, but I do mind when I am being taken advantage of.

I want to suggest that if we can not reach an agreement on time within the next 10 minutes, I for one intend to move to adjourn.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. LEWIS of California. If I could respond to the gentleman, the gentleman has been more than cooperative and I appreciate what he has to say.

From this gentleman's perspective, it is not our intention to take any additional amendments. We are very, very close to an agreement and I would hope that you and I can see our way through this long enough, a few minutes to make sure that we can get out at a reasonable time.

Mr. OBEY. I want it understood that if we do not have an agreement in 10 minutes, I will move to adjourn.

Mr. LEWIS of California. I always understand the gentleman.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $51,200,000, 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.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for ''International Affairs Technical Assistance'', $13,000,000, 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.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, what I am trying to do still in the interest of cooperation tonight, I am trying to filibuster until Mr. CAPUANO, who is ready to offer the amendment, is ready to offer at this point.

Could I ask if the gentleman is ready? He is ready. This is probably the shortest filibuster in the history of the House.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $123,000,000, 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.

□ 1930

AMENDMENT OFFERED BY MR. CAPUANO

Mr. CAPUANO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAPUANO:

Page 29, line 10, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Mr. CAPUANO. Mr. Chairman, in July of 2004 this House declared atrocities in Darfur to be a genocide. Since that time, actually since 2003, 400,000 people at least have died; 200,000 people are in refugee camps in Chad; 2.5 million people are displaced within Darfur. Over half the population has been affected.

The President has used the word ''genocide.'' The Secretary of State has used the word ''genocide.'' The whole world knows what is going on in Darfur.

Many Members of this House, including many Members on both sides of this aisle, have been very active in this issue. In this bill there is already a lot of money appropriated to continue funding the African Union mission that is currently providing 7,700 troops in Darfur to protect the people that are there. However, everyone knows that that is insufficient. The A.U. is doing a good job with the number of troops it has and with the resources it has, but we all know that it needs more.

The President himself has asked to double the number of troops in the Darfur region. I agree with him. Everybody who watches this issue agrees with him. We have to do something.

The money that is in this bill will maintain the A.U. mission, which is a good thing. However, maintaining it is insufficient.

It will eventually become a mission, and that is a good thing. I hope most of us, if not all of us, will support it. That will take 6 to 9 months at the least. In the meantime, maintaining the current situation is unacceptable. Therefore, I have asked for an additional $50 million to be put forward to enhance that mission.

I understand there is some concern about adding more troops with this money. This money can be used for several different items. It is not just boots on the ground.

First of all, money is fungible. Second of all, these troops also have major problems with communication on the ground, with technical planning on the ground, with equipment on the ground that this money can be used for. This money will be our effort to build a bridge between the current situation and the situation that we all are trying to get to, which hopefully will take less than 9 months.

That is why I offer this amendment. That is why I hope it passes.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do rise in opposition to this amendment, and I know some of my colleagues may question why that would be the case, but I think there is a very good and sound reason for that, and I hope the gentleman from Massachusetts will listen to this.

As Members will know, our committee has supported $290 million for the African Union for the AMIS fund. That is the African Military in Sudan support fund. $123 million, that is in this bill. I have been to the Darfur region twice in the last 18 months, and I have seen the very difficult conditions under which this African Union force is working, and I have been pushing the State Department to come up with a strategy as to what would be the future for the A.U. fund.

So, with all of the support that the subcommittee has shown so far for this effort, why are we opposing this additional funding?

Well, the Members may come from both sides of the aisle to the floor and claim that this funding is critical to saving lives in Darfur, but the simple fact is that this will not do that. It does nothing of the kind. In fact, it could actually be counterproductive.

Let me explain why I say that.

There is now an agreement between all the parties, the African Union, the administration and the United Nations, that the African Union force we call AMIS, A-M-I-S, should transition to a United Nations force. Just this last Friday, the African Union announced its support for such a transition and extended the mandate of the AMIS force until the end of this fiscal year. I have their communique in my hand here suggesting that it will be extended and then there would be a transition to a United Nations force. The administration's request, which is fully funded in the bill before us, will fulfill the U.S. contribution to maintain the AMIS force until that time.

If we were to adopt these additional funds, we are basically saying that we do not agree with the idea that this force should be transitioned to a United Nations force. We are saying we want to add additional funds to keep it an African Union fund and not transition it to a United Nations force.

That, Mr. Chairman, would be a mistake. Because there is no question the African Union has made it clear they cannot expand the force. They are willing to extend it for the time being until it can be transitioned to the United Nations force, but they have no capability and no intention of expanding the force. So to put these additional moneys in here to expand the force simply says that we are opposed to transitioning it to a United Nations force where we could have the proper size and the proper forces attached to this.

So that is why I say this amendment actually would be counterproductive to what the gentleman from Massachusetts seeks to do. It is for that reason that I cannot support the message that we would send with this amendment.

If the situation in Darfur is not resolved by the end of the year, this force should be transitioned to the United Nations force where we have seen over and over again it has the capability of dealing with this kind of peacekeeping operation, from Bosnia to other places around the world.

So I urge my colleagues to reject this amendment. They will not be voting against the AMIS, the African Military in Sudan, the A.U. force, that is there. They will instead, by rejecting this amendment, they will be voting for a coordinated effort to truly bring stability to the troubled region of Darfur; and, for that reason, I would urge my colleagues to vote against this amendment.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, more than a year and a half ago, the House and Senate voted unanimously to condemn the genocide in Darfur, and yet every day more people die, and the slow genocide persists unabated.

It is beyond imagination that the collective might and concerted will of the nations of the world cannot find a way to end this daily toll of human misery. Mr. Chairman, I hope and pray that Sudan will allow the U.N. peacekeeping mission to move forward so we can end this devastation. While we wait, however, we must find ways to make the African Union mission more effective.

I would note to my colleagues that the problem in Sudan has not generally been a lack of resources. With bipartisan support, often under Democratic initiative, the Congress has provided over $1.3 billion in assistance for Darfur and southern Sudan. This assistance has been and continues to be needed, and we are committed to providing it.

The primary problem, in my opinion, has been a lack of political will from the government of Sudan, from the international community and, to some extent, from the United States. Until we address these issues of political will, I am afraid we will be forced to rely on solutions that treat the symptoms without curing the disease.

I support this amendment because it seeks to make a bad situation better. I thank the gentleman for offering it.

I also want to acknowledge the leadership of members of the Foreign Operations Subcommittee, specifically Representatives JACKSON and KILPATRICK of Michigan and especially Chairman KOLBE, who have worked diligently to bring attention and focus to the situation in Darfur.

For those reasons, I will support the amendment.

The Acting CHAIRMAN (Mr. GINGREY). The question is on the amendment offered by the gentleman from Massachusetts (Mr. CAPUANO).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CAPUANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. CAPUANO) will be postponed.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

SEC. 1301. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

SEC. 1302. Of the funds made available under the heading ''Iraq Relief and Reconstruction Fund'' in chapter 2 of title II of Public Law 108–106, $185,500,000 is hereby transferred to and merged with the appropriation for ''Economic Support Fund'' contained in this Act: *Provided,* That the amount transferred by this section 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.

(RESCISSION OF FUNDS)

SEC. 1303. Of the funds made available for Coalition Solidarity Initiative under the heading ''Peacekeeping Operations'' in chapter 2 of title II of division A of Public Law 109–13, $17,000,000 is rescinded.

SEC. 1304. Notwithstanding any other provision of law, amounts under the heading ''Iraq Relief and Reconstruction Fund'' in title II of Public Law 108–106 shall remain available for one additional year from the date on which the availability of funds would otherwise have expired, if such funds are initially obligated before the expiration of the

period of availability provided herein: *Provided*, That, notwithstanding section 2207(d) of Public Law 108–106, requirements of section 2207 of Public Law 108–106 shall expire on October 1, 2008.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $26,692,000: *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.

CHAPTER 5

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $287,100,000, to remain available until September 30, 2007: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further*, That none of the funds provided under this heading may be obligated or expended until after that date on which the Secretary of Defense submits an updated master plan for overseas military infrastructure to the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That, subject to the preceding proviso, $60,000,000 of the funds provided under this heading may not be obligated or expended until after that date on which the Secretary of Defense submits a detailed plan for Counter IED/Urban Bypass Roads, Iraq, to the Committees on Appropriations of the House of Representatives and Senate.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $35,600,000, to remain available until September 30, 2007: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further*, That none of the funds provided under this heading may be obligated or expended until after that date on which the Secretary of Defense submits an updated master plan for overseas military infrastructure to the Committees on Appropriations of the House of Representatives and Senate.

AMENDMENT NO. 2 OFFERED BY MR. SALAZAR

Mr. SALAZAR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. SALAZAR:

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.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Mr. SALAZAR. Mr. Chairman, I believe that this Congress needs to recognize that caring for our veterans is a continuing cost of the war on terrorism.

My amendment adds $630 million in emergency funding so that the VA can better meet the needs of veterans returning home from Iraq and Afghanistan, and with this financial relief the VA will also be able to provide better care to the heroes of earlier conflicts.

Here is the situation. The VA projected that it would treat 110,000 Operation Iraqi and Enduring Freedom veterans this fiscal year. At the end of January, the first third of the fiscal year, the VA had already treated 74,000 veterans. At this rate, the VA will treat twice the number of veterans than projected.

Our veterans need our support now. There is no better place to include funding for our veterans and military families than in the bill addressing the costs of the war.

First, I have added $250 million for mental health. According to a recent Army study, as many as one in three veterans returning from combat operations in Iraq and Afghanistan will experience symptoms related to mental health problems.

This amendment will make available $9 million to expand veterans' access to family therapy; $168 million to implement the VA's own Comprehensive Mental Health Plan; $24 million for additional substance abuse treatment, one in five post-traumatic stress disorder patients have had substance abuse problems; $35 million to increase capacity to treat returning Iraq and Afghanistan veterans who need outpatient mental health services; $15 million for increased in-patient PTSD treatments, about a 12 percent increase; $3 million to increase staffing for VA efforts to seamlessly transition returning veterans with the Post-Deployment Health Assessment.

The VA is seeing more and more veterans from previous conflicts with post-traumatic stress disorder. This is a growing concern, and it is smart to provide quality mental health care to our returning veterans now and help forestall greater problems and more expense in the future.

The amendment also adds $110 million for prosthetics, a 10 percent increase. We all marvel at what we have done today to help return veterans to a full life, but it is not cheap. Above-knee replacement costs about $50,000, and then it needs periodic adjustment and maintenance. In past years, the VA prosthetic budget had grown by 17 percent a year. By 2007, the administration would cut back the growth to 12 percent. Now is certainly not the time to cut these important programs.

In another area, I added $200 million for direct medical services. Just like last year, we are already hearing anecdotes about shortages at VA medical facilities. Supply problems, budget problems, we do not need a crystal ball to make these predictions. With all the extra new veterans in need of medical care, there will be another budget shortfall.

This is by no means the fault of the men and women in the VA. The VA has made a real innovation by establishing state-of-the-art polytrauma centers, but they cost real money. These centers treat the worst injuries, sharing information with one another and military hospitals by videophone.

The amendment also adds $15 million for medical and vocational rehabilitation services. Service-disabled veterans applying for vocational rehabilitation and employment services increased dramatically over the last decade, roughly a 75 percent increase. Demand for this service will grow even faster due to the ongoing conflicts in Iraq and Afghanistan.

Finally, the amendment includes $55 million for increased staffing to process the growing number of disability claims. Currently, the backlog is more than 370,000 cases, and it is getting worse. In 2005, the VA was averaging 167 days to process one of these claims.

□ 1945

In 2006, it has grown to 185 days. In a time of war, we need to treat our heroes well. Slowing down the process of disability claims is a slap in the face.

Before closing, I would like to acknowledge Chairman WALSH's recognizing that there is a need for VA funding. In fact, he was good enough to grant the VA authority to use $275 million for the construction of a VA Hospital in New Orleans on a need basis.

VA facilities are already feeling the crunch when it comes to their budgets. Why are we not preparing for the future? Why are we willing to let the VA funding run out this year? Why is this administration not willing to fully fund the true cost of the war?

I am here to tell you that we can do better and we must do better. Our troops bravely put their lives on the line and it is our moral duty to provide them the care they were promised. Mr. Chairman, it is high time we stop paying lip service to our veterans and realize that caring for veterans is an ongoing cost of the war. It is high time that we start working towards providing the

VA with the tools needed to provide proper care for our servicemen and -women.

Mr. Chairman, I urge my colleagues to support the amendment and to support the brave men and women in uniform.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill and, therefore, violates clause 2 of rule XXI.

The amendment includes an emergency designation and as such, constitutes legislation in violation of clause 2 of rule XXI, and I ask for a ruling from the Chair.

The Acting CHAIRMAN (Mr. GINGREY). A point of order has been made against the amendment. Does any Member wish to address the point of order?

The Chair will rule.

The Chair finds that this amendment includes an emergency designation. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISION—THIS CHAPTER

SEC. 1501. The matter under the heading ''Veterans Health Administration—Medical Services'' in chapter 7 of title I of division B of Public Law 109–148 is amended by inserting after ''calendar year 2005'' the following: ''and for unanticipated costs related to the Global War on Terror'': *Provided*, That the provisions of 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.

CHAPTER 6

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $3,000,000: *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.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $99,000,000, to remain available until September 30, 2007: *Provided*, That no funding provided in this Act shall be available for obligation for a new or enhanced information technology program unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice and Federal Bureau of Investigation: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,000,000, 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.

AMENDMENT OFFERED BY MR. KIRK

Mr. KIRK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KIRK:

Page 34, line 22, after the dollar amount, insert the following: ''(increased by $9,200,000)''.

Mr. KIRK. Mr. Chairman, I thank the Chair, and I want to particularly thank Mr. OBEY of Wisconsin and our chairman, Mr. LEWIS of California, for their work on this.

This amendment addresses a critical need in the drug war in Afghanistan. Since the U.S. coalition forces arrived in Afghanistan, Afghanistan has become the source of three-quarters of the world's heroin supply. We know what a failed state in Afghanistan leads to. In our new counternarcotic operations in Afghanistan, the United States is about to launch a major operation in the Helmand River Valley, where over half of the heroin crop is raised. In doing this, Afghan forces, including their police, will be hitting drug labs, and we need to collect critical information as those operations unfold.

This amendment would provide for critical tools on an aircraft already owned by the Drug Enforcement Agency to collect information on drug traffickers, and especially on kingpins who could be connected to terror. On this, I very much support the work of Chairman WOLF.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. KIRK. I yield to the gentleman from Virginia.

Mr. WOLF. The committee accepts the amendment and congratulates the Member for doing this to help DEA. I think he makes a very powerful point.

Mr. KIRK. Thank you.

Mr. Chairman, this amendment would provide this critical platform to give the tools necessary for Drug Enforcement Agency to be the most effective they can be against Afghan drug kingpins. We already have 120 dedicated drug enforcement personnel on the ground helping Afghan police to carry out this mission. Chairman HYDE, Chairman ILEANA ROS-LEHTINEN, and I have backed this amendment because we feel it is critical for DEA to have these tools now to apply the lessons learned in Colombia to build a success in the coming operations in Afghanistan.

It is also important to note that this House supported amendments to the PATRIOT Act, which now make it a crime to deal in heroin for the support of terror without the need to show a connection to the U.S. market. We have seen Afghan drug dealers and terrorists killing U.S. troops, including two from the 10th Mountain Division, and this tool and the legal authorities that the House just provided are critical in helping force protection and adding to the tools that we need to continue this conflict in the most effective way.

So with that, I urge adoption of this amendment. It is a modest addition to this bill and provides a critical tool that will very quickly, dramatically assist in DEA's operation in Afghanistan.

Mr. HYDE. Mr. Chairman, the purpose of this amendment is to secure funding for an aerial surveillance platform to be used for counternarcotics efforts by the agents and personnel of our Drug Enforcement Administration, DEA, in Afghanistan.

The 9/11 Commission has made it clear that if Afghanistan were to again fall into failed-state status, we would be set back in our war on terror.

The growing opium and heroin trade provides for that possibility. The massive opium crop helps finance terrorism and anticoalition attacks and hampers the effective growth of peace and stability in the region. The drug trade also fuels corruption, which undermines the new democratic institutions we have worked so hard to establish.

We must vigorously pursue, interdict, and arrest the drug kingpins and shut down their operations. The just-signed PATRIOT Act has an additional provision I authored, creating a new Federal offense of narco-terrorism, to be enforced by the DEA against those who use illicit drugs and proceeds from their sales to support or fund terrorist acts or organizations, in places like Afghanistan.

In order to enable the DEA to enforce the new legislation, it is important for it to have the appropriate tools. An aerial surveillance platform provides both ''force protection'' of its dedicated and courageous personnel, as well as a platform for gathering judicially enforceable and prosecutable evidence of drug-related crimes. This evidence can be used in this country as a means of prosecuting and bringing to justice the drug kingpins and their cohorts.

If Afghanistan were to revert to its former failed-state status, the United States would be dealt a severe blow in its global war on terror. We cannot expect the Afghan legal system to effectively combat the drug problem in that country.

Thus, it is critical that we take the appropriate measures to ensure security and stability in Afghanistan. This modest $9.2 million amendment is one huge step toward that goal.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. KIRK).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,100,000, 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.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Diplomatic and Consular Programs'', $1,380,500,000, to remain available until September 30, 2007: *Provided,* That of the amount made available under this heading, $1,326,000 shall be available for transfer to the United States Institute of Peace: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT NO. 8 OFFERED BY MR. DOGGETT

Mr. DOGGETT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. DOGGETT: Page 35, line 20, after the dollar amount, insert the following: ''(increased by $7,800,000)''.

Mr. DOGGETT. Mr. Chairman, this $7.8 million State Department amendment that I offer tonight on behalf of myself, Mr. ORTIZ, and Mr. REYES empowers you, Mr. Chairman, and you, Mr. WOLF, as our important subcommittee chairman, and the conferees to address a serious threat to the lives and livelihood of tens of thousands of Texans who call home an area along the southernmost tip of our country that encompasses three congressional districts.

Consistent with the rule under which this bill is being considered, these dollars would simply go to the State Department. But I believe in conference you would be able to clarify, consistent with tonight's debate, that it is designed to upgrade the Federal levees along the Rio Grande that are under the exclusive control of the International Boundary and Water Commission, an agency within the State Department.

Exactly 1,018 days ago, the administration received what was really an alarming report from within its own State Department that our Federal levees along the Rio Grande are up to 9 feet deficient in height, geologically flawed, structurally unsound, and would overtop along some 38 river miles. We know that the time to make repairs is when the sun is shining, not when the flood is coming. The kind of wall that we need along our borders, along our southern border, is a wall to hold in a swollen Rio Grande river. A levee.

What do the levees' weaknesses reported by the State Department mean if you live in the Rio Grande Valley? Well, this is an aerial photo of much of that area. It includes the poorest SMSA, statistical metropolitan area, in the United States: Mission, McAllen, Pharr, and Hidalgo. Hardworking people, small businesses, mission hospital, nursing homes, schools, Balboa Acres neighborhood, along with many others. That is what they look like today on an aerial photo.

What happens if the levees' break? That is what they will look like. They are going to be underwater. And the best way to reach these places is going to be by boat. If the Federal levees are not maintained adequately, and they have not been maintained adequately according to the State Department itself, we will lose 80 percent of our fresh water supply in McAllen, Texas. We will lose two-thirds of the sewer system, which will become unworkable.

That is what we call an emergency, as in emergency supplemental appropriations, in south Texas. We believe that the need is urgent, and that is why some 39 local governments across our three congressional districts, Chambers of Commerce and economic development corporations have pled with the administration to respond to this need.

Last year, under the leadership of Chairman WOLF and Ranking Member MOLLOHAN, the State Department appropriations bill that this Congress passed called on the President for additional funding. Afterwards, Chairman WOLF and Mr. MOLLOHAN wrote Secretary of State Rice a letter asking for support for rehabilitating these levees, recognizing how many people would suffer if they were not rehabilitated, and noting from their letter, that ''this impacts the safety of the citizens of the Valley.''

Of course, the Valley levees are not the only levees in the country that have problems. I know, Mr. LEWIS, that your own State of California has concerns in Sacramento. I would say to you that our situation is unique and different in several particulars. This flooded area, with deficient levees, are exclusively Federal levees that only the Federal Government can remedy because they are along an international border under the control of the State Department.

Second, we are in a hurricane area, a high hurricane area. Last year, we ran out of names we had so many hurricanes, and this year promises another severe hurricane season. But for the fate of nature, the hurricane that hit New Orleans could just as easily have tacked west instead of tacking east and caused just the scenario that is displayed here tonight on this aerial photo.

What I propose, Mr. Chairman, is to add about half a percent, less than the increase that the chairman just agreed to for the last amendment, about half a percent to the $1.3 billion in the State Department, and ask that you clarify in conference that it is to meet a need that I know you are aware exists, and I believe you are trying to respond to. And I believe the State Department recognized and wanted that in this emergency appropriations bill, but somewhere in the bureaucratic process this was not included.

I know that there is more work we will be doing together. I appreciate the meeting that was held today with representatives from south Texas concerning this problem with Mr. WOLF's staff and the meeting we will have tomorrow with the International Boundary and Water Commission. We have our request coming up in the regular appropriations process. But without an emergency appropriation, I believe that the Federal Government really is not meeting its responsibility, a responsibility to the lives and livelihoods of the good hardworking people along the Texas Rio Grande Valley.

That is all this amendment is trying to do, knowing that it could be this summer in hurricane season, it could be next year or the year after. Every day, every month we delay, a thousand days has been enough, and that we need to move forward in addressing this concern now. I thank you.

□ 2000

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

I am kind of surprised the amendment came up, to a certain extent. The gentleman from Texas, not this gentleman, but the gentleman he referred to, just came into town, and I have not had an opportunity to talk to him. I thought I was going to get to talk to him, and we felt that we were going out of our way to help.

The President has been requesting funding for the Lower Rio Grande Flood Control project for years and has again requested funding in the President's budget for 2007.

There are other areas of the country that have this problem, and so to do it here and not there, and there are gang problems around the Nation. Let us forget the full bills and put everything into the supplemental and so we can just have one big supplemental and not have to pass any other bills.

But to go through the normal process, the gentleman from Texas brought the issue of the Lower Rio Grande Valley Flood Control project to my attention last year. As a result, we included language in the IBWC account directing more funds be provided above the President's request for this project.

A week ago, the gentleman talked to me about additional moneys for the project in the fiscal year 2007 process. Funding for the International Boundary Water Commission should be addressed in the regular bill. This request does not belong in an emergency supplemental, and I urge a ''no'' vote on the Doggett amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. DOGGETT. Mr. Chairman, will the gentleman yield?

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

Mr. DOGGETT. I respect the subcommittee chairman's comments. I do not think he or the Appropriations Committee or the chairman of the full committee are the problem. They recognized this problem last year when they asked the State Department to take additional action. The State Department took additional action, and I believe they asked to be included in this emergency appropriations bill.

We need help in the regular appropriations cycle. We will need that help not just this year but every year for probably the next 10 years. It is a modest amount. All we are asking for is $7.8 million to add to the $2.2 million that was appropriated last year, the $10 million a year that this part of the State Department has been saying since 2003 that they need to avert disaster.

So tonight I would ask all of my colleagues to join with us in meeting an emergency with an emergency appropriation, and then we will strive to work together in a positive, bipartisan way to address what I know the committee recognizes to be a real, genuine, urgent problem.

The Acting CHAIRMAN (Mr. GINGREY). The question is on the amendment offered by the gentleman from Texas (Mr. DOGGETT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. DOGGETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. DOGGETT) will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. HINOJOSA

Mr. HINOJOSA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HINOJOSA.

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''.

Mr. HINOJOSA. Mr. Chairman, I plan to withdraw my amendment after I give a summary of the serious condition of the floodway levee system near the Rio Grande River in Texas.

My friend and colleague, Mr. LLOYD DOGGETT, has brought some charts and shown what he understands to be the problem. I was born and raised there. I remember 1967 when six brothers were told by my dad that we were going to stop and shut down our business to go and help control what was happening on our levees that just could not stand the over 28 feet of water that was coming down the Rio Grande River and that our levee system was unable to stand up to that pressure.

So I am here to say that we today are appropriating billions of dollars to help New Orleans recover because we did not spend the millions necessary to maintain our levee system. Because of our shortsightedness, the residents of New Orleans are displaced and many died trying to escape the flood waters. I am here today to plead with you to not let this tragedy happen in my part of the country.

The International Boundary Water Commission is charged with maintaining over 500 miles of levees along the U.S.-Mexico border. A recent study by the U.S. Corps of Engineers shows that numerous sections of these levees are too weak, they are too low to hold back flood waters from the devastating Rio Grande River.

More than a million people call the Rio Grande Valley home, and 2.5 million people live on the Mexican side of the Rio Grande River. This region is the poorest in the Nation, and I am sure we do not want to see more images on television of the poorest of the poor losing what little they have.

My colleagues in Congress need to know that the Rio Grande Valley is also the gateway through which much of our Nation's commerce flows. Should a devastating flood hit the valley, factories and small businesses in Indiana, Illinois, New York, and throughout the Nation will shut down because of their inability to get just-in-time deliveries of the parts and supplies from maquiladoras that come through the valley's international border ports.

My constituents are not only afraid of the effects of a category 4 or category 5 hurricane, such as we experienced with Hurricane Beulah in 1967, but we are worried that even a slow-moving tropical storm could make them homeless like their neighbors in New Orleans. Heavy rains in the mountains of northern Mexico could cause a catastrophe because those flood waters empty into the Rio Grande River in areas from El Paso to Laredo to Roma and to Brownsville, Texas.

The IBWC estimates that $125 million would fix all of our inadequate floodway levees in South Texas.

My border colleagues and I, in a bipartisan collaboration with other members of the Texas delegation, will be asking the appropriators for most of this funding over a 5-year period or sooner through the regular appropriations process.

This evening, I spoke with Chairman WOLF and have agreed to work with him on ways to resolve these concerns. I welcome that opportunity.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Mr. GARRETT of New Jersey. Mr. Chairman, I have come to the floor tonight to address the issue of an emergency supplemental in which we are spending upwards of $15 million more in essence on what I call foreign aid. I am here tonight on this particular amendment to strike approximately $5 million of that foreign aid.

As I stated before and as people look to this program and what we do here tonight, one must wonder what makes this situation an emergency. Well, the committee itself raised that same question when they said, ''The committee is disappointed in the Department of State's failure to provide adequate and timely justification for the emergency nature of these funds.''

What are these funds going to? These funds are going to the country of Iran. An ally of ours? Not by any stretch of the imagination. In fact, Iran has been called by this administration part of the Axis of Evil. Iran is a country that wishes to wipe Israel off the face of the map. In fact, the President of Iran has even said that they wish to wipe the United States off the face of the map.

So one wonders who at the State Department was looking at this situation in the past and did not know that there was a need for funds in this particular area, either in the past budget which we have already gone through or in the budget process that we are going through as we speak now. Apparently no one knew at the State Department that Iran is a problem country that we have to deal with and needed additional funding for, and so they come to us at the last minute with a supplemental emergency appropriation.

With all of the problems that we have today in this country, now is not the time to be adding more to our Nation's debt for foreign aid. Other portions of this bill certainly have merit to them. Portions, for example, for aid to our soldiers. Our men and women who find themselves in harm's way as we speak here tonight need the additional dollars and cents to get the job down there.

We have heard also the issues with regard to the folks down in the gulf coast, and there is additional funding for that program as well, to assist those people in New Orleans and elsewhere as far as their needed relief.

But do we need to spend additional emergency funds tonight for foreign aid in essence for diplomatic and consulate programs for Iran, not by any stretch of the imagination an ally of this country?

Mr. Chairman, I would suggest we should not. This is not a program that

we will be putting on the burdens of today's taxpayers. No, we will be putting this burden on our children and our children's children. Why is that? It is because we are already in deficit spending in this Nation, and the emergency supplemental we are debating tonight will simply add to that debt and add to that burden.

I encourage my colleagues to support this amendment, to strike this additional foreign aid which is not an emergency by any stretch of the imagination.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would tell the body, this really is not foreign aid. You cannot pick up the newspaper without seeing the threat that Iran is to the Nation. This is a priority of the administration, but a priority of everyone who cares with regard to changing the government that we have in Iran. I do not know how you put it, but it is not aid. Iran is a threat to the United States. Is that a fact? I think you would have a very hard time finding anybody who says, no, it is not a fact. It is.

Iran is developing a nuclear bomb. I have seen some reports that say it may be within 18 months to 2 years of having an nuclear bomb.

The Iranian government is intent on destroying Israel. The Iranian government is the one who funded the bombing of the Marines barracks in 1993 where 241 marines died. They fund Hezbollah. They are the ones creating the problem in Lebanon. They are the ones involved in the funding and the blowing up of the American embassy in Beirut, the first embassy and the second embassy.

We need to do everything we can to change the government and get information to the people. So what the administration is trying to do is to have some public diplomacy, to basically do what Democrat administrations and Republican administrations have done during the Cold War: public diplomacy, exchange programs, change their government through peaceful means.

This is not foreign aid. I would say on behalf of anyone who thinks that Iran is a danger, please, I would urge a ''no'' vote on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'', $25,300,000, to remain available until September 2007, of which $24,000,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GARRETT of New Jersey) having assumed the chair, Mr. GINGREY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

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PERMISSION TO OFFER CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 4939 in the Committee of the Whole pursuant to House Resolution 725, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Ms. MILLENDER-MCDONALD, regarding funding for election activities under FEMA;

An amendment by Mr. HINCHEY, regarding limitations on foreign media;

An amendment by Mr. HINCHEY, regarding funding for contracts using other than competitive procedures;

An amendment by Mr. MELANCON, regarding funding for flood control programs;

An amendment by Mr. MELANCON, regarding agriculture disaster relief for Louisiana;

An amendment by Mr. JEFFERSON, regarding funding for HUD and FEMA disaster relief;

An amendment by Mr. JEFFERSON, regarding increased funding for HUD;

An amendment by Ms. JACKSON-LEE of Texas, regarding increased funding for rental housing under HUD;

An amendment by Ms. JACKSON-LEE of Texas to strike certain Secretarial authorities to waive low- and moderate-income requirements;

An amendment by Ms. JACKSON-LEE of Texas, regarding limiting certain funds on gulf coast elections;

An amendment by Ms. JACKSON-LEE of Texas, regarding approval of disaster loans;

An amendment by Mr. PAUL, regarding funding for the State of Texas;

An amendment by Mr. TIERNEY, regarding establishment of a House Select Committee;

An amendment by Mr. CONAWAY, to strike section 3010;

An amendment by Mr. CONAWAY, regarding LIHEAP funding and ANWR and OCS drilling;

An amendment by Mr. KENNEDY of Minnesota, regarding demonstrations within cemeteries;

An amendment by Mr. NADLER, regarding ocean shipping containers;

An amendment by Ms. VELÁZQUEZ, regarding deadlines for SBA loans;

An amendment by Ms. VELÁZQUEZ, regarding SBA loan rates;

An amendment by Mr. HALL, regarding child care subsidies;

An amendment by Ms. DELAURO to repeal avian flu liability provisions;

An amendment by Mr. BERRY of Arkansas, regarding the enrollment period for Medicare benefits;

An amendment by Ms. KAPTUR, regarding establishment of a House Select Committee;

An amendment by Ms. LEE, regarding FEMA termination of housing activities;

An amendment by Mr. DEFAZIO, regarding limitation on funds with an exception for constitutional activities;

An amendment by Mr. REYES, regarding funding for pandemic flu;

An amendment by Mr. REYES, regarding the Veterans Administration;

An amendment by Mr. GINGREY, to strike funding for the Historic Preservation Fund;

An amendment by Mr. WESTMORELAND, to strike section 3006;

An amendment by Ms. FOXX, to strike funding for the Broadcasting Board of Governors;

An amendment by Mr. FLAKE, to strike section 3007;

An amendment by Mr. INSLEE, regarding FISA;

An amendment by Mr. BRADY of Texas, to strike certain language regarding HUD funding distribution;

An amendment by Mr. BRADY of Texas, regarding HUD funding distribution among the States;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas offset by State Department and FEMA disaster relief funds;

An amendment by Mr. BRADY of Texas, regarding redirection of HUD funding for educational costs in Texas;

An amendment by Mr. GARRETT of New Jersey, regarding educational and cultural exchange programs;

An amendment by Mr. WAXMAN, regarding DOD contracts, which shall be debatable for 20 minutes;

An amendment by Mr. NEUGEBAUER, eliminating funding in title II, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY, regarding availability of certain LIHEAP funds, which shall be debatable for 30 minutes; 30 minutes;

An amendment by Mr. SABO, regarding funding for Homeland Security, which shall be debatable for 20 minutes (and which shall be in order at any point in the reading);

An amendment by Ms. LEE, regarding Iraq, which shall be debatable for 30 minutes;

An amendment by Mr. JINDAL, regarding funding for VA offset from FEMA disaster relief;

An amendment by Mr. JINDAL, regarding defense programs offset from FEMA disaster relief;

An amendment by Mr. JINDAL, regarding funding for military construction offset by FEMA disaster relief;

An amendment by Mr. TAYLOR of Mississippi, regarding military construction.

Each such amendment may be offered only by the Member named in this request or a designee or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, and I certainly will not, I simply want to point out that right now we are at page 35 in the bill. There are some 83 pages in the bill; and after we dispose of the amendments on those pages, we still have at least 24 amendments that come at the end of the bill, which means that unless we have considerable Member cooperation, we are going to be here deep into tonight and deep into tomorrow night. So I would invite Members to understand what the situation is with respect to the number of amendments still before us.

With that, I withdraw my reservation.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 725 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4939.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GINGREY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from New Jersey (Mr. GARRETT) had been disposed of and the bill had been read through page 36, line 13.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or his designees for the purpose of debate;

An amendment by Ms. MILLENDER-MCDONALD, regarding funding for election activities under FEMA;

An amendment by Mr. HINCHEY, regarding limitations on foreign media;

An amendment by Mr. HINCHEY, regarding funding for contracts using other than competitive procedures;

An amendment by Mr. MELANCON, regarding funding for flood control programs;

An amendment by Mr. MELANCON, regarding agriculture disaster relief for Louisiana;

An amendment by Mr. JEFFERSON, regarding funding for HUD and FEMA disaster relief;

An amendment by Mr. JEFFERSON, regarding increased funding for HUD;

An amendment by Ms. JACKSON-LEE of Texas, regarding increased funding for rental housing under HUD;

An amendment by Ms. JACKSON-LEE of Texas to strike certain Secretarial authorities to waive low- and moderate-income requirements;

An amendment by Ms. JACKSON-LEE of Texas, regarding limiting certain funds on gulf coast elections;

An amendment by Ms. JACKSON-LEE of Texas, regarding approval of disaster loans;

An amendment by Mr. PAUL, regarding funding for the State of Texas;

An amendment by Mr. TIERNEY, regarding establishment of a House Select Committee;

An amendment by Mr. CONAWAY, to strike section 3010;

An amendment by Mr. CONAWAY, regarding LIHEAP funding and ANWR and OCS drilling;

An amendment by Mr. KENNEDY of Minnesota, regarding demonstrations within cemeteries;

An amendment by Mr. NADLER, regarding ocean shipping containers;

An amendment by Ms. VELÁZQUEZ, regarding deadlines for SBA loans;

An amendment by Ms. VELÁZQUEZ, regarding SBA loan rates;

An amendment by Mr. HALL, regarding child care subsidies;

An amendment by Ms. DELAURO, to repeal avian flu liability provisions;

An amendment by Mr. BERRY of Arkansas, regarding the enrollment period for Medicare benefits;

An amendment by Ms. KAPTUR, regarding establishment of a House Select Committee;

An amendment by Ms. LEE, regarding FEMA termination of housing activities;

An amendment by Mr. DEFAZIO, regarding limitations on funds with an exception for constitutional activities;

An amendment by Mr. REYES, regarding funding for pandemic flu;

An amendment by Mr. REYES, regarding the Veterans Administration;

An amendment by Mr. GINGREY, to strike funding for the Historic Preservation Fund;

An amendment by Mr. WESTMORELAND, to strike section 3006;

An amendment by Ms. FOXX, to strike funding for the Broadcasting Board of Governors;

An amendment by Mr. FLAKE, to strike section 3007;

An amendment by Mr. INSLEE, regarding FISA;

An amendment by Mr. BRADY of Texas, to strike certain language regarding HUD funding distribution;

An amendment by Mr. BRADY of Texas, regarding HUD funding distribution among the States;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas offset by State Department and FEMA disaster relief funds;

An amendment by Mr. BRADY of Texas, regarding redirection of HUD funding for educational costs in Texas;

An amendment by Mr. GARRETT of New Jersey, regarding educational and cultural exchange programs;

An amendment by Mr. WAXMAN, regarding DOD contracts, which shall be debatable for 20 minutes;

An amendment by Mr. NEUGEBAUER, eliminating funding in title II, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY, regarding availability of certain LIHEAP funds, which shall be debatable for 30 minutes;

An amendment by Mr. SABO, regarding funding for Homeland Security, which shall be debatable for 20 minutes (and which shall be in order at any point in the reading);

An amendment by Ms. LEE, regarding Iraq, which shall be debatable for 30 minutes;

An amendment by Mr. JINDAL, regarding funding for VA offset for FEMA disaster relief;

An amendment by Mr. JINDAL, regarding defense programs offset from FEMA disaster relief;

An amendment by Mr. JINDAL, regarding funding for military construction offset by FEMA disaster relief;

An amendment by Mr. TAYLOR of Mississippi, regarding military construction.

Each amendment may be offered only by the Member named in this request or a designee or by the Member who caused it to be printed in the RECORD or a designee, shall be considered read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

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The Acting CHAIRMAN (Mr. GINGREY). The Clerk will read.

The Clerk read as follows:

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for ''Educational and Cultural Exchange Programs'', $5,000,000, to remain available until expended: *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.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 36, strike line 14 and all that follows through line 21.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I come once again to the floor to raise the issue that I have raised earlier this evening, and that is in this time of spiraling deficits and excess spending by the Federal Government, is now the time to be spending money on an emergency supplemental where the nature of the emergency comes into question? In this case, as I classified in my terminology before, I called it foreign aid, I don't know whether anyone can really say that this is not.

The funding here is $5 million for academic, professional and cultural exchange focused on Iran. As I pointed out before, and it was agreed, Iran is no ally of the United States Government. As we agree, Iran is a part of the Axis of Evil. They are supporting Hamas. They do wish to eliminate and see Israel wiped off the map of the world. They do wish to see the United States wiped off the map of the world. They are continuing with their nuclear program. In this, we are all in agreement. Iran is a threat.

This is not something new. This is not something that just came about in the last few days, weeks, months or what have you. We have known that Iran is a threat to the world community for some time, at least this House did. We have had many debates and discussions on this in the past on this floor as to the threat that Iran poses to this Nation, to its area community and the world in general.

The question then becomes, is this new news to the State Department? Apparently it is, because were it not new news to the State Department, they would have gone through regular order and they would have sought this $5 million or the $10 or $15 million for the other appropriations that we previously spoke about.

They would have gone through regular order, and they would have asked for and put this through the budget process in the current budget cycle year, or they would have included it in the budget proposal that we are currently considering as we go forward for the next fiscal year. They did not. Instead, they come to us now at the last minute and ask for an emergency supplemental appropriation.

I would ask that the State Department pay more attention to these matters. If they were not aware that Iran was such a threat and that these programs are needed, and I am not about to debate right here that they are not needed, but if they were needed, they should have gone through regular order, they should have come through the process earlier.

In addition, all other areas of spending in this House, when it goes through regular order, has to compete against other necessary expenditures. Some foreign threats that we have, Afghanistan, and Iraq and elsewhere, have to be weighed against other competing interests.

Likewise, they must be weighed against domestic interests as well. As in this bill, there is money here for Katrina. They have to assist those people down there. They have an interest as well. Other domestic programs also have to be weighed against other competing domestic interests.

I would simply suggest to this body that while Iran is a threat, it is not a new threat. It is a threat that we have known has been out there for some period of time.

The appropriate manner would have been for this to have gone, as with the other legislation amendments that I discussed previously, through regular order, so that we would have had a complete and full debate on it.

Again, I agree with what the committee said on those other matters, that the committee, as I quote from their report, ''is disappointed in the Department of State's failure to provided adequate and timely justification of the emergency nature of these funds.'' I concur with the committee. The State Department has not provided that justification.

I urge my colleagues to support this amendment to delete this additional $5 million.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. CONAWAY). The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Mr. Chairman, I said it before, but I will say it again: it is an emergency. My goodness, this country is putting together a nuclear weapon. The Bush administration, if you read the paper the last several days, has been meeting every day with experts around the world on the issue of Iran. To cut this money back pulls the rug out from the administration. Iran is a threat.

Iran is developing a nuclear bomb. Iran is the one that funded Hezbollah. Iran blew up the American embassy once. They blew up the American Embassy in Beirut a second time. Iran blew up the Marine Corps barracks killing 241 Marines. It is an emergency.

My God, the Iranians will be laughing at us if we were to reduce this amount of money. This is an emergency. So I just urge a ''no'' vote on the amendment.

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

Mr. OBEY. Mr. Chairman, I rise to simply agree with every word the gentleman from Virginia just spoke. I cannot think of a more mindless, shortsighted or ridiculous amendment to be offered that affects a serious problem than this amendment. It is absolutely backwards. It is ludicrous. It is absolutely against the interest of the United States.

What we are in effect saying is we have such great relations with this country that we don't want to do whatever we can to improve them by going directly to people through exchange programs. I find that to be ridiculous.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $129,800,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'', $7,600,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I offer two amendments, and ask unanimous consent that they be considered en bloc.

The Acting CHAIRMAN. The gentlewoman may only offer one amendment.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

The Acting CHAIRMAN. The gentlewoman is only allowed one amendment. Does she intend to offer the amendment starting with page 37, striking line 6 through page 38, line 4?

Ms. FOXX. Mr. Chairman, the two amendments I had, one would strike line 6 through 14 and the other lines 15 through 21. We submitted one amendment, and then I was told they had to be separated, and two amendments were submitted.

The Acting CHAIRMAN. The Clerk will designate a single Foxx amendment.

The text of the amendment is as follows:

Amendment offered by Ms. FOXX:

Page 37, strike lines 6 through 21 (relating to Broadcasting Capital Improvements).

The Acting CHAIRMAN. Is there objection to consideration of the amendment in this format?

There was no objection.

The Acting CHAIRMAN. Pursuant to the order earlier today, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, what I understand now is the two amendments were combined into one, for which I am very grateful.

Mr. Chairman, this amendment would strike the funding for the international broadcasting operations of Radio Free Europe section of this bill. I am sure there are many folks who can tell us the merits and great purpose of Radio Free Europe and our broadcasting overseas, but we can debate the merits of Radio Free Europe another time.

It was my understanding that this war supplemental was supposed to be purely for emergency spending for the war. Providing essential equipment for our troops is one thing. Additional funding for additional international broadcasting is another.

Mr. Chairman, many conservatives were disappointed that additional Katrina funding was added to this bill since the moneys approved last fall have not been spent totally. In fact, Mr. Chairman, of the $67.5 billion directly appropriated to Katrina and Rita relief, only $22.5 billion have been spent. Why are we allocating additional hard-earned tax dollars, when over half of the additional funding is yet to be spent?

Furthermore, the Katrina spending approved did not have proper safeguards. I read article after article reporting stories of fraud and abuse of relief funds. The reason we read and hear these stories on the nightly news is because we did not move carefully enough the first time. Let's not make that mistake again with additional Katrina funding or other extraneous funding added that is not emergency funding for the war in Iraq.

I urge Members to support my amendment and remove this funding, so we can debate the merits of the program in its proper setting.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment. It strikes all the radio and television broadcasting. I think I made the point on the last amendment, the Garrett amendment, that this is important to the administration. If the President didn't do this, frankly, he would be subject to criticism by this Congress. This Congress would get up and say, why are you not doing more to change the government?

It is just not a good amendment. I urge overwhelming defeat of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. FOXX. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) will be postponed.

The Clerk will read.

The Clerk read as follows:

BROADCASTING CAPITAL IMPROVEMENTS

For an additional amount for ''Broadcasting Capital Improvements'', $28,500,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISION—THIS CHAPTER

SEC. 1601. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,800,000, 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.

The Acting CHAIRMAN. Pursuant to House Resolution 725, title II is considered read.

The Clerk will designate title II.

The text of title II is as follows:

TITLE II—FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

CHAPTER 1

DEPARTMENT OF AGRICULTURE

EXECUTIVE OPERATIONS

WORKING CAPITAL FUND

For an additional amount for ''Working Capital Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $25,000,000, 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.

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

For an additional amount for ''Agricultural Research Service, Buildings and Facilities'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: *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.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for ''Emergency Watershed Protection Program'' $10,000,000, to remain available until September 30, 2008, for the purchase of easements on floodplain lands in disaster areas affected by Hurricane Katrina and other hurricanes of the 2005 season: *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.

CHAPTER 2

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $2,125,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $22,002,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $3,992,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $21,610,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $4,071,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $10,200,000 for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $2,176,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $94,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $1,304,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $1,408,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $29,913,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $37,359,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $12,755,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $1,277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $42,307,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $700,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $9,136,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $579,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $899,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

SHIPBUILDING AND CONVERSION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Shipbuilding and Conversion, Navy'', $775,236,000 to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, which shall be available for transfer within this account to replace destroyed or damaged equipment; prepare and recover naval vessels under contract; and provide for cost adjustments for naval vessels for which funds have been previously appropriated: *Provided,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers within this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $85,040,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $13,000,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $2,797,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $12,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $6,250,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $730,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,222,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

TRUST FUNDS

GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

For an additional amount for ''General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense'', $10,530,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $33,881,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *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.

GENERAL PROVISION—THIS CHAPTER

SEC. 2201. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For additional amounts for ''Construction'' to reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands, $100,000,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2006: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FLOOD CONTROL AND COASTAL EMERGENCIES

For additional amounts for ''Flood Control and Coastal Emergencies'', as authorized by section of the Flood Control Act of August 18, 1941, as amended (33 U.S.C. 701n), for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $1,360,000,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2006: *Provided further*, That none of the funds provided herein shall be available until the non-federal interests have entered into binding agreements with the Secretary of the Army to pay 100 percent of the operation, maintenance, repair, replacement and rehabilitation costs of the projects: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $13,500,000, to remain available until September 30, 2007: *Provided*, That these amounts shall be transferred to the Offices of Inspector General of the Departments of Agriculture, Defense, Education, Health and Human Services, Housing and Urban Development, Justice, Labor and Transportation, and the Environmental Protection Agency, the General Services Administration, and the Social Security Administration to carry out necessary audits and investigations of funding and programs undertaken by the respective agencies for response and recovery from the 2005 Gulf Coast hurricanes: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for 'Salaries and Expenses' to provide for the relocation of personnel and equipment related to the New Orleans laboratory facility and for the repair and replacement of critical equipment and property damaged or caused by Hurricane Katrina and other hurricanes of the 2005 season, $12,900,000: *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.

CONSTRUCTION

For an additional amount for ''Construction'' to rebuild and repair structures damaged by Hurricane Katrina and other hurricanes of the 2005 season, $4,800,000, to remain available until expended: *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.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operating Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $14,300,000, to remain available until September 30, 2007, of which up to $267,000 may be transferred to ''Environmental Compliance and Restoration'' to be used for environmental cleanup and restoration of Coast Guard facilities; and of which up to $500,000 may be transferred to ''Research, Development, Test, and Evaluation'' to be used for

salvage and repair of research and development equipment and facilities: *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.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $80,755,000, to remain available until expended: *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.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for ''Administrative and Regional Operations'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $70,000,000, to remain available until expended: *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.

PREPAREDNESS, MITIGATION, RESPONSE AND RECOVERY

For an additional amount for ''Preparedness, Mitigation, Response and Recovery'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000: *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.

DISASTER RELIEF

For an additional amount for ''Disaster Relief'' for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $9,550,000,000, to remain available until expended: *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.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Disaster Assistance Direct Loan Program Account'' for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), $151,000,000, to be used to assist local governments that were affected by Hurricane Katrina and other hurricanes of the 2005 season in providing essential services, of which $1,000,000 is for administrative expenses to carry out the direct loan program: *Provided,* That such funds may be used to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000: *Provided further,* That notwithstanding section 417(b) of such Act, the amount of any such loan issued pursuant to this section may exceed $5,000,000: *Provided further,* That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled: *Provided further,* That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further,* That of the amount provided in this chapter under the heading Disaster Relief'', up to $150,000,000 may be transferred to and merged with the funds provided under this heading, to be used to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000: *Provided further,* That the amounts provided or transferred 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.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. The Federal Emergency Management Agency may provide funds to a State or local government or, as necessary, assume an existing agreement from such unit of government, to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricanes Katrina and Rita if the State or local government has previously arranged to pay for such utilities on behalf of the evacuees for the term of any leases, not to exceed 12 months, contracted by or prior to February 7, 2006, notwithstanding section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174): *Provided,* That the Federal share of the costs eligible to be paid shall be 100 percent.

SEC. 2402. (a) Title III of Public Law 109–90 is amended under the heading ''National Flood Insurance Fund'' by striking ''$30,000,000 for interest on Treasury borrowings'' and inserting ''such sums as necessary for interest on Treasury borrowings''.

(b) The provisions of 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.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $132,400,000, to remain available until expended: *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.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,000,000, 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.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $55,400,000, to remain available until expended: *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.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $10,200,000, to remain available until expended: *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.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For an additional amount for ''Royalty and Offshore Minerals Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $15,000,000, 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.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for ''Environmental Programs and Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,000,000, 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.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For an additional amount for the ''Leaking Underground Storage Tank Program'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $7,000,000, 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.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for the ''National Forest System'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: *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.

CHAPTER 6

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $28,880,000, to remain available until September 30, 2010: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and

design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $57,300,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $67,800,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading in the chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2770) shall remain available until September 30, 2010: *Provided further*, 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.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $5,800,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, NAVY RESERVE

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for ''Military Construction, Navy Reserve'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $24,270,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under the heading ''Military Construction, Naval Reserve'' in chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2771) shall remain available until September 30, 2010, except that, of such amount $49,530,000 are rescinded: *Provided further*, 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.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Construction, Major Projects'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $550,000,000, to remain available until expended: *Provided*, That the foregoing amount shall only be available upon enactment, by June 30, 2006, of authority under section 8104 of title 38, United States Code: *Provided further*, That up to $275,000,000 of the amount provided under this heading may (at any time after the enactment of this Act and without regard to the preceding proviso) be transferred by the Secretary of Veterans Affairs to the ''Medical Services'' account, to be available only for unanticipated costs related to the Global War on Terror: *Provided further*, That the Secretary of Veterans Affairs shall, not fewer than 15 days prior to making a transfer under the authority in the preceding proviso, notify the Committees on Appropriations of the Senate and House of Representatives in writing of the transfer: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 7

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $2,000,000, 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.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $5,000,000, 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.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $11,800,000, to remain available until expended: *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.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

For an additional amount for ''Exploration Capabilities'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $30,000,000, to remain available until expended: *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.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Disaster Loans Program Account'' for the cost of direct loans authorized by section 7(b) of the Small Business Act, $1,254,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, of the amount provided under this heading, up to $190,000,000 may be transferred to and merged with appropriations for ''Small Business Administration, Salaries and Expenses'' for administrative expenses to carry out the disaster loan program: *Provided further*, That none of the funds provided under this heading may be used for indirect administrative expenses: *Provided further*, That, of the amount provided under this heading, $712,000,000 is hereby transferred to ''Federal Emergency Management Agency, Disaster Relief'' to reimburse that account for funds transferred to this account by Public Law 109–174: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 8

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Community development fund'', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of hurricanes in the Gulf of Mexico in 2005 in States for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in conjunction with Hurricane Katrina, Rita, or Wilma, $4,200,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): *Provided*, That funds made available under this heading shall be distributed to address the most critical recovery requirements notwithstanding funding limitations under this heading in title I of division B of Public Law 109–148: *Provided further*, That funds provided under this heading shall be administered through an entity or entities designated by the Governor of each State: *Provided further*, That such funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State under this heading: *Provided further*, That each State may use up to five percent of its allocation for administrative costs: *Provided further*, That not less than $1,000,000,000 from funds made available under this heading shall be used for repair, rehabilitation, and reconstruction (including

demolition, site clearance and remediation) of the affordable rental housing stock (including public and other HUD-assisted housing) in the impacted areas: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by the State that such waiver is required to facilitate the use of such funds or guarantees, and a finding by the Secretary that such waiver would not be inconsistent with the overall purpose of the statute, as modified: *Provided further*, That the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that at least 50 percent of the funds made available under this heading must benefit primarily persons of low and moderate income unless the Secretary otherwise makes a finding of compelling need: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further*, That every waiver made by the Secretary must be reconsidered according to the three previous provisos on the two-year anniversary of the day the Secretary published the waiver in the Federal Register: *Provided further*, That prior to the obligation of funds each State shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: *Provided further*, That prior to the obligation of funds to each State, the Secretary shall ensure that such plan gives priority to infrastructure development and rehabilitation and the rehabilitation and reconstruction of the affordable rental housing stock including public and other HUD-assisted housing: *Provided further*, That each State will report quarterly to the Committees on Appropriations on all awards and uses of funds made available under this heading, including specifically identifying all awards of sole-source contracts and the rationale for making the award on a sole-source basis: *Provided further*, That the Secretary shall notify the Committees on Appropriations on any proposed allocation of any funds and any related waivers made pursuant to these provisions under this heading no later than 5 days before such waiver is made: *Provided further*, That the Secretary shall establish procedures to prevent recipients from receiving any duplication of benefits and report quarterly to the Committees on Appropriations with regard to all steps taken to prevent fraud and abuse of funds made available under this heading including duplication of benefits: *Provided further*, That of the amounts made available under this heading, the Secretary may transfer a total of up to $15,000,000 to the Office of Inspector General and ''Management and Administration, Salaries and Expenses'' for costs associated with administration and oversight: *Provided further*, That none of the funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: *Provided further*, 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.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

For an additional amount for ''Federal Buildings Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $37,000,000, from the General Fund and to remain available until expended: *Provided*, That notwithstanding 40 U.S.C. 3307, the Administrator of General Services is authorized to proceed with repairs and alterations for affected buildings: *Provided further*, That he amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

The Acting CHAIRMAN. Are there any amendments to title II?

□ 2045

AMENDMENT OFFERED BY MR. MELANCON

Mr. MELANCON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. CONAWAY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MELANCON:

Page 54, line 15, after the dollar amount, insert the following: ''(increased by $465,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. MELANCON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. MELANCON. Mr. Chairman, the amendment that I bring forward today will provide for $465 million for levees in South Louisiana. Currently, there is $1.363 billion, $1 million added to the $1,363,000,000 in the bill for flood control and hurricane protection.

Part of the problems during the storms is the over-topping of levees, inadequate levees. We have a situation in south Louisiana that was understood by the White House, and the President made his announcement to send more money down to the Congress.

That total amount did not end up getting into the bill. My amendment would increase the amount of funding to $465 billion, and this amendment would provide $35 million for additional hurricane protection for coastal restoration in an area in south central Louisiana that went under during Rita that was not included in the original monies.

We have areas that are in St. Charles Parish, Plaquemines Parish, Jefferson Parish, St. Bernard Parish, Terrebonne Parish, and Lafourche Parish. These areas need to be taken care of, particularly since these areas are the first areas that will take the brunt of a storm in the Gulf of Mexico and southern Louisiana.

This is a working coast. This is the Louisiana coast. Oil and gas from Louisiana accounts for 30 percent of the energy consumed in this country. Thirty percent of the fish that come from the oceans that this country consumes come from Louisiana's coastal areas and the Gulf of Mexico. Forty-two percent of the commodities exported from this country come through New Orleans and the river bounded by Plaquemines and St. Bernard Parish.

Mr. Chairman, I bring this amendment today because the people of south Louisiana need these important levees to protect them.

In particular, the Morganza to the Gulf project, the people in this area where the Morganza to the Gulf project will be built have taxed themselves and started the projects. They are waiting on a WRDA. If we can get a WRDA bill out of the Senate and conferenced and passed, then these folks have started, and this bill would allow them to have that money to move this project forward to protect their areas of south Louisiana.

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

Mr. LEWIS of California. Mr. Chairman, reluctantly, I rise in opposition to the amendment offered by the gentleman from Louisiana.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. The amendment seeks to add $430 million for armoring levees in addition to the $170 million already contained in the bill. The supplemental bill before us provides the request of $170 million to armor the most critical portions of the hurricane protection system that are judged by the Corps of Engineers to be the most critical to providing near-term protection to the citizens of New Orleans.

The funding, as provided, is not geographically specific and can be used across the entire hurricane protection system to armor the areas identified by the Corps as the most vital. This funding is sufficient to address the most essential armoring requirements as identified by the Corps of Engineers.

According to the Corps, only 16 percent of the requested $170 million can be expended in 2006. Given that the Corps will only be able to expend a very limited amount of the $170 million this fiscal year, the provision of additional funding will not result in more near-term protection for the region.

Activities that occur predominately in fiscal year 2007 and beyond do not qualify for emergency funding in this supplemental. They should be addressed in the regular order of our fiscal year 2007 energy and water bill.

The amendment also seeks to add an additional $35 million to accelerate the study phase of the Morganza to the Gulf project. I would like to point out that the study was funded at $11 million in 2006 through both the regular bill and the supplemental funding. The study is ongoing, and it is funded for activities through this fiscal year.

The construction activities require additional authorization. This study does not rise to the level of an emergency. I urge my colleagues to work

with me to pursue this in regular order.

I must mention to my colleague that I have these kind of problems in northern California, that I can similarly put in this emergency supplemental. But, frankly, they are more logical for regular order.

So, with that, I would ask my colleague to consider withdrawing his amendment. Failing that, I am afraid I must oppose the amendment and ask my colleagues to vote ''no'' on its adoption.

Mr. MELANCON. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Louisiana.

Mr. MELANCON. Mr. Chairman, I understand what you are saying. We have been 5 to 6 years without a WRDA bill. The Morganza to the Gulf project has been in that stalled WRDA bill. There are now 80 Members of the Senate that have signed on to letters saying in this session their intention is to pass a WRDA bill.

If authorization is included with the passage of a WRDA bill, in essence, this funding will be ready to go. These people have authorization on portions, as you have explained, and now they can move forward and continue the process of building these levees that they have so much wanted to build for the last 5 to 10 years.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time. I must say to the gentleman that I do have similar questions that are very much like this in northern California, critical circumstances; and it just is not appropriate in the portion of this emergency bill. Because of that, I would have to oppose the gentleman's request.

Mr. MELANCON. Mr. Chairman, I understand. This is something that I must put to a vote. We are in an emergency situation. We have been. This Congress' actions, where we are at the seventh month, makes it even more critical and more of the need.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. MELANCON).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MELANCON. Mr. Chairman, on that I demand the yeas and nays.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana (Mr. MELANCON) will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. JEFFERSON

Mr. JEFFERSON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. JEFFERSON:

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)''.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from Louisiana (Mr. JEFFERSON) and a Member opposed each will control 5 minutes.

Mr. LEWIS of California. On the amendment that we are considering, Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

The Chair recognizes the gentleman from Louisiana.

Mr. JEFFERSON. Mr. Chairman, today, I rise to offer the first of two amendments to H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and the Hurricane Recovery Act of 2006, that will add more funds to the Community Development Block Grant, CDBG funds, to meet the housing and rebuilding needs of Louisiana, Texas and other places.

The first amendment, number 6, printed in the CONGRESSIONAL RECORD, will take $2 billion from the Federal Emergency Management Agency, FEMA, and add it to the Community Development Block Grant funds, making that total request $6.2 billion.

This amendment keeps the total hurricane supplemental request at $19.1 billion. The proposed $2 billion decrease in FEMA funding brings that total to $7.755 billion.

Mr. Chairman, information recently given to us by the Appropriations Committee indicates that FEMA will not run out of its current funds until the second week of July. Moreover, with FEMA's weekly spend rate of $500 million, the first proposed appropriation of $9.55 billion, less my amendment, would fund FEMA through the end of October.

Mr. Chairman, I am certain that between now and October we will be able to amply try and figure out what FEMA really needs and provide the resources it needs at that time.

Mr. Chairman, the administration has asked Louisiana repeatedly to submit a housing plan, and we did that. This chart shows what Louisiana's housing needs are. We had severe destruction of our housing infrastructure in our State, and we have more than 100,000 housing units destroyed. This will cost over $100,000 billion to get this whole matter straightened out, along with other project losses back home.

What we are saying here is that we have a plan which we submitted to the White House, and we have had this plan looked at very closely. The agreement is that Louisiana has submitted a very solid plan for $4.2 billion for unmet needs in its housing reconstruction. Without housing, our city cannot rebuild. Without housing, there is no chance to bring our city back. And so we are saying today, Mr. Chairman, that without full funding we cannot meet the crucial needs to help our citizens rebuild their lives.

There is a move being made now to take the money out of the $4.2 billion to apply to Texas and perhaps some other places, and we say we need all of the $4.2 billion. We also have the $2 billion for Texas. We do not argue they do not need more help, but we do not need to have our money raided to take care of Texas or any other place.

By increasing the CDBG funding, we will allow the needs of Louisiana, Texas and other States to be met without short-changing the administration's commitment to Louisiana.

Mr. Chairman, you know firsthand the monumental housing crisis in Louisiana. Today, thousands of people are being evicted from hotels around the gulf region by FEMA with nowhere to turn. Thus, I implore my colleagues to support this amendment so that we can help these hard-working, earnest taxpayers in the gulf coast rebuild their lives and realign their futures.

Louisiana needs the full $4.2 billion to do that. Support my amendment to make Louisiana, Texas and the rest of the gulf coast region whole. I urge adoption of the amendment.

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

□ 2100

Mr. ROGERS of Kentucky. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, there is no doubt that the Community Development Block Grant Program needs more funding, however, this amendment would take $2 billion out of the Disaster Relief Fund, which is severely underfunded as it is, of the more than $35 billion in supplemental funds that we have provided to the Disaster Relief Fund for the recovery from Katrina, Rita and Wilma. As of March 8, only $3.7 million of that remains unallocated; and long term recovery, of course, is just getting underway.

The disaster fund is very volatile. Over the last month, weekly obligations have varied from $250 million to $1.1 billion. That is per week. The administration estimates the current balance of $3.7 billion in the disaster fund will only last us through the end of May as it is. If you take $2 billion out of that, there is not much left to last us in the disaster fund.

Now, if you take those monies out of the disaster fund, many of the authorized activities for which the States are expecting funding cannot be funded. And I am talking about the Stafford Act Recovery Programs in the gulf coast States' ability to respond to new disasters if they should occur. During the months ahead, funds are needed

primarily for the public assistance and mitigation programs in the gulf coast area.

Also, funding for the disaster fund, if it is less than $9.5 billion, would mean deferring or postponing, at least stopping momentarily, at least, public assistance projects like repairing roads, repairing water control facilities, public buildings and equipment, public utilities, park, recreational facilities and the like, all of that would have to stop.

So, Mr. Chairman, I urge that Members vote against this amendment. Not to say that the Community Development Block Grant Program does not need funds but this ain't the place to get it. So I urge a ''no'' vote.

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

Mr. JEFFERSON. Mr. Chairman, I appreciate what the gentleman has said, but he recognizes in his comments that there is $3.7 billion left unobligated of the money we have already authorized for FEMA. Everyone knows here that FEMA has not been a very good steward so far of the money we have provided to it. This is a way for FEMA to tighten its belt and to provide the folks the housing support they need back home; take care of Louisiana and Texas at the same time; and not hurt the FEMA programs, because everyone knows, as we have documented throughout our hearings and the rest, that FEMA has done a horrible job of managing the money. And even if it needs more, as the gentleman has said, there is $3.7 billion of the money we have already authorized, which is unobligated, which FEMA can have access to if they can prove a need for it. So I would move adoption of the amendment.

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

The Acting CHAIRMAN (Mr. CONAWAY). All time has expired.

The Chair understands the point of order that has been reserved has been withdrawn.

Mr. LEWIS of California. It has been withdrawn.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JEFFERSON).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. JEFFERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana (Mr. JEFFERSON) will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. JEFFERSON

Mr. JEFFERSON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. JEFFERSON of Louisiana:

Page 72, line 18, after the dollar amount insert the following: ''(increased by $1,900,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. JEFFERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. JEFFERSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer another amendment to meet the same objective for preserving the $4.2 billion for Louisiana, at the same time meeting the housing needs that have been expressed by the State of Texas of another $2 billion.

We get out there different under this amendment, as opposed to taking the money under the FEMA allocation which we have heard objection to, this adds money to the current asked for, requested appropriations of $1.9 billion to the $19.1 billion that is being asked for here, to add to that amount $1.9 billion.

The $1.9 billion, therefore, does not come out of the FEMA funds as the gentleman has objected to. If his argument are well taken, the FEMA fund stays intact. We do not touch it whatsoever. But out of the $3.7 billion, that is unobligated of the money that has already been appropriated for this purpose by this House, we take another $1.9 billion and provide that to Texas. The hope is that the HUD will provide that to Texas, take care of Texas' needs.

So we don't invade the FEMA money under this amendment. We simply add to the amount that came out of committee of $19.1 billion another $1.9 billion to provide the money that Texas needs to get this job done.

We have demonstrated a need for this project back home. We have taken great pains to provide a good plan. Our State has submitted it. It has been vetted by the White House folks. Here the plan is in my hand. It is a wonderful plan that is thoroughly vetted. It is technically perfect, I believe. It states the case well. We have made the case for our needs. We have not exaggerated them.

We have horrible needs back home. 220-something housing units destroyed back home that we need to have fixed up. And we cannot get our city back unless we have our housing infrastructure built back up. So we are urging this House, if it does not want to take the money from existing FEMA programs, take it from the $3.7 billion that is unauthorized, and appropriate, of the $3.7 billion, $1.9 billion to take care of this urgent need in our area.

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

The Acting CHAIRMAN (Mrs. DRAKE). Who seeks time in opposition?

Mr. ROGERS of Kentucky. Madam Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Could I propose a question to the offeror of the amendment? Are you proposing with this amendment to just simply add $1.9 billion to the Disaster Relief Fund?

Mr. JEFFERSON. Madam Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Louisiana.

Mr. JEFFERSON. I am saying that $3.7 billion unobligated of the money the House has already appropriated for disaster relief. I am saying out of the $3.7 billion, we should take $1.9 billion and add to the Community Development Block Grant appropriation. Yes, sir, that is what I am saying. So it is not coming up with the money that the House hasn't already approved. It is simply carving out of what is left, the $3.7 billion that is already left unallocated and unobligated, and obligating it to this purpose.

In this way, we hope to take care of both Texas and Louisiana's needs. And without shortchanging Louisiana, what we have demonstrated through some painstaking processes that money is needed to bring back housing in our State.

Mr. ROGERS of Kentucky. Reclaiming my time, as I understand it then, you propose to take $1.7 billion.

Mr. JEFFERSON. $1.9 billion.

Mr. ROGERS of Kentucky. $1.9 of the 3.7 that has not yet been allocated out of the disaster fund?

Mr. JEFFERSON. Yes, sir.

Mr. ROGERS of Kentucky. For the Community Development Block Grant Program?

Mr. JEFFERSON. Yes, sir.

Mr. ROGERS of Kentucky. So it is essentially like the last amendment but in different form?

Mr. JEFFERSON. It is not like the last amendment, except it is not take it from FEMA, which you objected to saying FEMA needed the money. We are now saying we aren't taking it from FEMA, we still have to take it from unobligated funds, to meet the needs of both Texas and Louisiana.

Mr. ROGERS of Kentucky. Madam Chairman, I yield to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. I oppose the amendment as well, Mr. JEFFERSON. The State of Louisiana has already received $6.2 billion in CDBG for reconstruction efforts. And yet, the State of Louisiana has yet to submit a plan for the funds, which is required by law.

HUD has been working with the State to craft a reasonable and rationale plan, and we hope to have a better idea of their needs and a recovery plan very soon.

In addition, we are providing an additional $4.2 billion in CDBG to further assist the gulf coast States affected by the hurricanes in 2005, and this includes Louisiana. I am confident that Louisiana will receive funds from this bill. And so, again, I repeat, I oppose the amendment on that basis.

Mr. ROGERS of Kentucky. Reclaiming my time, I also oppose the gentleman's amendment for the same reason that I said on the earlier amendment.

If you take these monies out of the Disaster Relief Fund, then you are saying to the gulf coast States that we will not have money to continue the Stafford Act Recovery Programs, which are vital to that region. You are saying there are not monies there for the public assistance and mitigation programs in the gulf coast area. You are saying that we will have to postpone the projects like repairing roads and water control facilities and public buildings and equipment, public utilities, parks, recreational facilities and the like.

So as much as I understand the gentleman's concern to get more money in the Community Development Block Grant Program, this would be, to coin a phrase, disastrous for the gulf coast region to take it away from the Disaster Relief Fund.

I oppose the amendment.

Madam Chairman, I reserve the balance of my time.

Mr. JEFFERSON. Madam Chairman, I yield myself such time as I may consume. I take issue with the remarks that have been made with respect to the devastating effect that this amendment would have on the recovery in the gulf coast region.

I understood somewhat the argument made earlier that to take money from FEMA would invade the public assistance projects. This money is, however, unobligated to any project in the gulf region. It is money that the Congress has simply appropriated which is unobligated. Consequently, we do not know what, if anything, FEMA is going to use the money for. So we argue here that Texas has already demonstrated a need for $2 billion, according to their calculations. We are saying that ought to be recognized and taken care of, but we have also demonstrated, we think, in our State, a need for $4.2 billion.

Here is the difference. It is true that Louisiana received $6.2 billion recently, and Mississippi received some number, 5.2 or whatever billion dollars as well. We, however, suffered 85 percent of the damage in this area. Mississippi suffered 15 percent of the damage. And nonetheless, we got a 54 percent share of the CDBG funds. Mississippi got 46 percent of the CDBG funds.

So we are saying we were well shortchanged of where we should have been. This is to make up for that, to fix the problems, to try to correct it. So we argue that of the $3.7 billion unobligated, it does not hurt one smidgeon of work that anyone has in mind for FEMA. This is not FEMA's money right now. It is not allocated for any purpose at all. It is available to be used for whatever good purpose we can find. I can tell you, this is a tremendously good purpose for our area. We need the money very substantially.

The President and his people have determined that we need $4.2 billion. Our plan which we do have here, which we have submitted to the White House, which they have vetted carefully, shows we need $4.2 billion. We simply are fearful that our money would not be vetted for this purpose, which the President wanted designated solely for Louisiana, which, under this bill, it is not.

And we recognize the needs of Texas. We want to help Texas. But at the same time, we do not want to hurt our own purposes. I urge adoption of the amendment.

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

Mr. ROGERS of Kentucky. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JEFFERSON).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. JEFFERSON. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana (Mr. JEFFERSON) will be postponed.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

Page 72, line 25, after the colon insert the following:

Provided further, That the factors used by the Secretary in distributing funds made available under this heading shall apply the most timely and accurate data available relating to all damages from such hurricanes and total numbers of relocated evacuees based on their current addresses rather than their addresses of record at the time of the storms, and, to the extent possible, the Secretary shall obtain information from the departments of insurance and tax appraisal records of States and consult and coordinate with the Bureau of the Census of the Department of Commerce to reestimate population, income, and other statistics when determining estimates for use in connection with amounts made available under this heading:

Mr. LEWIS of California. Madam Chairman, reluctantly I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 2115

Mr. BRADY of Texas. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I appreciate Chairman LEWIS and the hard-working members of the Appropriations Committee who are doing a difficult job trying to balance the needs of our war on terror as well as disaster recovery in the gulf coast.

This amendment seeks to do a simple thing, to require that the Secretary of Housing and Urban Development use the most accurate and timely data for making decisions on where the unmet needs are in the gulf coast for housing. What this says in effect is that the director shall apply the most timely and accurate data available relating to all damages from such hurricanes and the total number of relocated evacuees. In other words, rather than use the FEMA numbers, which are slow, often inaccurate and, in fact, do not track the evacuees from Katrina to other States, nor because Hurricane Rita occurred after Hurricane Katrina, many of the needs in Texas are still being applied for and have not yet registered. So, without this amendment, the HUD Secretary would be making important decisions on housing and repair and renovation without having a true, accurate picture of where the needs truly are.

I know that in Texas we have more than 75,000 homes that have been destroyed or damaged in Hurricane Rita, much of which are not yet in the system. The last decision that the HUD Secretary made, 98 percent of the money went to Louisiana and Mississippi, 1 percent to Texas. Yet Hurricane Rita actually landed a higher wind speed than Hurricane Katrina, wiped out much of East Texas, did billions of dollars of damage, and yet our people are still waiting for help in housing, repair and renovation. So this is simply an amendment to require accurate and timely data and should this not be allowed today.

I hope perhaps we can work with you, because I think we all want the Secretary to use the best picture of these very complicated hurricane issues.

Madam Chairman, I yield back my time.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, let me express my appreciation to the gentleman for his cooperation.

In the meantime, I must make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The Acting CHAIRMAN (Mrs. DRAKE). Does anyone wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this amendment includes language imparting direction. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

Page 73, line 15, after the colon insert the following:

Provided further, That not less than $2,000,000,000 from funds made available under this heading shall be used as provided under this heading only for the long-term recovery of areas that are housing victims of Hurricane Katrina who, at the time of the onset of such hurricane, were residents of States other than the State in which such area is located:

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Madam Chairman, I yield myself such time as I may consume.

Again, I thank Chairman LEWIS for your work on disaster relief.

The point of this amendment is to recognize that the money for disaster assistance ought to go with the victims. The fact of the matter is Hurricane Katrina caused tremendous devastation. I know that Texas is now hosting over 400,000 evacuees and educating nearly 40,000 students. We know other States are also opening their hearts and communities to these Katrina evacuees.

This amendment says that $2 billion from our Community Development Block Grant funds shall be made available for the victims of Hurricane Katrina who are living outside their home State. What we want to do is make sure that they have the housing, the social services, the workforce employment services, all those needs that go with them.

This amendment simply says that, as we have spent billions of dollars responding to Hurricane Katrina, that we not forget the victims of Hurricane Katrina who are in other States and who those communities are bearing the brunt of the expenses of hosting them and, in truth, as newspaper articles and studies reported today across the Nation show, that at the pace of recovery in Louisiana, these States, like Texas, will be host to our Katrina neighbors for many months, perhaps many years. It is important that we not punish the States and communities that open their hearts to these victims, that we not send them a bill that says, thank you for your generosity; here, pay for it, raise your taxes, bear the burden; we have no interest in you.

This amendment makes sure that the dollars follow the victims, the evacuees of Hurricane Katrina, and that we not punish the generosity of the surrounding States who did so much for our Katrina evacuees.

Ms. JACKSON-LEE of Texas. Madam Chairman, will the gentleman yield?

Mr. BRADY of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, let me just join Mr. BRADY in his analysis.

What we are talking about is people, not places, and that is that the funds be able to support the people wherever they are. And Texas is certainly not in any way rejecting the role that we have had the opportunity to play. In fact, we welcome it. But, frankly, it is quite necessary to provide the resources.

I will have a subsequent amendment on this very question; and I rise in support of Mr. BRADY's amendment so we can provide the resources where the people are until they return home, of which we are certainly supporting their desire to return home, but while they are where they are we believe these funds on education and housing are crucial.

Mr. BRADY of Texas. Madam Chairman, I yield back my time.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, because the gentleman from Texas (Mr. BRADY) is so cooperative and such a great friend, I hate to have to exercise my procedural responsibilities here, but, Madam Chairman, I make a point of order against the amendment because it provides appropriations for an unauthorized program and, therefore, violates clause 2 of rule XXI.

Clause 2 of rule XXI states in pertinent part, an appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Madam Chairman, the amendment proposes to appropriate funds for an earmark that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair will rule.

The amendment proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests with the proponent of the amendment. Because this burden has not been carried, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

Page 76, after line 20, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. (a) For the recovery, rebuilding, and relief of the State of Texas from the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000,000, to remain available until expended and to be allocated and administered by the Secretary of the Treasury and used only for the State of Texas as follows:

(1) For the costs of housing, social services, health care, and education for the residents of other States affected by the hurricanes who are temporarily residing in Texas.

(2) For the costs of recovery from damage caused by the hurricanes, including repair and construction of infrastructure and housing, debris removal, unreimbursed health care costs of evacuees, flood control and waterway repair, employment and labor services, public safety and security costs, and community and economic development activities.

(3) For such other related costs as may be necessary.

(b) The amounts otherwise provided in this Act for the following accounts are hereby reduced by the following amounts:

(1) ''Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs'' in chapter 6 of title I, by $1,380,500,000.

(2) ''Federal Emergency Management Agency—Disaster Relief'' in chapter 4 of title II, by $619,500,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Madam Chairman, I yield myself such time as I may consume.

The purpose of this amendment is to request $2 billion for Texas to help specifically 400,000 of the Hurricane Katrina evacuees who are in our communities, to assist the educational costs of the nearly 40,000 students who we are educating today, and in addition to Hurricane Katrina, help pay for the increased public safety and law enforcement costs that have emerged since being host to our Katrina neighbors.

For health care and mental health: $126 million. Services that have not been compensated again for their help.

For critical infrastructure repairs: $408 million. Because most of the Nation does not know that Hurricane Rita caused tremendous devastation, landed, as I have said before, at a higher wind speed than Hurricane Katrina, created more damage to the electrical grid than Hurricane Katrina, did more damage to the refinery capacity than Katrina, and did almost $1 billion of damage to our timber industry, which is our number one industry in most of the 22 counties directly affected by Rita.

This request, headed by our Governor, Rick Perry, of Texas, made on behalf of the entire Texas congressional delegation, also asks for $54 million for transportation, repair of our roads and bridges from Hurricane Rita, $59 million for navigation waterway repairs. That is because Hurricane Rita caused a damage to our waterways that will require dredging and a great deal of repair.

For our agriculture forestry and rural disaster assistance, $170 million,

because much of Texas that opened their hearts to Katrina are the rural communities that abut Louisiana. They were the ones who opened their shelters for the Katrina victims, opened them a second time for the evacuation of the Houston and gulf coast area, and then on the third big hit actually Hurricane Rita devastated their communities. These are small rural communities and should be commended for all that they have done. This $170 million helps them recover and rebuild their agriculture economy.

For social services, $125 million, mainly for the folks from Katrina but also for some of our dislocated Rita folks.

And then $186 million for community redevelopment, because our recovery is complicated by our Katrina guests. As you know, we have moved them out of hotels into the available housing units; and because Texas had over 75,000 homes damaged or destroyed by Rita, we both no longer have houses for our own families and no housing for the work recovery crews to allow us to get back on our feet.

This also requests $400 million to help pay for our schools who are educating our Katrina neighbors.

Again, we are thrilled to have them. We know if the situation were reversed their hearts and homes would be open to us, but we also know that should that occur that there would be a heavy burden on those other States. We want to make sure that our communities, many of them small, many of them without big budgets, who have done exactly the right thing, exactly the right thing with Katrina and are struggling to recover from their own hurricane, to make sure they are not left behind.

Ms. JACKSON-LEE of Texas. Madam Chairman, will the gentleman yield?

Mr. BRADY of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank Mr. BRADY very much.

Let me just share with my colleagues, you have heard it before, but within hours of when we got the call to open the Astrodome in Houston for the survivors, the Astrodome was opened with full medical care, volunteers and local resources. We would do it over and over again, because we know our neighbors would do it for us. But, at the same time, as we have integrated our Katrina survivors into our community, waiting to return home, we have opened schools. We have added a new mental health unit to the existing mental health facilities in Harris County; and, in fact, we know that right after that, as Mr. BRADY has indicated, Hurricane Rita came through and devastated a large part of East Texas.

So the combination of East Texas devastation and the impact in Houston and Dallas and other cities around the State, these dollars specifically would go to help the impacted States like Texas in helping to educate, provide health care and other resources.

So I support the gentleman's amendment. Again, his words are accurate. We would do it over and over again, but we have already done the necessary facilities and staffing without asking. We are simply asking now to help us as we continue the burden that we willingly accept.

□ 2130

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program, and thereby violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part:

''An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.''

Madam Chairman, the amendment proposes to appropriate funds for an earmark that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

The Acting CHAIRMAN (Mrs. DRAKE). Does any Member wish to be heard on the point of order? If not, the Chair will rule.

Mr. BRADY of Texas. Madam Chairman, I concede the point of order at this time.

The Acting CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I ask unanimous consent to offer out of order Brady of Texas amendment No. 1, which would normally come at the end of the bill.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. Is there objection to considering the amendment at this point?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

At the end of the bill (before the short title), insert the following:

SEC. ____. Of the funds appropriated under this Act under the heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT–COMMUNITY PLANNING AND DEVELOPMENT–Community Development Fund'', $400,000,000 shall not be available for expenditure until $400,000,000 is made available to carry out section 107 of title IV, division B of Public Law 109–148.

The Acting CHAIRMAN. A point of order has been reserved by the gentleman from Michigan.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Madam Chairman, I yield myself such time as I may consume.

While I recognize the difficulty in making in order these amendments because of the way the bill has been written, and rightly so, the purpose of this amendment is to recognize that we ought not stick our schools with the bill for educating our Katrina students.

Again, we have 47 States that are now educating students who fled Hurricane Katrina. Our State, our communities are educating almost 40,000 of them. These schools were the first ones to open their doors both as shelters, and then to try to provide some normalcy for these families who had nothing to go back to. The schools and the teachers, if you could have been there in Texas or in the other States to see what these schools did to embrace these families, you would know the importance that education has played in bringing some structure to these families from Louisiana and Mississippi.

Unfortunately, in our earlier funding, while we recognized the need to reimburse these schools, the number of students, almost 158,000 of them, this body was not able to provide the minimum funding for them. It looks like for this school year, we will come in somewhere less than $4,000, around $4,000, yet the minimal expense is $6,000 as authorized by Congress.

What this amendment does is, basically it does not cut money from any area, but simply reserves $400 million from Community Development Block Grant, it reserves that in abeyance until $400 million is provided to all the States that are housing our Katrina students.

I will tell you again, every State has done a remarkable job. I am very proud of Texas, very proud of southeast Texas and east Texas and these schools and what they have done. I just think it is wrong when they have very little money as it is to require them to perhaps raise taxes or take money from other vital programs in order to do the right thing for our Louisiana and Mississippi neighbors. We ought not treat schools and communities, I think, with such disdain.

This amendment is designed to raise the profile of our schools, to say thank you for the work that you are doing, and to attempt to provide some minimal reimbursement across the country for these schools for the work they are doing for our Katrina students.

Ms. JACKSON-LEE of Texas. Madam Chairman, will the gentleman yield?

Mr. BRADY of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I want to congratulate the gentleman for the approach he has taken. This is an amendment that covers schools across the Nation. I want to remind my colleagues that the Katrina survivors were evacuated to 44 States. Mr. BRADY is right. We share contiguous districts, with school districts that have willingly taken in students.

But as I said in the earlier debate, we have opened schools actually. We actually have new schools that welcomed children, Katrina survivors. We provided enhanced resources, counselors

to assist as well, and we do it willingly. What we are saying is that we are already suffering as it relates to public education in America. This instance provides added support for a particularly fragile situation and a necessary situation, and I support the gentleman's amendment.

Mr. BRADY of Texas. Again, I appreciate the work this Appropriations Committee has done to help provide reimbursement for schools. We are hoping to get for this school year that full funding to help them.

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

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill, and therefore violates clause 2 of rule XXI. The rule states in pertinent part:

''An amendment to a general appropriations bill shall not be in order if changing existing law.''

This amendment states a legislative condition, and I am asking for a ruling of the Chair.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

If not, the Chair will rule.

Mr. BRADY of Texas. Madam Chairman, while I may not agree, I concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

Mr. OBEY. Madam Chairman, I move to strike the last word.

I would simply like to make one observation. Scheduling of legislation is done by the majority party. I have, I think it is fair to say, given procedural cooperation every step of the way to see to it that before the House leaves for yet another recess, that we will finish this supplemental appropriation bill.

I am Irish, and French, and a few other things. And like a number of other people, I was invited to the Irish Embassy tonight because this is close to Saint Patrick's Day. I turned that invitation down because I knew that we would be here tonight having to work on this bill. And even though my own party had an event tonight, we have agreed to stay here and continue to work on this bill, and we are staying considerably later than we had first agreed to, but we are trying to finish these amendments so that Members can get out of here at a reasonable time tomorrow, hopefully late tomorrow afternoon instead of into the evening. That is why we are staying here late tonight.

Now I discover that there is one amendment that could have been offered tonight, but we are told that we can't offer it because the member of the Appropriations Committee on the majority side who wants to handle it is, guess where? At the Irish Embassy.

Well, I would simply suggest that I don't mind somebody else enjoying themselves, but I do suggest that if Members of the minority are expected to be here, if members of the Appropriations Committee on the minority side are expected to be here, I do think it is too much to ask that the party setting the schedule expect the same thing of Members on its side.

Mr. LEWIS of California. Madam Chairman, will the gentleman yield?

Mr. OBEY. I would be happy to yield to the gentleman from California. Well, no, I wouldn't be happy to, but I will.

Mr. LEWIS of California. I must say that the gentleman came over to this side to chat with me about this circumstance a while ago, and as I was listening, people keep buzzing other things in my ear. I thought he was making jest about the gentleman from Michigan, but he was talking about another gentleman who thinks he is more Irish than we are who may be elsewhere.

In the meantime, I told the gentleman that my mother's name is O'Farrell, and I am as disconcerted as he is. So I must say to the gentleman that I truly am sorry that you and I are not there together.

Mr. OBEY. Well, I am truly sorry we can't make as much progress on this bill tonight as I had hoped we would be able to make, but I find some of the reasons for that to be quite interesting.

And, Madam Chairman, I am going to ask unanimous consent that we might move to another amendment by Mr. MELANCON at the end of the bill.

Mr. LEWIS of California. If the gentleman will yield, I am happy to do that, but also, if you wanted to take up the other amendment, I would be glad to stand in for the other gentleman who is not here.

Mr. OBEY. We will wait until he is here.

AMENDMENT OFFERED BY MR. MELANCON

Mr. MELANCON. Madam Chairman, I ask unanimous consent to offer an amendment out of order.

The Acting CHAIRMAN. Is there objection to offering the amendment at this point?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MELANCON:

At the end of title III (before the short title), add the following new title:

TITLE IV—LOUISIANA HURRICANES AGRICULTURAL DISASTER RELIEF

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Louisiana Hurricanes Agricultural Disaster Relief Act of 2006''.

SEC. 4002. APPLICATION TO LOUISIANA PARISHES DESIGNATED AS DISASTER AREAS DUE TO HURRICANE KATRINA, HURRICANE RITA, OR RELATED CONDITIONS.

In this title, the term ''disaster parish'' means a parish in the State of Louisiana, all or a portion of which is included in the geographic area covered by a natural disaster declaration—

(1) made by the Secretary of Agriculture under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) due to Hurricane Katrina, Hurricane Rita, or related conditions; or

(2) made by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Katrina, Hurricane Rita, or related conditions.

SEC. 4003. CROP DISASTER ASSISTANCE.

(a) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture shall use $25,000,000 of the funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm in a disaster parish (other than producers of sugar cane) that have incurred qualifying crop or quality losses for the 2005 crop of an insurable commodity or noninsurable commodity due to Hurricane Katrina, Hurricane Rita, or a related condition. In the case strawberries, assistance under this section shall be available for the 2005 and 2006 crops for damages to such crops due to Hurricane Katrina, Hurricane Rita, or a related condition.

(b) ADMINISTRATION.—The Secretary of Agriculture shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

(c) INELIGIBILITY FOR ASSISTANCE.—Except as provided in subsection (d), the producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses;

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses;

(3) had adjusted gross incomes, as defined by section 1001D of the Food Security Act of 1985, of greater than $2,500,000 in 2004; or

(4) were not in compliance with highly erodible land conservation and wetland conservation provisions.

(d) CONTRACT WAIVER.—The Secretary of Agriculture may waive subsection (c) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(1) in the case of all insurable commodities produced on the farm for each of the next two crop years—

(A) to obtain additional coverage for those commodities under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section; and

(2) in the case of all noninsurable commodities produced on the farm for each of the next two crop or calendar years, as applicable—

(A) to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for those commodities

under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section.

(e) PAYMENT LIMITATIONS.—

(1) LIMIT ON AMOUNT OF ASSISTANCE.—Assistance provided under this section to a producer for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary of Agriculture.

(2) OTHER PAYMENTS.—In applying the limitation in paragraph (1), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(f) DEFINITIONS.—In this section:

(1) ADDITIONAL COVERAGE.—The term ''additional coverage'' has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) INSURABLE COMMODITY.—The term ''insurable commodity'' means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(3) NONINSURABLE COMMODITY.—The term ''noninsurable commodity'' means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 4004. SUPPLEMENTAL DIRECT PAYMENTS FOR COVERED COMMODITIES.

(a) PAYMENTS REQUIRED.—The Secretary of Agriculture shall make payments to producers on a farm eligible for direct payments for the 2005 crop of a covered commodity under section 1103 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913) if—

(1) the farm is located in a disaster county; or

(2) the producers on the farm have incurred qualifying crop losses with respect to the 2005 crop of a covered commodity due to damaging weather or related condition, as determined by the Secretary, using the same loss thresholds for the quantity and quality losses as were used in administering section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549, 1549A–55).

(b) AMOUNT.—The amount of the payment made to the producers on a farm under this section shall be equal to 100 percent of the amount of the direct payment the producers on the farm are eligible to receive for the 2005 crop under section 1103 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913).

(c) CROP INSURANCE.—As a condition of the receipt of a payment under this section, the producers on the farm shall enter into a contract with the Secretary of Agriculture under which the producers on the farm agree—

(1) in the case of the covered commodity and all other insurable commodities produced on the farm for each of the next two crop years—

(A) to obtain at least catastrophic risk protection coverage for those commodities under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section; and

(2) in the case of all eligible noninsurable commodities produced on the farm for each of the next two crop or calendar years, as applicable—

(A) to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for those commodities under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section.

(d) ADMINISTRATION.—For purposes of sections 1001 through 1001F of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.), payments received under this section shall be considered direct payments made to a person under subtitle A of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911 et seq.).

(e) RELATION TO OTHER ASSISTANCE.—A person that elects to receive payments under this section for a covered commodity is not eligible for crop disaster assistance under section 4003 for the same commodity.

(f) TIME FOR PAYMENT.—The Secretary shall make payments under this section as soon as practicable after the date of enactment of this Act.

SEC. 4005. SUGARCANE DISASTER ASSISTANCE.

(a) COMPENSATION FOR LOSSES.—In the case of first processors of sugarcane that operate in a disaster parish, or obtain sugarcane from a disaster parish, and that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)), the Secretary of Agriculture shall use the funds, facilities, and authorities of the Commodity Credit Corporation to make assistance available to such first processors, in the form of monetary payments or commodities in the inventory of the Commodity Credit Corporation derived from carrying out that section, to compensate producers and first processors for crop and other losses due to Hurricane Katrina, Hurricane Rita, or related conditions.

(b) ADMINISTRATION.—Assistance under subsection (a) shall be—

(1) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers, except with respect to a portion of the amount of total assistance described under subsection (c) necessary to compensate affected producers for individual losses experienced by such producers, including losses due to saltwater intrusion, flooding, wind damage, or increased planting, replanting or harvesting costs, which shall be transferred by the first processor to the affected producers without regard to contractual share arrangements; and

(2) made available under such terms and conditions as the Secretary of Agriculture determines are necessary to carry out subsection (a).

(c) AMOUNT OF ASSISTANCE.—To carry out subsection (a), the Secretary of Agriculture shall—

(1) convey to first processors described in subsection (a) 689,441 tons of commodities in the inventory of the Commodity Credit Corporation derived from carrying out section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(2) make monetary payments to the first processor in an aggregate amount equal to the domestic market value of the quantity of commodities specified in paragraph (1); or

(3) take any combination of actions described in paragraphs (1) and (2) using commodities or monetary payments.

(d) LOSS DETERMINATION.—In carrying out subsection (a), the Secretary of Agriculture shall use the same base year to determine crop loss that was elected by a producer to determine crop loss in carrying out the Hurricane Assistance Program authorized under section 207 of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108–7; 16 U.S.C. 3801 note).

(e) MARKETING RECOVERY ASSISTANCE.—Effective for the 2005 crop of a commodity eligible for a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) or until such time that the Secretary determines that the transportation, handling, and refining sectors are sufficiently recovered to allow for an orderly marketing of a crop of such commodity, the Secretary shall—

(1) not charge interest on a loan made under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(2) use such sums as are necessary of the funds of the Commodity Credit Corporation to pay storage, including any handling and associated costs, with respect to such commodity; and

(3) use such sums as are necessary of the funds of the Commodity Credit Corporation to compensate first processors for costs associated with transporting such commodity via tractor trailer to refineries located at New Orleans, Louisiana, or via ocean-going vessel to refineries located at Savannah, Georgia, Baltimore, Maryland, or Yonkers, New York.

(f) LIMITATION.—The Secretary of Agriculture shall provide assistance under subsections (a) and (e) only in a State described in section 359f(c)(1)(A) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(A)).

SEC. 4006. COMPENSATION FOR INFRASTRUCTURE LOSSES.

(a) INFRASTRUCTURE LOSSES.—Out of any funds in the Treasury not otherwise appropriated, there is appropriated to the Secretary of Agriculture, $40,000,000 to compensate agricultural producers on a farm operating in a disaster parish for costs incurred to repair or replace barns and other structures, equipment, and fencing that—

(1) was used to produce an agricultural commodity; and

(2) was damaged or destroyed by Hurricane Katrina, Hurricane Rita, or related conditions or in responding to the aftermath of the hurricanes.

(b) TIMING OF ASSISTANCE.—The Secretary of Agriculture may provide assistance authorized under this section in the form of—

(1) reimbursement for eligible repair or replacement costs previously incurred by producers; or

(2) cash or in-kind assistance in advance of the producer undertaking the needed repair or replacement work.

(c) PAYMENT LIMITATIONS.—Assistance provided under this section to a producer for a repair or replacement project, together with amounts received for the same project from insurance proceeds, section or other sources, may not exceed 95 percent of the costs incurred to repair or replace the damaged or destroyed structures, equipment, or fencing, as estimated by the Secretary of Agriculture.

SEC. 4007. ASSISTANCE TO DAIRY AND LIVESTOCK PRODUCERS.

(a) DAIRY CATTLE LOSSES.—The Secretary of Agriculture shall use $250,000 of funds of the Commodity Credit Corporation to make

payments for dairy cattle losses of dairy producers in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions. To the maximum extent practicable, the Secretary shall make assistance available under this subsection in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–51). A disaster parish so declared by the President as a result of Hurricane Katrina or Hurricane Rita in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) that does not qualify for assistance under this section shall be eligible for assistance in the same manner as provided in section 203 of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108–7; 16 U.S.C. 3801 note).

(b) INDEMNITY PROGRAM FOR OTHER LIVESTOCK LOSSES.—The Secretary of Agriculture shall use $11,000,000 of the funds of the Commodity Credit Corporation to carry out a livestock indemnity program to make payments to producers on farms in disaster parishes that have incurred livestock losses, not covered by subsection (a), due to Hurricane Katrina, Hurricane Rita, or related conditions. To the maximum extent practicable, the Secretary shall use the criteria established under the program referred to under the heading ''livestock indemnity program'' in chapter 1 of title I of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 59), except that the Secretary shall use a payment rate of $1,000 per head of cattle and shall not impose any limitation on the maximum amount of payments that a producer may receive under this subsection.

(c) DAIRY PRODUCTION LOSSES.—The Secretary of Agriculture shall use $5,000,000 of funds of the Commodity Credit Corporation to compensate dairy producers operating in disaster parishes for dairy production losses and dairy spoilage losses incurred in the aftermath of Hurricane Katrina or Hurricane Rita.

(d) LIVESTOCK COMPENSATION PROGRAM.—The Secretary of Agriculture shall use $5,000,000 of the funds of the Commodity Credit Corporation to carry out a livestock compensation program to make payments for livestock-related losses, not covered by subsection (b), in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions. To the maximum extent practicable, the Secretary shall use the criteria established under the program referred to in section 203(a) of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108–7; 16 U.S.C. 3801 note), except that the Secretary shall not impose any limitation on the maximum amount of payments that a producer may receive under this subsection.

(e) EMERGENCY ANIMAL HEALTH AND FORAGE COSTS.—The Secretary of Agriculture shall use $4,375,000 of funds of the Commodity Credit Corporation to compensate dairy producers operating in disaster parishes for emergency dairy cattle health costs and increased forage costs due to a 30- to 90-day delay in planning in the aftermath of Hurricane Katrina or Hurricane Rita.

SEC. 4008. ANIMALS COVERED UNDER LIVESTOCK ASSISTANCE PROGRAMS.

(a) INCLUSION OF HORSES UNDER ASSISTANCE PROGRAMS.—In carrying out a livestock assistance, compensation, or feed program, the Secretary of Agriculture shall include horses within the definition of livestock covered by the program.

(b) EMERGENCY LIVESTOCK FEED ASSISTANCE.—Section 602(2) of the Agricultural Act of 1949 (7 U.S.C. 1471(2)) is amended—

(1) by inserting ''horses,'' after ''bison,''; and

(2) by striking ''equine animals used for food or in the production of food''.

(c) LIVESTOCK ASSISTANCE PROGRAM.—Section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–51), is amended by inserting ''(including losses to elk, reindeer, bison, and horses)'' after ''livestock losses''.

(d) LIVESTOCK PRODUCER ASSISTANCE.—Section 10104(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1472(a)) is amended by striking ''and bison'' and inserting ''bison, and horses''.

(e) LIVESTOCK ASSISTANCE PROGRAMS.—Section 203(d)(2) of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 541) is amended by striking ''and bison'' and inserting ''bison, and horses''.

(f) APPLICABILITY.—This section and the amendments made by this section apply to losses resulting from a disaster that occurs on or after August 28, 2005. This section and the amendments made by this section do not apply to losses resulting from a disaster that occurred before that date.

SEC. 4009. ASSISTANCE FOR DOMESTIC AQUICULTURE PRODUCERS.

The Secretary of Agriculture shall use $45,000,000 of funds of the Commodity Credit Corporation to carry out a program to make payments to producers for the loss of crawfish, turtles, and other aquacultural commodities in disaster parishes.

SEC. 4010. EMERGENCY CITRUS DISASTER, NURSERY CROP AND CHRISTMAS TREE DISASTER, AND STRAWBERRY, HORTICULTURAL CROPS, FALL FRUITS AND VEGETABLES DISASTER PROGRAMS.

(a) PROGRAMS REQUIRED.—The Secretary of Agriculture shall transfer to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), $45,000,000 of funds of the Commodity Credit Corporation to carry out a Citrus Disaster Program, Nursery Crop and Christmas Tree Disaster Program, and Strawberry, Horticultural Crops, Fall Fruits and Vegetables Program in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions.

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the disaster programs required by subsection (a) shall be carried out by the Secretary of Agriculture in the same manner as the special disaster relief programs carried out for producers who suffered from crop damage and tree losses, and who had to perform related cleanup, in certain areas of Florida due to Hurricanes Charley, Frances and Jeanne during August and September 2004. Because of the complete destruction of the business records of many producers, the Secretary shall use the best available information in determining eligibility, determining losses, and calculating payment amounts under the programs.

(2) SPECIAL ACREAGE COMPENSATION AMOUNT FOR CITRUS LOSSES.—Because of the complete loss of the Louisiana citrus crop due to Hurricane Katrina and Hurricane Rita, the Secretary shall use only Tier 1 of the Florida Citrus Disaster Program in administering the Citrus Disaster Program required by subsection (a), and the per acre compensation for crop loss and associated tree damage in eligible groves of citrus shall be $9,023 rather than $1,500.

(3) SPECIAL LOSS THRESHOLD AND PAYMENT RATE FOR HORTICULTURAL CROPS.—In the case of the Strawberry, Horticultural Crops, Fall Fruits and Vegetables Program required by subsection (a), the Secretary shall cover losses greater than 35 percent, rather than 50 percent, and use a single payment rate of $2,500 per acre for planted fruits and vegetables.

(4) SPECIAL PAYMENT RATE FOR SEVERE NURSERY CROP LOSSES.—In the case of nursery crop losses of greater than 25 percent under the Nursery Crop and Christmas Tree Disaster Program required by subsection (a), the Secretary shall pay 75 percent of the actual dollar amount loss, rather than 25 percent.

(5) PAYMENT LIMITATIONS.—The Secretary shall not impose any limitation on the maximum amount of payments that a producer may receive under a program required by subsection (a).

(c) RELATION TO OTHER ASSISTANCE.—Persons that receive payments from section 32 of the Act of August 24, 1935, pursuant to a disaster program required by subsection (a) are not eligible for payments for qualifying crop or quality losses under the general crop disaster assistance authority of section 4003.

SEC. 4011. CONSERVATION PROGRAMS.

(a) TEMPORARY SODBUSTER AND SWAMPBUSTER WAIVER.—Subtitles B and C of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) shall not apply in a disaster parish during the two-year period beginning on the date of enactment of this Act.

(b) DEBRIS REMOVAL.—The Secretary of Agriculture may use the Natural Resources Conservation Service to conduct debris-removal activities on non-Federal forest land, with the permission of the owner of the land, in a disaster parish to reduce the risk of future catastrophic wildfires that would adversely affect watersheds and rural communities.

(c) ADDITIONAL EMERGENCY WATERSHED PROTECTION PROGRAM FUNDS.—The Secretary of Agriculture shall use an additional $269,000,000 of the funds of the Commodity Credit Corporation for the Emergency Watershed Protection Program to provide additional funds for the repair of damages to waterways and watersheds in disaster parishes resulting from Hurricane Katrina or Hurricane Rita.

(d) ADMINISTRATIVE EXPENSES.—Amounts made available under subsections (c) and (d) shall be available to cover the salaries and expenses of additional staff of the Department of Agriculture hired or detailed to carry out this section.

SEC. 4012. TREE ASSISTANCE PROGRAM.

(a) INCLUSION OF TIMBER, CHRISTMAS TREE, AND PECAN CROPS.—In administering the tree assistance program established under sections 10201 through 10204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.), the Secretary of Agriculture shall provide $37,000,000 to forest land owners who produce periodic crops of timber, Christmas trees, or pecans for commercial purposes and who have suffered tree losses in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions

(b) COST-SHARING WAIVERS.—

(1) TREE ASSISTANCE PROGRAM.—The cost-sharing requirements of section 10203(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8203(1)) shall not apply to the operation of the tree assistance program in disaster parishes in response to Hurricane Katrina, Hurricane Rita, or related conditions.

(2) COOPERATIVE FORESTRY ASSISTANCE ACT.—The cost-sharing requirements of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101) shall not apply in disaster parishes during the two-year period beginning on the date of enactment of this Act.

(c) RELATION TO OTHER ASSISTANCE.—Persons that receive payments from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c),

pursuant to the Citrus Disaster Program required by section 4009 are not eligible for payments under the tree assistance program.

(d) ADDITIONAL STATE AND PRIVATE FORESTRY PROGRAM FUNDS.—The Secretary of Agriculture shall use an additional $42,000,000 of the funds of the Commodity Credit Corporation to support State and Private Forestry programs of the Department of Agriculture to provide additional funds for the restoration and rehabilitation of forest lands destroyed or damaged by Hurricane Katrina or Hurricane Rita in disaster parishes.

SEC. 4013. ADDITIONAL FUNDS FOR COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE.

The Secretary of Agriculture shall use an additional $34,193,591 of the funds of the Commodity Credit Corporation to support the research and education activities of the Cooperative State Research, Education, and Extension Service in disaster parishes. Of such amount, $9,060,000 shall be made available to the Louisiana Agricultural Experiment Station, $10,133,591 shall be made available to the Louisiana Cooperative Extension Service, and $15,000,000 shall be made available to the Louisiana State University Agricultural Center to carry out the Hurricane Forestry Damage Research Initiative.

SEC. 4014. WATER AND WASTE DISPOSAL LOAN AND GRANT PROGRAMS.

In the case of water or waste disposal grants or direct or guaranteed loans under paragraph (1), (2), or (24) of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) made in an area designated a major disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), section 343(a)(13)(B) of that Act and section 149(b) of the Internal Code of 1986 shall not apply.

SEC. 4015. COMMUNITY FACILITIES LOAN AND GRANT PROGRAMS.

(a) IN GENERAL.—In the case of community facility direct and guaranteed loans under section 306(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(1)) and community facility grants under paragraph (19), (20), or (21) of section 306(a) of that Act made in an area designated a major disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), sections 306(a)(21)(A)(iv) and 343(a)(13)(C) of that Act and section 149(b) of the Internal Code of 1986 shall not apply.

(b) RESTRUCTURING.—A borrower receiving a guaranteed loan or grant described in subsection (a) as of the date of enactment of this Act may restructure the loan at new rates and terms regardless of the status of the loan.

(c) REDUCTION OF GUARANTEE FEE.—Notwithstanding any provision of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) (including associated regulations), the Secretary of Agriculture may waive all or part of any fee associated with a guaranteed loan described in subsection (a).

SEC. 4016. RURAL COMMUNITY ADVANCEMENT FUNDS.

(a) IN GENERAL.—Subject to subsection (b), in addition to any other amounts made available by law, the Secretary of Agriculture shall use—

(1) $120,000,000 to make water and waste disposal direct loans under section 306(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(1));

(2) $60,000,000 to make water and waste disposal grants under section 306(a)(2) of that Act (7 U.S.C. 1926(a)(2));

(3) $10,000,000 to make water and waste disposal guaranteed loans under section 306(a)(24) of that Act (7 U.S.C. 1926(a)(24));

(4) $20,000,000 to make emergency community water assistance grants under section 306A of that Act (7 U.S.C. 1926a);

(5) $120,000,000 to make community facilities direct loans under section 306(a)(1) of that Act (7 U.S.C. 1926(a)(1));

(6) $60,000,000 to make community facilities grants under paragraph (19), (20), or (21) of section 306(a) of that Act (7 U.S.C. 1926(a)); and

(7) $20,000,000 to make community facilities guaranteed loans under section 306(a)(1) of that Act (7 U.S.C. 1926(a)).

(b) REQUIREMENT.—Loans and grants funded under this section shall be available for projects in communities in the State of Louisiana in areas that have been designated as major disaster areas by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 4017. FISHERIES DISASTER ASSISTANCE.

The following amounts are appropriated for the National Oceanic and Atmospheric Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006:

(1) FISHERIES DISASTER ASSISTANCE.—In addition to amounts appropriated or otherwise made available for such purpose, $248,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries for direct grants to Louisiana harvesters and vessel owners to provide replacement of the dockside values for all fishery resources in fisheries impacted by Hurricane Katrina and Hurricane Rita. The Secretary of Commerce shall make such amount available to the Louisiana Department of Wildlife and Fisheries not more than 30 days after the date of enactment of this Act and may not expend more than 2 percent of such amount for administration, technical assistance, and operation related to such grant.

(2) MENHADEN FISHERIES RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $14,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries for direct grants to Louisiana harvesters and vessel owners to provide replacement for the dockside values for the menhaden fisheries impacted by Hurricane Katrina and Hurricane Rita.

(3) LOUISIANA OYSTER RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $30,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Oyster Task Force and the Louisiana Department of Wildlife and Fisheries for the complete rehabilitation of public oyster reefs under the jurisdiction of Louisiana that were impacted by Hurricane Katrina and Hurricane Rita. Of such amount, $1,000,000 shall be made available for oyster hatcheries in Louisiana, and $8,000,000 shall be made available for oyster lease resurveying and oyster lease boundaries and for oyster lease equipment and facilities.

(4) FISHERIES INFRASTRUCTURE RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $268,000,000, to remain available until expended, for the establishment of strategically located emergency fisheries infrastructure facilities to provide the dockside infrastructure required for the delivery of fish products to market in all fisheries impacted by Hurricane Katrina and Hurricane Rita.

(5) LOUISIANA MARINE RESEARCH RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $14,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries for the replacement of coastal and marine research facilities impacted by Hurricane Katrina and Hurricane Rita.

(6) SEAFOOD MARKETING.—In addition to amounts appropriated or otherwise made available for such purpose, $35,000,000, including $1,500,000 for the Louisiana Oyster Task Force, to remain available until expended, for a direct, lump-sum grant to the Louisiana Seafood Promotion and Marketing Board to rebuild markets for seafood products in fisheries impacted in Hurricane Katrina and Hurricane Rita.

(7) LOUISIANA LICENSE RENEWAL.—In addition to amounts appropriated or otherwise made available for such purpose, $16,500,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries to provide license renewal fees for commercial or recreational fishing license holders and to provide oyster lease rent or renewal fees.

(8) FISHERIES HABITAT.—In addition to amounts appropriated or otherwise made available for such purpose, $10,000,000, to remain available until expended, to restore and rehabilitate marsh, nursery habitat for fish, shrimp, and crabs in Louisiana.

(9) SEVERE WEATHER FORECASTING AND WARNING.—In addition to amounts appropriated or otherwise made available for such purpose, $4,000,000, to remain available until expended, for the National Weather Service to ensure continued weather forecasting services in areas that could be impacted by hurricanes and other severe coastal weather events, including floods. Such funds should be made available to the South Regional Weather Center for hurricane forecasting and data delivery during an emergency.

(10) LOUISIANA STATE UNIVERSITY HURRICANE CENTER.—In addition to amounts appropriated or otherwise made available for such purpose, $5,000,000, to remain available until expended, to implement an emergency response decision support system and expert guidance that is capable of rapid deployment to support emergency response and recovery activities, including scalable hurricane response capabilities, in-place resources and readiness, integrated modeling and information delivery systems, pre-defined inventories of domain experts and resources, and an infrastructure that may be adopted in all regions of the Eastern United States that are impacted hurricanes and the Caribbean region. Such system shall be integrated with Federal and State response planning and shall be developed in cooperation with universities in Louisiana.

SEC. 4018. WAIVER OF FEDERAL FISHERIES LAWS AND REGULATIONS.

The Secretary of Commerce shall waive the provisions of any Federal law or regulation that requires the protection of endangered or otherwise protected species in the immediate waters impacted by Hurricane Katrina and Hurricane Rita. Such waiver shall be effective for a 1-year period beginning on a date determined by the Secretary, in consultation with the head of the Louisiana Department of Wildlife and Fisheries.

SEC. 4019. EXEMPTION OF MOLLUSCAN SHELLFISH CULTURE ACTIVITIES.

Section 9 of the National Aquaculture Act of 1980 (16 U.S.C. 2808) is amended by adding at the end the following:

''(c) EXEMPTION FOR MOLLUSCAN SHELLFISH CULTURE ACTIVITIES.—Molluscan shellfish culture activities are not prohibited by or otherwise subject to regulation under—

''(1) section 10 of the Act of March 3, 1899 (chapter 425; 33 U.S.C. 403), popularly known as the Rivers and Harbors Appropriations Act of 1899; and

''(2) section 301(a), 402, or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1311(a), 1342, 1344).''.

SEC. 4020. REGULATIONS.

(a) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary of Agriculture shall use the authority provided under section 808 of title 5, United States Code.

SEC. 4021. EMERGENCY DESIGNATION.

Amounts provided pursuant to this title or amendments made by this title 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.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. MELANCON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. MELANCON. Madam Chairman, I rise today with an amendment that deals with an area that was completely left out during the disaster assistance to date, and that is agriculture and fisheries. The gentleman from Texas talked about Texas and the damage to its agriculture, to its forestries, to its fisheries, to its housing stock. He mentioned 70,000 homes devastated or damaged in Texas. Katrina left 268,000 homes devastated or damaged in Louisiana.

I am not trying to make a comparison, I am just trying to make the point that the devastation in Louisiana was beyond description, beyond what anyone could comprehend without physically being on the ground and seeing what has happened in Louisiana, Mississippi, Texas, and Alabama.

But we have got another problem in Louisiana. We have over $2 billion worth of forestry, fisheries and agriculture that have been destroyed and damaged. The infrastructure is gone. These numbers are based on estimates of damage from the LSU Ag Center, and I have a list of those crops and such, if any of the Members would wish to review it.

While many in Congress and the administration continue to put out figures where assistance has been provided, we have had roughly $87 billion that has been appropriated. Of that $87 billion, I dare to venture that 50 percent, or maybe even less, has hit the area, at least in Louisiana. And that $87 billion that continues to be touted as spent on damage for the hurricanes, Rita and Katrina, somewhere between Washington and Louisiana, Mississippi, Alabama, Texas and, for that matter, Florida, with Wilma, the money has not reached the people that everyone believes it was intended to reach. There are a lot of contractors making a lot of money, and there is a lot of people that have had contracts with companies that had not even started that are getting contracts.

So no direct assistance has been provided to agriculture, forestry, fisheries in Louisiana and, to my knowledge, other than oysters getting some funding, they have been shortchanged.

The bankers at Christmas were asking the farmers in Louisiana what might the Congress do and the administration do to help them. For, you see, these farmers were meeting with their bankers, who were telling them that they can't loan them the money unless they know that they are going to have some help from their government. So with that, we will be folding up rural Louisiana, the agriculture community, the fisheries community, and the forestry community, those items that drive the economies in south Louisiana.

I had asked for a waiver yesterday. And, Mr. Chairman, as you are aware, I didn't receive it. But I felt compelled to come to the floor, as I did earlier. I believe that this Congress does not comprehend the extensive enormity of the disaster, as I keep hearing from Members.

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I would like to again invite every Member of this Congress that has not put a foot in Louisiana or Mississippi to come to see, to understand, to talk to the people that have been devastated.

They are in Texas, too. They are in Alabama and Florida. But the devastation that we have experienced is crippling to our State.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN (Mrs. DRAKE). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 73, line 10, after the dollar amount insert ''(increased by $800,000,000)''.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I yield myself such time as I may consume.

I rise to discuss the amendment that I hope my colleagues will give adequate consideration. The amendment is a simple one. It simply intends to add $800 million to the amount of moneys to be utilized for the repair and construction and rehabilitation of rental properties in the impacted areas.

I am hoping that as my colleagues listen to some of the, if you will, concerns that we have regarding housing assistance in the region and the flexibility we are asking for they would see the legitimacy of increasing the $1 billion to $1.8 billion. Rental housing impacts people, and people are what are left in the gulf region, not structures, not apartment buildings, but people. People who are without trailers and, in many instances, without rental properties.

Many people would like to get into and repair their homes, but the easier property to repair and reconstruct would be the rental properties controlled by HUD. The impacted areas cover Mississippi, Louisiana and Texas. For those of us who have been in the region, we know that the region can be declared a war zone. The damage is expansive.

I have walked along the streets of HUD projects, housing developments in disrepair, empty, needing repair so people could return. This is so in East Texas, Port Arthur, Beaumont and areas where Hurricane Rita traveled, and it certainly has risen its face in the Gulf region and in Mississippi.

I want to say to my colleagues that I appreciate the generosity and the, if you will, insight of the ranking member and chairman of the full committee and of the subcommittee dealing with housing and the $4.2 billion and the ceiling, if you will, or the floor of $1 billion. But this amendment goes to the expansiveness of the devastation and the need for rental assistance and reconstruction.

Frankly, I think it is important to note that the $1.8 billion is not too much and does not disallow flexibility of the remaining dollars.

I would hope if it was not necessary to use $1.8 billion, this particular dollar amount would not need to be utilized, and that is because the language says ''not less than.'' I hope that my colleagues would support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Madam Chairman, I yield myself such time as I may consume.

Madam Speaker, the gulf States are free to use any of the CDBG funds for

low-income housing. They can use all of the $4.2 billion, or even all of the $11.5 billion that we provided last year. What we are trying to do is provide the maximum amount of flexibility, flexibility just as we did for New York City after 9/11 but still preserve the low-income housing. This is all very, very important for the Governors.

In my view, we have already struck a good balance between flexibility and housing, while still allowing other development activities such as water and sewer construction business, development of transportation planning and debris removal, which is a big, big thing, as you know. We have allowed those things to go on.

I thank the gentlewoman for her interest, but I ask for a ''no'' vote.

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

Ms. JACKSON-LEE of Texas. Madam Chairman, I yield myself the balance of my time.

Madam Speaker, I appreciate the spirit in which the gentleman has offered his rebuttal. I realize these dollars go specifically to reconstruction repair, but might I just use an anecdotal story to show that housing reconstruction repair and rental assistance is really a large chunk of the need in the gulf coast because people do not have housing.

Frankly, just as anecdotal story, for the City of Houston, even in apartments that we have been able to utilize, isn't it interesting that we cannot even get moneys paid to landowners, apartment owners, for the renters who are on the premises who are Hurricane Katrina survivors.

It is a slightly different issue, but it shows the magnitude of the housing need. The 200,000 individuals that are in the Houston area are mostly in rental property, and much of it would be subject at some point to repair and reconstruction. The point of this increase is to highlight the need for rental housing in the devastated areas and to somehow seek some flexibility to be able to use dollars for rental assistance.

I would ask Mr. KNOLLENBERG and certainly the chairman of the committee to recognize that this should be the beginning of our work and not the end. Frankly, my plea is to provide rental assistance dollars, because we are getting inadequate response from FEMA.

My amendment was offered to provide the increase because rental housing overall is needed, but the specific need obviously is rental assistance and its payments.

Madam Chairman, I seek to withdraw the amendment; and I look forward to further opportunity to ensure that the City of Houston and other cities similarly situated would allow for us to be able to get rental assistance and payment for those 200,000 who are living in rental properties through our city and throughout East Texas and other areas.

Madam Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, lines 3 through 8, strike ''the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that'' and ''unless the Secretary otherwise makes a finding of compelling need''.

Mr. KNOLLENBERG. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, let me suggest that I respect the good intentions of this waiver language. I understand that it addresses the question of flexibility, but, frankly, I believe that it should be the other way around. That, in fact, if the Secretary believes that there needs to be more dollars to be utilized for other income levels other than low and moderate, then the Secretary needs to make a compelling need request.

These moneys were designated for low and moderate income. That is the bulk of the impact in the gulf coast region where the dollars are needed. My fear is, with the ability to waive utilization of these funds for low and moderate income, we will find these funds being utilized for economic development projects, putting in various extraneous matters that do not address the question of human needs.

This amendment simply says, let us get ourselves focused, let us get back on the point, let us realize that the devastating impact is impacting mostly people who have lost everything and fall into the category of low and moderate. Therefore, I feel there would be little reason to have to seek a waiver in the first place because the need is pointed. It points to a certain income, and those were the most devastated.

We realize there are other issues dealing with insurance where those individuals who had insurance are now in conflict with insurance companies who are denying them their insurance recovery. That is one issue. But people who have lost everything mostly have fallen into the category of low and moderate income. These dollars should be directed toward that body of people and not directed elsewhere, therefore, taking away important dollars for helping to rebuild the gulf coast.

Just walk down in the area, travel through the areas of Mississippi and Louisiana, visit some of the eastern parts of Texas, and you will find that the language that exists that deals with low and moderate income is the appropriate language that will serve the housing and other infrastructure needs of those who have been devastated along the gulf coast. To allow waiver opportunity for the Secretary to change that formula and to begin to use it for many, many other aspects will take it away from the rebuilding and reconstruction of that area. I ask my colleagues to support my amendment.

Madam Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, our intent was to provide funds with the maximum flexibility to help all the people in the affected gulf coast region. This is really again an issue for the Governors of the affected States. The Secretary does not implement these plans. The Governors create the plans, and they also spend the money. Our language does not allow the Secretary to provide a blanket waiver of the low and moderate income provision. He must give notice of the waiver and explain why he granted such a waiver.

□ 2200

I would urge a ''no'' vote on this amendment. I recognize the gentlewoman is very much an advocate of emphasizing and focusing on the low income, and I appreciate that. But what we need to do is to let the States use these funds in the way that will best rebuild the devastated areas.

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

Ms. JACKSON-LEE of Texas. Madam Chairman, I yield myself such time as I might consume.

We can see that we are having enormously genteel dialogue here, Madam Chairman. Again, I respect the argument of the flexibility being offered by way of the States. I guess I speak very passionately from what I have seen day-to-day in our local communities, our cities, and the impact that they have experienced in not getting the dollars that are necessary to provide the engine to their local economy as they play host, willingly, of course, to thousands of survivors, including those who are impacted by Rita. I believe those dollars should be focused on low and moderate income and frankly, when necessary, then the waiver should be from the ground up, rather than top down. And so I would ask my colleagues to support this amendment.

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

The Acting CHAIRMAN (Mrs. DRAKE). The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

Ms. JACKSON-LEE of Texas. Madam Chairman, I would like to ask for the yeas and nays.

The Acting CHAIRMAN. The gentlewoman's request is not timely.

AMENDMENT OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TAYLOR of Mississippi:

Page 65, line 10, after the dollar amount, insert the following: ''(increased by $15,890,000)''.

Page 65, line 24, after the dollar amount, insert the following: ''(increased by $40,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Mississippi (Mr. TAYLOR) and the gentleman from California (Mr. LEWIS) each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Madam Chairman, may I ask the Clerk to read the amendment? It is a very short amendment.

The Acting CHAIRMAN. Without objection, the amendment shall be read.

There was no objection.

The Clerk read the amendment.

Mr. TAYLOR of Mississippi. Madam Chairman, the President of the United States came to Bay St. Louis, Mississippi about a month ago. He stood on the floor of the gymnasium at Saint Stanislas High School and made a solemn pledge to the people of Mississippi that he would repair every Federal installation to pre-Katrina standards. In this supplemental request that he sent to Congress, the President seeks to fulfill a part of that pledge by rebuilding the commissaries at Keesler Air Force Base, and at the Navy Construction Battalion in Gulfport, Mississippi. The funds he requested would get them back to their pre-Katrina standards.

It is my understanding that in committee, there were some concerns expressed that because these are normally MWR funds, that there was not a precedent for appropriated funds being used to repair MWR facilities. I have provided to both the majority and the minority a lengthy list of precedents where appropriated funds have been used on military installations to repair MWR facilities.

I also understand that there were concerns about the authorization for this. Again, on the publications that I have given to both the majority and the minority, we point out Title 10 USC, 2854, it authorizes appropriated funds to ''repair, restore or replace'' facilities damaged or destroyed by acts of God, natural disasters, fire or terrorism, even MWR facilities normally constructed with non appropriated funds which was incorporated in DOD policy, DOD 1015.10.

Madam Chairman, since, again, this is the President's request, it is for facilities that were clearly destroyed by an act of God at the end of August of 2005, that we have fulfilled the requirements of the committee to show that again, there was precedent for this, it is authorized, it is the President's request and, quite frankly, the people who shop at that commissary, up to 20,000 young airmen, tens of thousands of military retirees who paid their dues in Korea, in Vietnam. Some of our World War II veterans still shop there, Gulf War veterans shop there, and it is only trying to do for them what was promised to them. They have made due with a very, very small commissary that the base has funded with one of these small appropriations since the storm. We are trying to put the base back like it was. The base was spared in the BRAC rounds. It is actually going to grow a bit as a result of BRAC. And so for any number of good reasons, we are put trying to put this back, the appropriations sought by the President back in this bill.

Madam Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Madam Chairman, the Air Force and the Navy together requested $55.9 million for base exchange projects at Keesler Air Force base, and the Naval Construction Battalion Center Gulfport in Mississippi. The request for Keesler was $40 million. The request for two projects at Gulfport, $15.9 million. The committee has not included funding for these facilities. Base exchanges, including construction, are typically resourced through non appropriated funds. The exchanges use their sales revenue to fund their operations as well as their capital costs.

Congress provided $3.8 million to construct a temporary exchange at Keesler in December in the December supplemental. But now we are being asked to build a permanent facility at over 10 times that cost.

The committee is concerned about setting a precedent for using military construction funds for exchanges. We have been told that the Army and Air Force Exchange Service has a $251 million capital budget for Fiscal Year 2006, and the Navy Exchange has a capital budget of $68 million. We believe that they should first look to their capital budgets to prioritize and fund these projects.

The committee is also concerned about the exchanges policy of self insuring these facilities. This means that when a disaster happens, like Hurricane Katrina, a fire and so forth, the taxpayers will be forced to foot the bill. That is why we had directed the Department of Defense to take a hard look at the possibility of privately insuring these facilities. We don't tell AAFES or NEX what to do with their non appropriated funds. But we are concerned about them passing on these risks and costs to taxpayers. The committee will continue to take a look at this issue as we go into conference with the Senate. But at this point, I must oppose the gentleman's amendment. I very much appreciate the gentleman's cooperation and would appreciate his further cooperation.

I yield back the balance of my time.

Mr. TAYLOR of Mississippi. Madam Chairman, again, I appreciate, number one, both the majority and the minority giving me the opportunity to bring this amendment up tonight. To the point that the chairman raised, I have served on the authorizing committee for about 16 years now. In the span of that 16 years, I don't ever recall a request from our colleagues on appropriation to pass language to either force or encourage the commissaries to be self-insured. And I think I am pretty keen on this issue and I am pretty confident in saying we have never received a request from your committee to do that. So now that the President is willing to make this commissary whole, that obviously the need is there, that it was indeed an act of God, that it is authorized, I find it strange that at this time Keesler Air Force base and AAFES would be punished for not fulfilling a request that they never got.

On the other hand, I think we could fulfill requirements of the President's request, fulfill what is best for AAFES, fulfill what is best for the airmen, for the retirees and the active duty personnel. The people who flew the missions into the hurricane shop at this commissary. People who fly missions in Iraq shop at this commissary. It is a part of their compensation that was promised. It is a part of the compensation that has been denied.

Anyone who has visited Mississippi gulf coast knows that the shopping opportunities in the private sector have been greatly diminished as a result of the storm. So you can't say just go out in town, because in the case of Waveland, Mississippi, in the case of Bay St. Louis Mississippi, Long Beach, Mississippi, Pass Christian, Mississippi, those stores are no longer there. So for all of those reasons, I would encourage my colleagues to put back the money that the President has asked for.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. TAYLOR of Mississippi. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR) will be postponed.

□ 2215

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I ask unanimous consent to

now call up the election amendment regarding gulf coast elections.

The Acting CHAIRMAN (Mrs. DRAKE). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill, and before the short title, insert the following:

SEC. 3013. None of the funds made available by this Act may be used to prohibit registered and legal, but displaced, residents of the Gulf Coast region from the right to legally vote in any officially designated election of the Gulf Coast region.

Mr. WOLF. In the interest of time, if this is the one with regard to the election, we accept the amendment.

Ms. JACKSON-LEE of Texas. Madam Chairman, if I may have a moment of explanation, I thank the gentleman for his acceptance.

The Acting CHAIRMAN (Mrs. DRAKE). Pursuant to the order of the House today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the distinguished Chair. I thank also the chairman of the subcommittee, Mr. WOLF, for his generosity.

Let me just be brief, but also be very pointed. We have a number of difficulties in the gulf region, for many of us who serve on the Homeland Security Committee had the opportunity to travel on several occasions to the region, most recently, with Speaker HASTERT and Leader PELOSI, and heard a number of concerns. One of the major concerns, of course, was the pending election in New Orleans, Louisiana, on April 22, dealing with a number of challenges to ensure, one vote, one person.

This amendment simply argues against any Federal dollars being used to prohibit the legal voting of any displaced persons. I hope in the course of this amendment passing through, that we will find at least support in the Department of Justice to assist with the number of issues deal with absentee balloting, dealing with satellite voting, dealing with making sure that the precincts are in place and also making sure that many of the thousands of individuals living in Houston, Texas, who claim Louisiana as a residence and New Orleans as their residence, are facilitated in their right to vote.

I would hope that no dollars be utilized by the State, by the local authorities and FEMA to thwart or prohibit anyone from voting on that day or any days after in Alabama, Mississippi, Texas and Louisiana and other impacted States.

With that, let me ask my colleagues to support this amendment to ensure one person, one vote, and to ensure the utilization of the Voter Rights Act in protecting the rights of individuals to vote.

Madam Chairman, I reserve the balance of my time.

Mr. WOLF. We have no objection and support the amendment.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank my colleague and I ask my colleagues to support the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I offer an amendment and ask unanimous consent that it be considered out of order.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following new section:

SEC. ____.

None of the funds made available in this Act may be used to prohibit the approval of disaster loans under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) at a rate of at least 70 percent.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the Chairwoman very much. This is an amendment that really, I would ask my colleagues in another time and another day, to waive the point of order. But I rise to make the point on the amendment. I really believe that this Congress should join together and admonish the Small Business Administration and make it work for the people it was intended to work for.

A lot of the people who are impacted by the hurricane are now living in Houston, Texas. Of course, the actions of the SBA not only impact them, but impact my constituents. We are finding that there has been an almost 80 percent rejection rate of those individuals requesting a small business disaster loan.

I stood and listened to a gentleman by the name of Alvin, who before the hurricane had a business in his home. He was doing what he thought well and beginning to have a very effective small business. He obviously lost everything, including his home and his equipment for his business. He now comes and lives in Houston, comes to Houston and lives there in Houston. In order to get on his feet, he applied for a small business loan and was denied.

In a report we have determined just recently, that will be released today, that business and home loan approval rates average about 60 percent after Hurricane Andrew devastated much of South Florida in 1992, the trend continued through the rest of this administration and into the present administration, or the first George Bush administration, and into the Clinton administration. But, however, we have seen these numbers go decidedly down, in terms of the ability for individuals to have small business loans.

In Louisiana, for example, nearly three in five applicants could not meet credit standards, the SBA said. Another one in four said they couldn't replay the loans. One in ten didn't make enough money. The question is, what are these small business loans for if other than to allow small business persons to get on their feet and to be able to establish their business and to repay the loans back.

Over and over again, individuals have applied for the loans and been denied. The SBA has drawn the ire of many lawmakers last month when it announced it was almost out of disaster loan money. Lawmakers gave the green light to the SBA to spend $100 million in early February. Late in the month, the Senate approved additional monies. But, frankly, the moneys are not getting to large numbers of small business owners. So this amendment simply asks that the approval rate during this time not be lower than 70 percent; that small business owners have the right to be able to be reviewed in a fashion that acknowledges that they have lost all that they have had, and that this loan gives them the opportunity to regenerate their business, become independent, and pay the loan back.

It is silly in the interpretation of the various SBA statutes to insist that someone show themselves creditworthy when they have lost everything. So the amendment really points out to the failures of the SBA at this time, and I think it is appropriate that Congress makes notice of this and asks for a consideration of the many people who have applied and who have been denied. That is the only way we are going to allow people to get on their feet.

Madam Chairman, let me just say that this amendment is to make a very pointed statement on this floor: The SBA is not working as relates to disaster loans and the people that it most needs to help. I would hope we would have intense oversight to begin to insist that the loan process works fairly to restore people to their feet.

Madam Chairman, as of February, months the Small Business Administration had issued $4.12 billion in disaster assistance loans to homeowners and businesses in declared disaster areas, processing 214,000 applications.

It has approved approximately $1 billion in loans to businesses surviving the destructive attacks by hurricanes in 2005.

In my district of Houston: 55 disaster home loans approved for $727,000; 27 disaster business loans approved for $1,750,800; 17 disaster economic injury loans approved for $750,100; and 99 total disaster loans approved for $3,227,900.

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

My amendment requires of the Small Business Agency that no funds prohibit the approval of disaster loans at a rate of at least 70 percent. The destruction caused by the hurricanes occurred on an unprecedented scale, and the SBA should be approving disaster loans with unprecedented efficiency. SBA disaster loans offer people who have lost everything a chance to rebuild their life. It gives the survivors of Rita, Katrina and Wilma the hope that one day they can be contributing members of society.

Madam Chairman, I ask unanimous consent to withdraw my amendment, and continue to work on this matter to ensure that small business loans go to small business persons for them to be able to rebuild their lives throughout the gulf region, including the State of Texas.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONAWAY:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by section 3010 for fiscal year 2006 for the Low-Income Home Energy Assistance Program may be used while there continues in effect a Federal prohibition on the exploration, leasing, development, or production of oil or natural gas in the Arctic National Wildlife Refuge or the Outer Continental Shelf.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved. Pursuant to the order of the House of today, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Madam Chairman, I rise tonight to support an amendment that would address what I believe is a hypocrisy that permeates a very important area of national policy. Section 3010 of this bill will pull funding for LIHEAP, the Low Income Home Energy Assistance Program, from fiscal 2007 into fiscal 2006. The idea is that certain low income folks need help with high fuel prices, high home heating fuel bills or just home heating bills in general.

The reason we have high bills is a lack of supply of crude oil and natural gas. While we have this lack of supply, it is because we have not drilled in certain areas, which I believe will provide prolific reserves that would address the energy costs.

None of us like these high energy prices we are experiencing. There are no short-term solutions. But the most immediate impact we can have open prices is to drill in areas where we have reserves. These areas include the Arctic National Wildlife Reserve, as well as the outer continental shelf.

There have been many attempts, throughout my short time I have been here, to open up these areas to drilling. The drilling contractors, the operators today so, can do so in an environmentally sensitive way and a responsible way, and it is hypocritical of us to, on the one hand, ask the taxpayers of this country to underwrite the high energy bills, and then, on the other hand, restrict supply that, in fact, drives up those costs.

So my amendment would say that none of the LIHEAP money would be available as long as we maintain restrictions on drilling in ANWR as well as the outer continental shelf.

Another point, as to the safety of the drilling in these areas, if you look at the experience we had as a result of Hurricane Katrina, you cannot imagine, you cannot formulate a worse natural disaster in the Gulf of Mexico as it relates to the producing and drilling platforms than we had in the gulf that was Hurricane Katrina. You just cannot imagine anything worse than that.

As a result of the great engineering, the hard work of many men and women throughout this industry, there was not one oil spill, one natural gas spill as a result of Hurricane Katrina sweeping through there and destroying the surface equipment. All of the sub-surface protections that are put in place to protect against that eventuality did in fact work. I think the idea that we can't do so, we can't drill offshore safely and responsibly has, in my mind, not played out.

So I encourage my colleagues to support this amendment to address what I believe is a hypocritical position in national policy.

Madam Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, let me say how much I appreciate the cooperation of Mr. CONAWAY this evening. He has been helpful at every end of our business. But in the meantime, I have this responsibility that causes me to make a point of order against the amendment, because it proposes to change existing law and constitutes legislation on appropriations bill and, therefore, violates clause 2 of rule XXI. The rule states in pertinent part an amendment to a general appropriations bill shall not be in order if it changes existing law.

In this case, this amendment imposes additional duties.

So, Madam Chairman, I ask for a ruling.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

If not, the Chair will rule. The Chair finds that this amendment includes language requiring a new determination of the Federal official who oversees the LIHEAP program. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

□ 2230

Mr. CONAWAY. Madam Chairman, while I respectfully disagree, I accept the ruling of the Chair.

Mr. LEWIS of California. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mrs. DRAKE, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken tomorrow.

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

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

The Clerk read as follows:

S. 2320

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

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

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

(1) in subsection (a)—

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

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

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

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

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

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BARTON) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I would ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak in favor of S. 2320, legislation regarding the low-income home energy assistance program that we call by the acronym of LIHEAP.

I believe that this is a good bill that will help all Americans, both in warm weather States and in cold weather States, but it will be particularly helpful to those in the warm weather States like Texas and places where summers can be difficult as the winters are in the Northern States.

The Deficit Reduction Act of 2005 which this House passed, the other body passed and the President signed recently, included $1 billion for LIHEAP for fiscal year 2007. The moneys were offset by savings elsewhere in the titles written by the Energy and Commerce Committee, which I have the privilege to chair.

The bill before us today spends the funds this year and splits the funds equally between regular and contingency funds. Mr. Speaker, I support this approach because the increase in regular funds in the bill would allow significantly more LIHEAP funds to flow to the warm weather States to help with cooling costs this summer.

This has happened only once before in the 1980s. For Texans, which is the State that I come from, this will mean an additional $38 million this year, almost doubling Texas's LIHEAP funds.

Overall, the funding increases in the bill before us will help both the warm weather States and the cold weather States in the winter. Warm weather States in the summer and the cold weather States in the winter. This is a good solution for all States, both warm and cool; and I hope that we will support the bill.

We do have an unusual parliamentary procedure, Madam Speaker, that I think we need to bring before the body. The bill before us has already passed the Senate. If we pass it with no amendments, it will go to the President for his signature.

The supplemental bill, which we have been debating until several minutes ago, also has some LIHEAP funding that is under a different formula mechanism, as I understand it. It is quite possible, if not probable, that that bill is also going to pass.

If it does, we then have a situation which is somewhat murky, but, as best we can tell, whichever bill gets to the President last for his signature will be the bill that dictates the formula funding for this fiscal year. I put that into the RECORD simply because I think all Members of the Chamber need to know that.

Madam Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself such time as I may consume.

I would like to thank my colleague from Texas for calling up S. 2320, and I agree with what he said. I this it is interesting, though, the parliamentary procedure that the chairman of our Energy and Commerce Committee talked about, because I would assume that if this bill passes with the two-thirds requisite votes tomorrow and goes to the President, that the section in the supplemental bill would be stripped out in the conference committee, because that bill still goes to the Senate into a conference committee. So I guess parliamentarily that would be the solution in our situation.

Madam Speaker and Members, low-income Americans have been struggling to pay for heating bills during the winter; and, thankfully, this winter has not been as cold as expected and heating bills have not increased as greatly as feared. However, natural gas prices that drive electric prices have quadrupled over the past several years. The States' public utilities commissions, PUCs, are passing those costs on to our constituents.

Low-income Americans also struggle to pay cooling bills. When the 90 and 100 degrees heat rolls around this year, the situation is going to become very critical very quickly.

Air conditioners run on electricity, and a lot of electricity comes from natural gas. The need for relief is going to be intense throughout 2006, the end of this winter, this summer, and the start of next winter due to the incredible energy prices our country is experiencing.

The LIHEAP program has been controversial because the formula can pit different regions of the country against each other. For the first $2 billion appropriated under this program, Northern States do very well, and relatively little funding goes to the South. Above this $2 billion trigger, however, the formula becomes much fairer, for Congress has never crossed this trigger by any large amount, that is until tonight.

The Senate compromise legislation provides an extra $500 million to the LIHEAP formula over and above the $2 billion Congress has already provided. This is incredibly important for regional equity.

This legislation has provided $500 million in contingency funding which can be used for emergencies such as blizzards, heat waves, hurricanes; and this funding is required to be allocated in 2006.

Today marks the first day we have a real chance to cross that $2 billion trigger and provide a measure of equity for the warm States. Importantly, today also marks the best chance to increase LIHEAP for 2006 for cold States as well by providing 2006 contingency funding.

If we pass this legislation today, the LIHEAP allocations for 2006 will become much more equitable between regions. It is important we pass this legislation today. It will directly go to the President's desk and provide immediate extra assistance for the Northern and the Southern States this year.

The administration supports this bill, and I would like to introduce this letter from Secretary Leavitt into the RECORD.

THE SECRETARY OF HEALTH AND HUMAN SERVICES,
Washington DC, March 8, 2006.

Hon. OLYMPIA J. SNOWE,
U.S. Senate, Washington, DC.

DEAR SENATOR SNOWE: I am pleased to respond to your request for my view on your LIHEAP amendment (which is attached).

This is a positive step to provide additional aid for those in need of energy assistance this year. HHS supports Senator Snowe's amendment to utilize '07 funds this year to help those affected by increased home energy costs. HHS supports providing at least $500 million of the total as contingency funds.

Sincerely,

MICHAEL O. LEAVITT.

Madam Speaker, CBO certified this bill with no budgetary effect, and I want to introduce their letter into the RECORD.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 6, 2006.

Hon. OLYMPIA J. SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATOR: As requested by your staff, the Congressional Budget Office has prepared the enclosed cost estimate for S. 2320, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Kapuscinski.

Sincerely,

DONALD B. MARRON,
Acting Director.

Enclosure.

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

Summary: S. 2273 would amend section 9001 of the Deficit Reduction Act of 2005 by making the $1.0 billion appropriated for the Low-Income Home Energy Assistance Program (LIHEAP) available in 2006 rather than 2007. The bill would increase direct spending in 2006 by $750 million, but have no net budgetary effect over the 2006–2009 period as a whole.

S. 2273 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would benefit state and tribal governments by making federal funds available a year early.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 2273 is shown in the following table. The costs of this legislation fall within budget function 600 (income security).

Basis of Estimate: Under current law, CBO expects that the entire $1.0 billion in LIHEAP funding appropriated for 2007 would be obligated in 2007 and spent over a three-year period, resulting in outlays of $750 million in 2007, $230 million in 2008, and $20 million in 2009. Enacting S. 2320 would accelerate the spending of these same amounts to the 2006–2008 period.

	By fiscal year, in millions of dollars—					
	2006	2007	2008	2009	2010	2011
DIRECT SPENDING						
Spending under current law:						
Budget authority	0	1,000	0	0	0	0
Estimated outlays	0	750	230	20	0	0
Proposed changes:						
Budget Authority	1,000	−1,000	0	0	0	0
Estimated outlays	750	−520	−210	−20	0	0
Spending under S. 2320:						
Budget authority	1,000	0	0	0	0	0
Estimated outlays	750	230	20	0	0	0

Intergovernmental and private-sector impact: S. 2273 contains no intergovernmental or private-sector mandates as defined in UMRA and would benefit state and tribal governments by making federal funds available a year early.

Estimate prepared by: Federal Costs: Matthew Kapuscinski (226–2820); Impact on State, Local, and Tribal Governments: Leo Lex (226–2885) and Impact on the Private Sector: Craig Cammarata (226–2947).

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Madam Speaker, the language in the House supplemental would not provide equity. It would provide $750 million in contingency funding for 2006, which is no guarantee of funding at all, not for the North or the South. The House supplemental will not pass the critical trigger, $2 billion trigger, which is very important for the equity among the regions.

The Senate North-South compromise would guarantee the largest amount of LIHEAP funding for Southern and Western States ever, while providing immediate assistance for the Northern States.

This bill would double Texas LIHEAP funding from $40 million to $80 million, allowing us to serve 80,000 families instead of the 40,000 we currently serve. Since our State ended its energy assistance program because of budget problems, this support is sorely needed.

Other Southern and Western States, that is, Alabama, Arizona, Arkansas, California, Florida, Georgia, Kentucky, Louisiana, Maryland, the Carolinas, Oklahoma, Utah and Virginia, will also likely receive the largest LIHEAP allocations ever.

With the $500 million in contingency funding, the Northern States will not be left out in the cold either, either in the end of this winter, during any heat wave this summer or during the next winter, November and December. We have bipartisan support, both Northern and Southern support, and we have the endorsement of the American Gas Association, which I will insert into the RECORD, Madam Speaker.

Madam Speaker, I strongly urge my colleagues to vote yes on the bill.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Madam Speaker, my colleagues, this is a classic example of robbing Peter to pay Paul. What we are going to do is propose to move money from the 2007 bill to spend in 2006.

Now that sounds very seductive and sounds like an easy way to deal with having more money available in this fiscal year. But let me point out to my colleagues that what this will do is take a billion dollars ultimately out of the 2007 bill that has to be made up.

We will have one of two choices in the labor HHS 2007 bill: Get the money out of education, or get the money out of medical research, NIH, CDC. There is no other source. Because this billion dollars that was provided by the budget reconciliation to address LIHEAP spending for 2007 would no longer be available, because what this proposes to do is to move it into 2006.

Well, obviously to make up that billion in the 2007 bill we will have to get it somewhere. Now if it would be an increased allocation, which seems unlikely, because the President's budget already has Labor HHS Education money substantially under last year, and, therefore, to make another billion available will just exacerbate the problem.

While this has a very seductive appeal, that, well, we are going to have this extra money for 2006, we are forgetting that there is a 2007 year coming up; and, therefore, by passing this kind of legislation, we are simply making it very difficult to meet the other needs in the 2007 budget.

Madam Speaker, I would urge my Members to vote against this simply because it is not responsible budgeting to say to the Labor HHS that you have to go get a billion dollars out of other very important programs such as education and medical research.

But inevitably that is where it has to come from, because this will leave a billion-dollar hole in the 2007 budget.

In the budget reconciliation, they attempted to ensure that the billion would be there for 2007. But what this legislation does is simply say we are going to move it into 2006 and figure out where to get it for 2007.

Well, there is no easy way to figure it out, because already 2007, in putting together the 2007 budget we are having a tough time having the resources to do the other important functions. I think it would not be responsible stewardship of our money, of our resources for the public, to take this money and leave a billion dollars unfunded for LIHEAP in 2007.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank our colleague and chair of our appropriations subcommittee. I understand where he is coming from. But I also know, Madam Speaker, that we have not passed a budget for 2007 and that is still to be considered.

I understand that the concern about moving money into this year. But it is also going to be very difficult for me to talk to the 40,000 plus Texas families if we do not pass this bill. By the way, this summer, I am sorry it did not fit within our legislative rules, and it is causing more problems, and we are not going to give you any heat assistance when it gets to be 100 degrees in Texas and across the South, and, frankly, even the Northern States, Illinois, Maryland and other places, New York has problems with heat in the summer.

So I would hope that next year or later this year we will probably see another supplemental. If we see a year like we have seen now for both the cold assistance for the Northern States and what we see in the South that we need help, then I would hope in the future that we would see a supplemental that would restore that money. I would be glad to support that at that time.

Madam Speaker, I also understand Chairman REGULA and the Appropriations Committee, a lot of us want them

to be able to have the funding for medical research and education. Those programs are near and dear to our heart. I hope we will still be able to do that.

But I also know there are some other ways that we can deal with that since we have not adopted a budget and we will probably have another supplemental, because they get pretty regular around here. I hope that we can add to it without having to rob Peter to pay Paul.

Madam Speaker, I reserve the balance of my time.

□ 2245

Mr. BARTON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Thank you very much, Mr. Chairman. And I would like to thank you for your leadership in bringing this bill from Senator SNOWE to the floor. I thank Mr. GREEN for his bipartisan support, and I thank the leadership of the House for allowing this vote.

I am from New Hampshire, one of the cold weather States, and even though the weather has been somewhat warmer than might be expected in most winters, we have seen at times a spike in the price of home heating oil by nearly 65 percent in some instances. It has abated somewhat, but nevertheless prices of home heating oil this winter are significantly higher.

We all know how successful the LIHEAP, the Low Income Heating Assistance Program, has been. It is effectively monitored by State and local interests, but it is funded at the Federal level. My State has seen about a 12 percent increase in applications this winter because of that spike in prices. My State has allocated all of the dollars it has received so far to trying to process the applications that it has and it is committed; and without this funding, the State of New Hampshire and other cold weather States are going to have to dip into their own State funds to help fund a Federal program in 2006.

My State, before the emergency funding was released by the President, was nearly $3 million short, that is about 15 percent under last year and at a time when there is record demand and record high prices. That is why this bill is so important, Madam Speaker, why we need to bring it up, have this vote tonight, get it to the President's desk. This bill is balanced well because the interests of warm weather States and cold weather States because of the 50–50 split and because of the emergency funding and the formula funding.

So I am hopeful that my colleagues on both sides of the aisle will see fit to move forward with this. This bill is fully offset by the Budget Deficit Reconciliation Act, which is important for our Nation's budget deficit, obviously, but it is also important for States, both in the southern part of the country and the northern part of the country, to pass this bill tonight and to make sure it gets to the President's desk as soon as possible so States like mine can get more money into the pipeline while it is still important.

Mr. BARTON of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Madam Speaker, I thank the gentleman for yielding. A couple of other things I would point out. In reality, we will have to find $1.4 billion when you work out the numbers to match the level provided for 2006. That is in the 2007 bill. So I reiterate, that means $1.4 billion will have to come out of education or medical research, because I just do not see any enhanced allocation to do that.

Now, in adopting the supplemental, we recognize the potential emergency, and we provided language in there. This is an amendment that I offered in the supplemental in the full committee that allows the shift of $750 million as needed to address any shortfall in 2006, but we do not mandate that it be done.

Under the Snowe approach, this would force the expenditure, and if the funds were not used, they would lapse. And I think that it is just not good management to require, as this bill does, the movement of this money from 2007 to 2006, and therefore, run the risk that it might lapse. When we tried to address the problem in the supplemental by saying that the money could be used up to $750 million if needed, and I think that is a much better solution.

It is a more responsible solution to manage of potential problem without impinging heavily on the 2007 money and forcing the committee to make that up to the amount of $1.4 billion out of other very important programs. I would urge my colleagues to reject this.

Mr. BARTON of Texas. Madam Speaker, I yield myself the balance of my time.

I have nothing but the utmost support for Mr. REGULA and the appropriators. All the Members, the rank and file Members, the full committee chairman, the subcommittee chairman, but I want to disagree with his premises slightly.

In most cases, a program like LIHEAP is funded from general revenue, and what Mr. REGULA said is absolutely true, absolutely true. In this case, the budget reconciliation package for the fiscal year 2007 or the budget reconciliation package that we just passed, the Energy and Commerce Committee, on a bipartisan basis, worked to offset by saving in other areas of our jurisdiction so that we could plus-up LIHEAP by $1 billion. So the LIHEAP money that is before us today in the bill that is coming over from the other body has been paid for.

Now, it is true as the gentleman from Ohio said that that money was supposed to be spent in fiscal year 2007, but it is also true that we need additional funds for 2006. And we are going to need additional funds, in all likelihood, in the warm weather States this summer, because of the expected heat. We have already had a record heat wave in Texas 2 weeks ago. It was 95 degrees. I will pledge to Mr. REGULA and Mr. LEWIS and Mr. OBEY and all the folks, the appropriators, that if we get the will of our leadership, I am willing to engage in another reconciliation package to find offsets for next year. I think that is only fair so that we help our appropriators.

But we have a bill before us that if we affirmatively pass it like the other body has, it is going to go to the President's desk. It is going to be signed. There will be additional funds to help both the cold weather and the warm weather States. And I would hope that we would, while we have nothing but respect for Mr. REGULA, that we would oppose his motion to oppose this bill. Pass it. Send it to the President so that we could get his signature and allocate these funds to the most needy of Americans in both the warm weather and cold weather States.

I ask for a yea vote.

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

Mr. GENE GREEN of Texas. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mrs. DRAKE). The gentleman from Texas has 13 minutes remaining.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself such time as I may consume.

Following the chairman of our full committee and, again, I understand the Chair of our appropriations subcommittee's concern, but this bill has a great deal of bipartisan support.

We heard from our colleague from New Hampshire, who is experiencing high utility bills and has already run out of their funding for their poor in New Hampshire. But a lot of us are looking forward to what may be happening not only this winter, but also this summer. So I am proud to have Congressman PICKERING of Mississippi and Congressman LATOURETTE, who is also supporting this legislation.

When we vote on this tomorrow, we will see a lot of Members from across the aisle who are supporting this legislation; and again, like my chairman of our full committee and also the ranking member of the committee, John Dingell is supporting this legislation. We need to do something now to help and we will work whatever we can to help with the allocation from the Appropriations Subcommittee on Health and Human Services or, again, another supplemental next year or later this year that will be able to deal with it.

Madam Speaker, I urge my colleagues to vote aye.

Mr. DINGELL. Madam Speaker, I rise in support of this legislation, which moves funds appropriated to the Low Income Home Energy Assistance Program, or LIHEAP, from Fiscal Year 2007 to Fiscal Year 2006. This legislation passed the Senate last week, so its passage in this Chamber will send the bill on to the President.

The legislation would move $1 billion in funding to this fiscal year. Half of the funds would be allocated to the States pursuant to the statutory formula. The other half, however, would be considered contingent funding, and subject to the discretion of the Administration.

It is important that all of these funds reach those in need. The recently passed Energy Policy Act of 2005 authorized $5 billion for this fiscal year. But even if all of the funds in this bill are sent to those in need, the total funding for the program will only total a little over $3 billion. In other words, we are still going to be $2 billion below the program authorization.

People in the Midwest and Northeast are in desperate need of these funds. According to the National Energy Assistance Directors' Association, since the winter of 2001–2002, yearly natural gas bills have soared from $465 to $1000, while annual heating oil bills have gone from $465 to $1000.

In my home state of Michigan, these national trends have translated to an average energy cost increase of nearly 37 percent. As a result, the state has anticipated a 6 percent increase in LIHEAP applications. Without additional funding, our state could experience as much as a $60 million shortfall in LIHEAP money. This bill, while falling far short of providing the money necessary or authorized by EPACT, provide at least a few million dollars more to help my state address this projected shortfall.

Of course, much of the new funds will also go to warmer climates, where families will be facing unprecedented cooling bills this summer, so this is not just a regional bill.

It is unfortunate that funding for LIHEAP has remained constant over the years while heating costs have soared. Even with these new funds, many families will have a hard time paying their heating bills this winter.

Many of us would like to see LIHEAP funded at its authorized level of $5 billion, but certainly this bill will be of immediate assistance and I urge its passage.

Mr. GENE GREEN of Texas. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the Senate bill, S. 2320.

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. REGULA. 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.

MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. TANNER. Madam Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Tanner of Tennessee moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 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.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Tennessee (Mr. TANNER) and the gentleman from Wisconsin (Mr. RYAN) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

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

Madam Speaker, this motion is very, very straightforward. It is a motion asking our conferees to basically apply what is known as PAYGO rules to the tax reconciliation bill that is coming over from the Senate.

Just today, this morning, in The Washington Post, we are reminded that President Bush said in March of 2001, ''Future generations should not be forced to pay back money that we have borrowed. We owe this kind of responsibility to our children and grandchildren.''

Madam Speaker, since that time this Congress and this administration have borrowed about $1.5 trillion in hard money in new debts. I have been talking about this and writing about it for the last 3½ years. We are facing a debt ceiling again and we will be forced to raise the debt ceiling for the fourth time in the last 5 years since that statement was made by our President about borrowing money that loads the debt limits of all of us, including our children and grandchildren.

This new debt limit will raise how much money this country has borrowed in additional new debt $3 trillion. I wish I was making some of this up. But you can go to the Treasury Department's Web site at www.PublicDebtTreasury.gov and see for yourselves. This is real. This is happening. It is happening now. And if the budget that has been proposed is adopted, we will go to $11 trillion dollars.

Now, Madam Speaker, I have got some more things to say about this but last year, this is almost unbelievable but it is happening and I wish the American public would focus on it because if they do they will be I believe not only shocked but outraged at what the financial mismanagement of this country has done to the financial balance sheet. Last year the Federal deficit for 2005 was $319 billion. If you break that down it means we here in public life in the name of every citizen in this country borrowed $26 billion a month, $886 million a day, $36 million an hour, $615,000 a minute, and $10,200 a second.

□ 2300

Contrast that with what our President said back in March of 2001, as quoted in the Post this morning, when he said, ''Future generations shouldn't be forced to pay back money that we have borrowed. We owe this kind of responsibility to our children and grandchildren.''

I could not agree with that statement more, but the facts absolutely belie what that sentiment that was expressed back in 2001 was meant to convey.

Now, if that was not bad enough, last year almost 90 percent of the money that we had to borrow to operate the government of this country came from overseas, came from foreigners who do not see the world as we see it.

We are doing in this government, on behalf of the people of the United States, something that none of us who were taught, like I was as a young man, three things to live by. One is live within your means, two is pay your debts, and three is invest in the future, whether it is your own retirement, your kid's college or whatever.

This government, under this leadership, is doing none of those. We are not living within our means, we are not paying our debts, and we are certainly not investing in the future.

The more that we borrow, the more we degrade the tax base in this country. We are now paying at 4 percent, since that statement was made in 2001, we are now paying more than $55 billion a year in additional interest checks, almost 80 percent of which is not even staying in this country. This is not only outrageous, it is the most irresponsible financial conduct of the fiscal affairs of this country that any political leadership in the history of this country has engaged in such a short period of time. That is without question.

So what is actually happening here is a weakening of our collective ability, as expressed through the Federal Government, to do two things, to keep this country strong, safe and, most importantly, secure. Strong safe and secure, what do you mean when you say that?

First of all, there is no country in the history of recorded civilization that without the ability to invest in infrastructure and human capital remained safe, strong and secure. Infrastructure, that is what the government must do to give private enterprise the ability to congregate around clean water, sewer systems, highways, bridges, roads, all of the things that go into the infrastructure of a Nation. We are not being able to keep up with not only new infrastructure that is needed but to repair the infrastructure we have got. If you do not think that is important, go to any country on the planet earth that has no infrastructure and see how many people are doing very well. Nobody is because there is no infrastructure for private capital to invest and to create jobs, to create the economy we all want.

Human capital, what do I mean by investing in human capital to keep our country strong, safe and secure? I

mean education and health care. There is no country in recorded civilized history that has had an unhealthy, uneducated population that was safe, strong and secure. It is not possible. It will never happen, and the more we degrade the tax base, the more we are less able to make sure that the future is invested in, as I said earlier.

One of the things that is not hard to figure, it is common sense, and that is, we had in March of 2001, when the President said we owe it to our children and grandchildren to pay our debts, basically, we had $55 billion out of the tax base. Without raising a dime in taxes, we had $55 billion to do these investments that we do not have today because we have engaged in such frivolity when it comes to spending habits, when it comes to all of the things that go into sound financial practices, we are doing none of them.

So I am at a loss to see how anyone could say when you are going to do this tax reconciliation bill, you simply do it in a way by cutting wherever else one needs to to be of a lower priority to make sure that we do not dig this hole deeper.

The chairman of the Federal Reserve today said, ''I am quite concerned about the intermediate-to-long-term Federal budget outlook. By holding down the growth of national saving and real capital accumulation, the prospective increase in the budget deficit will place at risk future living standards of our country.'' These are not my words. These are the words of the new chairman of the Fed.

There is no question every reputable economist knows that the more we engage in deficit spending the more the tax base is degraded, the less able the country is to meet the challenges to keep us strong, safe and secure.

We voted earlier today about the Dubai ports deal, and that was a matter of national security. We are going to turn around tonight, if we do not adopt this motion to instruct and the conferees do not adhere to it, we are going to turn around and continue to mortgage this country to anybody on the planet earth that will let us have money on the cheap. I believe it is a national security issue, as I have said many times on this floor. At some point our creditors, particularly the Chinese and perhaps the OPEC countries, the Caribbean banking center, at some point they are going to get tired of taking our paper, and I believe this Dubai thing is one of the first signs of it. They are going to stop buying our debt, and they are going to want to buy equity, and they will have the ability to do it because of the profligacy of this Congress and this administration in refusing, absolutely refusing, deliberately refusing to balance the books.

Let me say one other thing. The GAO reports that 16 of 23 Federal agencies cannot produce an audit. You know why? Because there is no check here. You have got a compliant Congress, a friendly administration, money's leaving Washington through a fire hose, and Congress is not even asking the administration what are you doing with the money. If they did ask, they could not tell you.

There are four agencies of the Federal Government where the IG, Inspector General, says on the front page of the audit, we disclaim any knowledge as to whether or not what we are telling you is true. We cannot balance the books. We cannot even tell how much money is being spent for anything.

Do you think Congress is investigating any of that? No, not one hearing with an Inspector General drug up here and say what did you do with the money.

The Blue Dogs have a 12-point plan because the budget process around here is so broken. I will not go into all 12 of them. Some of them are less important than the others, but there are two that are particularly important. One is accountability. Accountability, what did you do with the money? If you cannot tell us, you are not going to get it next year.

Every businessperson in this country knows what I am talking about. When they go to their comptroller and say here is a $10,000 expenditure, what is it; if the comptroller said, I cannot tell you, he would not be there and that company would not be in business. That is what is happening here. Why would you not put up with that in your private business, and yet the people of this country not only tolerate it but, in some cases, encourage the behavior of this irresponsible government as it relates to keeping up with the money we are already taking away from the taxpayers involuntarily in the form of taxation and not even asking what happened to it? Replete, replete with instances of total incompetency.

FEMA, Hurricane Katrina, $10 million to rehab a military barracks and house six people. This is insane, and that is what is going on here.

So all we are asking in this motion is whatever you do on the tax bill, for goodness sake, do not continue to borrow money to cut taxes. That is a sure ticket to financial ruin, and not only that, it is not a tax cut. It is a tax increase because next year we will begin to pay interest on that, and that will add to the $55 billion. I tell you, it is a road to financial ruin what we are on.

Madam Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. SCOTT), my dear friend.

Mr. SCOTT of Georgia. Madam Speaker, I thank very much my distinguished friend from Tennessee. It is a pleasure and, quite frankly, an honor to be on the floor with you tonight to talk about this extraordinary problem and crisis that this country is faced with.

Without question, you are absolutely right. We cannot have national security if we do not have financial security, and we do not have financial security today. Now, let me just tell you and I hope the American people are paying attention to us tonight because we are here to state some important truths and facts about the financial health of this country, and our financial health is not well.

This President, this administration and this Republican-controlled Congress is heading us straight down the path of financial ruin and financial disaster.

Let me just give you one very salient point. Under this President, this Republican-controlled Congress, we have borrowed more money from foreign governments and from foreign interests than all of the preceding 42 Presidents in the history of the United States. Hear me again. If that does not wake you up and let you know that we are headed for disaster, this President, this Republican-controlled Congress has borrowed more money from foreign governments and foreign financial institutions than all of the preceding past 42 Presidents.

That means that since 1789, the very beginning of this country, to the year 2000, 211 years, through the Revolutionary War, through the foundation of the country, through the Spanish-American War, through the Civil War, through the Mexican War, through World War I, through a depression, through World War II, the Vietnam War, through the Korean War, through all of the upheavals, the economic downturns of this great country, through all of that, yet this President in the last 5 years has borrowed more money from foreign governments than all of our previous Presidents in this history. That is phenomenal. That lets you know that we are in serious, serious trouble.

As I have said time and time again, no greater founding father was there than Alexander Hamilton who founded the financial system of our country, and it was Alexander Hamilton who said, Woe be it unto this country if we fall under the heel of our finances being controlled by foreign interests. Alexander Hamilton himself was a foreigner, as were many of the Founding Fathers of this country. They understood that, and here we are today beholden on our financial security.

Here are the facts. In the last 211 years, from 1789 to 2000, under 42 Presidents, this country borrowed $1.01 trillion. In the last 5 years, under this Republican President and this Republican-led Congress, we have borrowed $1.05 trillion. That is not healthy. That is not the way you have got to go to have a solid country, and now we are here saying we are going to raise the debt ceiling so that we can borrow more. We are dealing with a budget that is ratcheted with devastating cuts time after time.

As the gentleman from Tennessee pointed out, just look at how this Nation is aching and hurting from the mismanagement of Katrina. Families still devastated, an entire important coastline of this country devastated.

□ 2315

And we cannot even deal with that. And some of the very programs, community block grants, being cut. Aid to our veterans, talk about national security, being cut by $2.1 billion. Help to our farmers, to help them with the drought, to help them with the devastation of Katrina, cut, all for the purpose of making unwise tax cuts to the top 10 percent of the wealthy in this country permanent at a time of such great uncertainty.

And then to borrow the rest of the money for the tax cuts from, guess where, from China, from Japan, from India and from OPEC. Now, let me tell you how serious this is, ladies and gentlemen. The U.S. is becoming too increasingly dependent on foreign lenders for our debt. We are handing over this country on a platter to foreign countries. The Dubai Ports deal was just the beginning, just the tip of the iceberg.

And I just want to say how proud I am to say I am a United States Congressman. Because finally this Congress stood up to this administration, both Democrats and Republicans, and said no, no more, and turned down that Dubai Ports deal. Can you imagine? How unwise, to turn our port security over. Even the thought of it.

And that is what disturbs me so much when we talk about security. When you talk about national security and financial security, that is the number one issue on the minds of America today. Two things: Can this government keep us safe as a country? Can they keep us alive? Can they keep our lives safe, and then can they keep our money safe? Well, you can't keep our money safe; you certainly can't keep our lives safe. And that is the particular situation we are in today.

Let me just tell you how serious this issue is. Foreign lenders hold a total of $2.174 trillion of our public debt. And quite honestly, in the last 10 years, they hold 90 percent of it. In other words, every dime that we are using for our government right now we are borrowing it from China and India. Japan, for example, now owns $682.8 billion of our debt. China owns $250 billion of our debt. England, the United Kingdom, owns $223 billion. The Caribbean Banking Center owns $115.3 billion. Taiwan, $71.3 billion. OPEC countries, OPEC, already in the Middle East we are so dependent on oil that they are holding us hostage on that now, but some of these same companies are holding our debt.

America, wake up. We have got to begin to step forward and take responsibility for our financial house. I am here to tell you there is nothing more important than keeping our money straight. Lord knows, if the American people across this country, if they ran their little families, if they ran their businesses the way we are running this government, it would be bankrupt.

So I am delighted to be here tonight to join with my distinguished colleague, Mr. TANNER, to talk about this issue. Because I believe that it is the number one issue facing the survival of this country. And let me just say this. If you look through the history books, JOHN, the history books are cluttered with the wreckage of so many great civilizations. And on the wretched bones of those great civilizations are written those pathetic words: Too late. They moved too late to save themselves.

Let us not move too late in this country. The American people are expecting us not to move too late, and we must not. And one of the first steps is to follow your lead and get some sanity. Let us instruct the conference committee to not increase the debt and let us not raise the debt ceiling limit.

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

Mr. RYAN of Wisconsin. Madam Speaker, I rise in opposition to the motion to instruct. May I inquire as to how much time is left?

The SPEAKER pro tempore (Mrs. DRAKE). The gentleman from Tennessee has 6½ minutes remaining, and the gentleman from Wisconsin has 30 minutes.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

I appreciate a lot of what the two gentlemen have said, the gentleman from Georgia and the gentleman from Tennessee. A lot of it I agree with. And the Blue Dogs traditionally here in Congress have been joining with a lot of us fiscal conservatives on this side of the aisle to work for some of these budget reforms, and I hope in the future, in this session, that we could see a merger on budget process reforms to improve the quality of our budgets that we have here.

Tonight, we are talking about this motion to instruct. This motion to instruct I think is misguided in a few ways. Number one, I think it is hitting the wrong target. If the problem is with the budget that we pass and the results of those budgets, then the target ought to be the budget resolution. The budget resolution has already passed.

I think it is very noteworthy to point out the fact that last year's budget resolution, and we are negotiating this year's now, but last year's budget resolution, for the first time since modern budgeting, actually reduced domestic spending. It reduced nonsecurity discretionary spending. So we actually passed one of the most frugal budgets ever passed since we created the 1974 Budget Act here in Congress.

So we are on a path of being very frugal with the taxpayers' dollars. But what this motion to instruct is about is the tax bill. More importantly, this discusses cutting taxes. And the claim in this motion to instruct or the inference in this motion to instruct is that we shouldn't be cutting taxes; that we should take pressure off of cutting taxes. It is very important to point out that this tax bill really doesn't cut taxes, it simply stops taxes from being increased. It stops tax cuts from going away.

What we did in 2003, and it is important to remember, we came in to a recession in this country. We had the Enron scandal, the dot com bubble burst, the recession hit, 9/11. We got hit really hard as an American economy. The American people got hit hard. What is so wonderful about the story that has occurred since 2003 is the resiliency of the American people, the American entrepreneurs, the families, the farmers, the businesses, and of the American economy.

But there is one thing that happened in 2003 to get that going, to get our economy back on track, to get our budgets going in the right direction, and that was the tax cuts. Now, this chart shows where we were as an economy prior to the tax cuts that occurred in 2003.

Now, if you take a look at the left side of this chart, the average economic growth rate in America, the 10 quarters before, going back to 2001, the 10 quarters before the tax cuts was 1.3 percent. This is where the recession was. We had very anemic growth. We were losing hundreds of thousands of jobs in America every month during this recession.

So what did Congress do to respond to this? Congress did cut taxes and cut taxes across the board. We cut taxes on families, cut taxes on businesses, cut taxes on savings for seniors, cut taxes on capital formation which creates jobs, like capital gains and dividends and business expensing. But what happened after those tax cuts? Since the enactment of these tax cuts, the unemployment rate fell from 6.3 percent in June of 2003, the high, to 4.8 percent. Since the enactment of these tax cuts, we have gained nearly 5 million net new jobs in America. What this shows you is the average growth rate of our economy for the 10 quarters since the tax cuts has been 3.9 percent.

So take a look at what happened in America. We had the recession, the dot com bubble, the 9/11 terrorist attack, and we went into a recession and our economy was sputtering. We were growing at an average of 1.3 percent and losing hundreds of thousands of jobs. When we cut taxes on the American people, on the American economy, we had a huge rebound right away. Right away the economy kicked into gear, produced jobs and has grown at an average rate of 3.9 percent, faster than the national average for the history of our economy. Five million new jobs were created.

Now, one of the other things that occurred was during that time, because of the dot com bubble, because of the Enron scandal, the stock market really fell. And who really got hit by that were seniors and savers. There are so many seniors that I have talked with in my district, in the first Congressional District of Wisconsin, who literally saw their savings portfolio, in

that period of 2001 to 2003, cut in half; wiped away by 60 percent.

One of the things we were so worried about was the fact that senior citizens and their pension plans and their 401(k)'s and their IRAs had so much less value in their savings that they had much less to live on. So we went immediately to act, and what we did was we reduced tax rates on capital, tax rates on the things that stocks matter, which is capital gains and dividends.

What happened after that? Since the enactment of these 2003 tax cuts, the Dow Jones Industrial Average increased by 27 percent and now is back to where it was before the crash of the market. So we were able to build back that growth in savings for most of the seniors who rely on that, for the pension funds, for the 401(k)'s, so people could get their retirement savings back.

Those are some of the fundamental tax cuts that are in this tax bill. See, if we do nothing, taxes go up. If this motion to instruct would see its way through, taxes would go up. The effect of this motion to instruct is to say, do not prevent these tax increases. And if you do want to prevent these tax increases, you will have to raise taxes somewhere else to prevent these other tax increases. I think that is bad economic policy.

Now, where we need to improve is on spending. We need to bring the deficit down, and that is where the three of us are going to agree. That is where the gentleman from Georgia and the gentleman from Tennessee and I will clearly agree. Our deficit is too high. Our debt is far too high and we have to get it going in the other direction.

But, what has happened since 5 million net new jobs were created since 2003? What happened since the economy grew at such a faster rate? What actually happened was revenues increased. So when we cut tax rates, you would have thought that revenues would have gone down. In fact, the budget estimators here in Congress and in the administration said, we know that if you cut taxes, we think revenues will go down. Even though that may happen, it is important to get us out of the recession.

So back then we used this estimating measuring stick and our estimates predicted that revenues would go down if we cut taxes. We still cut taxes because we wanted to get people back to work. But what happened was the opposite occurred. Revenues went up. Revenues from capital gains taxes went up, even though the rate was lower. Revenues from marginal income tax rates went up, even though the rate was lower. Revenues from corporations surged by 47 percent last year alone, even at lower tax rates.

What happened was, just last year alone our tax revenues went up 15 percent. The year before they went up. So as a consequence of that, the budget deficit went down by 23 percent in 2004 and went down by 25 percent in 2005 from their projections. So the budget deficit projections actually went down because revenues went up, because people went back to work. They went from collecting unemployment to having a job and paying taxes.

That is good economic policy. It is good budget policy. And to reverse that by raising taxes would be bad economic policy but also bad budget policy. Where we need to focus is on the spending side of the ledger.

If you want to put it into perspective, the size of these tax cuts, and I want to rephrase that again, the tax cuts are simply preventing tax increases, the size of these tax cuts are $70 billion out of a 5-year budget that will spend $14 trillion. Next year's tax cuts, or to put it another way, to prevent tax increases from occurring next year amounts to $11 billion out of a budget that will spend $2.7 trillion.

Let me just read a list of some of the tax policies that would go away if this were to see its way through.

□ 2330

AMT relief for personal tax credits; State and local sales tax deduction. That is a huge issue in States like Tennessee and Texas and others. Research and development tax credit, a big job producer. Above-the-line deduction for higher education expenses; work opportunity tax credit; the welfare-to-work tax credit; savings accounts; enhanced 179 expensing for small businesses that allows small businesses to write off investments in their plant and equipment so they can create new jobs. Brownfield expensing to clean up environmental catastrophe areas; capital gains and dividends, the very tax cuts that have actually increased economic growth, produced jobs and increased tax revenues to the Federal Government.

So, at the end of the day, I think we are going to have a difference of philosophy when we talk about this. We may agree on the need to reduce spending. I hope we have agreement. But what we do not agree on this side of the aisle is the wrong thing to do to the American taxpayer today is to raise their taxes.

The problem here is not that Washington taxes too much; the problem here is that Washington spends too much. That is what we should focus on. The pressure should be on spending, not on raising taxes. I am sorry, but the effect of this motion to instruct would be to do just that.

Madam Speaker, I reserve the balance of my time.

Mr. TANNER. Madam Chairman, I yield myself such time as I may consume.

We do agree on some things, but part of what we heard is Lewis Carroll: What is up is down and what is down is up. This is Alice in Wonderland.

When he says the budget deficits are going in the right direction because they are less than the projection, they are the largest budget deficits in the history of the United States.

Let me read something. He talks about spending. The Republicans have had total control of the Federal Government here for the last 5 years. This is from the CATO Institute. President Bush has presided over the largest overall increase in inflation-adjusted Federal spending since the late 1960s. Even after excluding spending on defense and homeland security, President Bush is still the biggest spending President in over 30 years. His 2006 budget does not cut enough spending to change his place in history, either. Total government spending grew by 33 percent during Bush's first term. The Federal budget as the share of economy grew from 18.5 percent of GDP on Clinton's last day in office to 20.3 percent by the end of President Bush's first term. The Republican Congress has enthusiastically assisted the budget bloat. Inflation-adjusted spending on the combined budgets of the 101 largest programs they vowed to eliminate in 1995 has grown by 27 percent, and yet somehow they say spending is a problem.

They have total control. The Democrats have not spent any money in this House in over 10 years. We cannot. We do not have enough votes.

This motion says nothing about raising taxes. It says offset whatever tax revenue reduction you are going to make by spending cuts. That is what has not happened. In fact, it has gotten worse.

When President Bush came to town in 2001, in July of that year this country embarked on President Bush's economic plan for the country. Based on a series of assumptions over the next 10 years that would yield a $5 trillion surplus. Well, 2 months later, we had 9/11. Instead of readjusting the economic game plan because every assumption that was made in July of 2001 was suddenly not valid months later in September of 2001, instead of adjusting, what has happened, a compliant Congress and a friendly administration have simply borrowed the difference. We are doing something that people have tried to do since the dawn of civilization and that is borrow themselves rich. It is impossible.

When you cut taxes with borrowed money, you are actually raising taxes. We have raised taxes $55 billion a year every year from now on under this economic game plan because it is interest that we have to pay, and we have to pay it off the top. It is not unlike a credit card. You run your credit card up, you can live pretty good for a little while. But when you have to pay that monthly interest and your monthly payment is only covering the interest, suddenly you cannot invest in anything using that credit card because the service charges are eating you alive. That is exactly what is happening with this government.

All this motion to instruct says, whatever you do with the tax reconciliation bill, do not add to the Federal deficit and do not pile more money on

the debt of our citizens. It is that simple. If they cannot figure it out, maybe they should not be running the place.

Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. SCOTT).

Mr. RYAN of Wisconsin. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Madam Speaker, first, I want to respond to something my distinguished colleague from the other side said. Now you talk about smoke and mirrors. For him to say on our side that we are talking about raising taxes is so disingenuous. Nobody is talking about raising taxes. We are talking about fiscal responsibility and pay-as-you-go responsibilities.

We are saying that we do not want to cut vital services to the American people and then go borrow more money that we have to pay interest on. That, in effect, when you put it altogether, if anybody is talking about raising taxes, it is the Republicans. Somebody has to pay for this. You know who is going to pay for it, our grandchildren and our children based on their proposals.

No, sir, you are not going to be able to depend on Democrats this night that we are talking about raising taxes. Democrats are talking about keeping our taxes low and bringing fiscal responsibility back to this House.

You talk about responsibility. When Democrats were in control, when President Clinton was there, he left a several trillion dollar surplus. In just 5 years, this President and this Republican-led Congress has squandered that surplus. So when you talk about who is more responsible for the taxpayers' money, it is Democrats, not Republicans. And the American people are not going to be fooled by this smoke and mirrors of consistently trying to paint the Democrats as being for raising taxes and they for not. The Republicans are for raising taxes and raising the debt ceiling.

Madam Speaker, I want to show this chart. It is not as big as your chart, but the Republicans have increased the debt limit by $3 trillion. I have been here 4 years, and this is the fourth time that the Republicans have asked to raise the debt ceiling so they can borrow more money.

In June, 2002, they asked to raise the debt ceiling by $452 billion. In May, 2003, they asked to raise the debt ceiling by $984 billion. In November of 2004, they raised the debt ceiling by $800 billion, all of which we are borrowing against, against the best national security interests of this country, against the best financial security interests of this country.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

I hope the gentleman appreciates the fact that I yielded him a minute to beat me up some more.

Mr. SCOTT of Georgia. Madam Speaker, will the gentleman yield?

Mr. RYAN of Wisconsin. I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. Madam Speaker, let me assure the gentleman it was not beating him up. He is a great gentleman, but it is some of the policies that have been emanating from the gentleman's leadership.

Mr. RYAN of Wisconsin. Reclaiming my time, a couple of points.

Number one, as a percentage of this economy, this is not the largest deficit we have had in history, which is the statistic that matters. But you know what? This deficit is too big because it is a deficit, period.

Number two, if you do not pass this tax bill, taxes automatically go up. That means they are increased. Here is what this tax bill does: It prevents these tax cuts from going away. Said another way, it keeps taxes where they are so they do not automatically increase because the law requires that taxes go up next year, the year after, and the year after that.

So the concern we have is that because we lowered taxes, got economic growth going again, created new jobs, it actually increased revenues to the Federal Government and lowered our deficit projections. The concern we have is let us focus on spending, not taking more money out of the pocketbooks of our constituents. Let us not take a bigger bite of the paychecks of the workers of America by taking more of their tax dollars. Let us prevent these tax increases from hitting the American people and let us focus on the real problem, spending.

So if you try to defeat this tax bill, you are basically saying we want taxes to increase. Or if you want to offset it, you are saying to prevent tax increases we need to increase taxes. That does not make a lot of sense.

So the point is we have probably a fundamental disagreement. We believe that we should not raise taxes on people. We believe that the more money a person has in their paycheck, the more money a person has in their pocketbook and wallet and their business, the more successful they are going to be, the more freedom they have, the more prosperous they will be and the better our economy will be. And its impact on our budget deficits is a beneficial one, usually, because it means there are more revenues coming to the government.

Nevertheless, we should not look at it as an opportunity to spend. We should look at this good economic news we have right now, the fact that the economy is growing, people are going back to work and paying taxes, we should look at this as a moment to make sure we do not spend as much money so we can reduce the deficit and pay down our debt. That is what it is all about at the end of the day.

Madam Speaker, I appreciate the dialogue and the debate. I urge a no vote on this motion to instruct.

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

The SPEAKER pro tempore (Mrs. DRAKE). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Tennessee (Mr. TANNER).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

LIBERATION OF IRAQ

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

Mr. POE. Madam Speaker, 3 years ago this month, the fight for liberation of Iraq began in the hot desert lands of the Middle East. On March 19, 2003, American soldiers embarked on the war against tyranny, treachery and terrorism. Since then, thousands of brave, passionate Americans have fought for freedom for the Iraqi people.

As the song says, all have given some, and some have given all in this battle for liberty and justice. The Americans went to Iraq as freedom fighters and have established a democracy in that place that has never known true freedom.

Those young Americans are all volunteers, and more Americans are joining the military each day to continue this battle.

When I was in Iraq, I visited with those Americans, and they told me they are winning this war on terror, and I agree with them. This is the finest military ever assembled in history, and we owe them our support and our resolve. I paraphrase what President Kennedy said, We will support any friend, oppose any foe, pay any price to secure the defense of liberty.

Some things are just worth fighting for, and freedom is one of those things. God bless these Americans, and that's just the way it is.

CONGRATULATING THE PLANO, TEXAS, BOYS BASKETBALL TEAM

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to congratulate the Plano Senior High School boys basketball team.

Under the leadership of Coach Inman, they made history on March 11 as the first Plano school team to capture a State basketball championship. The Wildcats, you know, come-from-behind

victory over the defending State champs, Kingwood, on Saturday in overtime will go down as one of the most exciting basketball games in Texas high school history.

They won 60–58 to clinch the coveted State title. I say, Congratulations, Wildcats. Y'all embody the school motto: A Tradition of Excellence.

God bless you and God bless America. Boys, we are proud of you. Plano is proud of you. America is proud of you. And I salute you.

Madam Speaker, at this point, I will insert the names of the players into the RECORD.

Coach Tom Inman:

2005–2006 PIANO VARSITY ROSTER

No.	Player	Position	Height	Class
00	Anton Korolev	Post	7–0	Junior
1	Chris Hsiao	Point	5–9	Senior
2	Nathan Christian	Wing	6–4	Sophomore
3	Anteus Mann	Wing	5–11	Junior
4	Eric Zastoupil	Post	6–8	Senior
5	Tyler Roof	Wing	6–1	Senior
10	Landon Skinner	Point	6–2	Junior
15	Rex Burkhead	Wing	5–10	Freshman
21	John Roberson	Point	5–11	Junior
22	Robert Jackson	Wing	6–2	Senior
23	Michael Daniel	Point	5–10	Sophomore
24	Joseph Fulce	Wing	6–7	Senior
25	Raahul Ramakrishnan	Post	6–4	Junior
32	Lawrence Mann	Post	6–5	Senior
34	Cody Jones	Post	6–7	Senior

Principal Dr. Doyle Dean

□ 2345

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. DRAKE). 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.

AMNESTY WORKER PROGRAM

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

Mr. POE. Madam Speaker, with the overwhelming problem of illegals in this country, some in this Congress want to make it worse. They think that an amnesty worker program is the answer to this problem, and tomorrow the Senate Judiciary Committee will be meeting to consider an amnesty worker program as a solution to the problem. I could not disagree more.

A program granting amnesty for millions of lawless illegals that are already breaking the law by being here defies common sense. We heard that illegals will take jobs Americans won't take. Well, there is absolutely no proof of this assertion. Also, this statement is an insult to the American worker. The jobs illegals sometimes get are below minimum wage, thus driving down the value of American workers. This program is another way of outsourcing American jobs but by bringing the foreigners to our country rather than shipping the jobs to their country.

Under proposals here in Congress, there is no limit to the number of workers allowed to enter; and they would be allowed to bring with them their families. And did I mention that they are expected to leave then after 6 years? We already know that 60 percent of the people who legally came into the United States never left after their visas expired. What makes us think this time will be different?

With an amnesty worker program come the worker's family members who will need the use of our public school systems, health care, public housing and other social services. Where is this money going to come from, Madam Speaker? Well, it is going to come from the American taxpayer. The taxpayer always pays. That is the responsibility, for some reason, for American taxpayers to pay for those people who are from foreign countries illegally in the United States.

And it is also likely the United States will lose even more money because the remittances that these guest workers send home to their families and their home country is growing every day. According to a survey by the InterAmerican Development Bank, Mexican and Latin American immigrants living in the United States already send $30 billion a year in remittances back to their native country.

It is also estimated that 20 percent of the cost of health care and 20 percent of the cost of education comes from those who are illegally in the United States and not contributing to pay for the cost.

Making these so-called workers legal will not change the cost to the American taxpayer.

And after 6 years, what plans do we have to make sure that these individuals will leave? We are taking their word for the fact that when their time is up they will quietly pack up and go back home. This defies common sense.

This same sort of situation occurred back in 1986 when 3 million illegals were given blanket amnesty on the condition there would be a ban on hiring other illegal immigrants. This so-called ban was essentially ignored by employers, and we have no reason to expect a different result this time.

Furthermore, the amnesty work program would be managed by the United States Citizenship and Immigration Services, the CIS. Well, the United States Government Accounting Office released a report this week charging these bureaucrats with a failed organizational infrastructure and massive mismanagement and corruption.

The report shows that the CIS doesn't have a handle on fraud, doesn't do enough to deter it and won't have a fraud management system in place until 2011. The GAO report also found that most of the fraud is a result of a backlog of applications which placed additional pressure on the CIS to produce or process applications faster, making an increased risk of incorrect decisions, including approval of potentially fraudulent applications.

Because of this pressure, multiple offenders are able to game the system, because neither the CIS nor the Immigration and Customs Enforcement regularly penalize those illegals caught committing fraud.

The GAO also found that, of the 94 terrorists known to operate in the United States between the 1990s and 2004, including the September 11 hijackers, two-thirds committed immigration fraud. And now we want bureaucrats to run an amnesty worker program when they are already not capable of the running the programs that they have.

We must remember that an amnesty worker program will not stop illegal immigration. We already have three guest worker programs in place, and we are still dealing with illegal immigration on a daily basis. In 1986, the Immigration Reform and Control Act legalized 3 million aliens in an attempt to control and reform immigration woes. A lot of good that did. Now, 20 years later, those 3 million have grown to almost 12 million.

The consequences of an amnesty worker program could be chaotic, and there is clear risk to our homeland security. The GAO report is yet another reason added to the long list of why amnesty worker program would be a disaster for the United States. So, Madam Speaker, we cannot outsource American jobs by bringing more illegals into the United States under the banner of amnesty. That's just the way it is.

HONORING TOM OGBURN, JR.

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. Madam Speaker, I rise today to honor Mr. Tom Ogburn, Jr., Executive Professor of Management and Director of the Family Business Center at the Wake Forest University Babcock Graduate School of Management. Mr. Ogburn has dedicated his life to serving his community of Winston-Salem, North Carolina, and the students of Wake Forest MBA; and that is why I honor him today.

Tom began his long and distinguished career in the Marketing Research Department of R.J. Reynolds Tobacco Company and eventually became the Director of Global Research and the Marketing Director of the international company. He then spent 8 years as RJR's Vice President of Public Issues. He is also a successful entrepreneur and a gifted professional sculptor.

In 1998, Tom joined the faculty of Wake Forest University and shortly thereafter became the Faculty Advisor of the Wake Forest MBA Case Competition, now known as the Wake Forest MBA Marketing Summit. Always quick to come up with exceptional creative ideas and never willing to settle for less than excellence, Tom challenged students to transform the event from a regional competition with a limited budget into the premiere nationally recognized event it is today. He has helped students form partnerships with an impressive list of corporate sponsors including Yahoo, Wachovia Wealth Management, EchoStar, Coca-Cola, GlaxoSmithKline, Lowe's and Heineken. He has also built and sustained relationships with some of the Nation's most outstanding marketing leaders.

Tom and his wife, Anita, have been married since 1966; and both are natives of Winston-Salem. She is currently the Executive Director of the city's Ronald McDonald House. The Ogburns have two sons, Tate and Allen, both graduates of Wake Forest MBA, and one granddaughter, Virginia.

February 9, 10 and 11 mark the 16th annual Wake Forest MBA Marketing Summit on the campus of Wake Forest University in Winston-Salem, North Carolina. Hundreds of MBA students, faculty members and marketing executives gathered at the summit; and I am proud that such an exceptional event took place in my district. This event would not be possible without the dedication and commitment of Mr. Tom Ogburn, Jr.

I ask my colleagues to join me in congratulating Tom for his outstanding contributions to his community and to the students of Wake Forest MBA.

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.)

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.)

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

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

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

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

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

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

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

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

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

(Mr. KUHL of New York addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ANDREWS (at the request of Ms. PELOSI) on account of family matters.

Mr. BOREN (at the request of Ms. PELOSI) for today after 4:20 p.m. and the balance of the week on account of a funeral in the District.

Mrs. DAVIS of California for today (at the request of Ms. PELOSI) on account of illness.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) after 2:00 p.m. today and for the balance of the week on account of official business.

Ms. MCCOLLUM of Minnesota (at the request of Ms. PELOSI) for today on account of visiting Minnesota National Guard troops at Camp Shelby, Mississippi, who are about to be deployed to Iraq.

Mr. PETERSON of Minnesota (at the request of Ms. PELOSI) for today on account of visiting Minnesota National Guard troops at Camp Shelby, Mississippi, who are about to be deployed to Iraq.

Mr. NORWOOD (at the request of Mr. BOEHNER) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. MCHENRY, for 5 minutes, today and March 16.

Ms. FOXX, for 5 minutes, today and March 16.

Mr. SHIMKUS, for 5 minutes, today.

Mr. KUHL of New York, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1184. An act 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.

S. 2064. An act 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.

S. 2363. An act to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

ADJOURNMENT

Mr. POE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, March 16, 2006 at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6696. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Flumiclorac Pentyl; Pesticide Tolerance [EPA-HQ-OPP-2005-0311; FRL-7764-1] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6697. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Emergency Exemption Process Revisions [EPA-HQ-OPP-2004-0038; FRL-7749-3] (RIN: 2070-AD36) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6698. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Sorbitol Octanoate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2005-0515; FRL-7757-2] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6699. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Simplified Acquisition Procedures [DFARS Case 2003-D075] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6700. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contracting by Negotiation [DFARS Case 2003-D077] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6701. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; DoD Pilot Mentor-Protege Program [DFARS Case 2004-D028] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6702. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Specialized Service Contracting [DFARS Case 2003-D041] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6703. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisition of Utility Services [DFARS Case 2003-D069] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6704. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Utility Rates Established by Regulatory Bodies [DFARS Case 2003-D096] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6705. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Amendment of Prohibited Transaction Exemption 84-24 (PTE 84-24) For Certain Transactions Involving Insurance Agents and Brokers, Pension Consultants, Insurance Companies, Investment Companies and Investment Company Principal Underwriters [Exemption Application D-11069] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6706. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Amendment to Prohibited Transaction Exemption (PTE) 75-1, Exemptions From Prohibitions Respecting Certain Classes of Transactions Involving Employee Benefit Plans and Certain Broker-Dealers, Reporting Dealers and Banks [Application No. D-11184] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6707. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Alabama: State Implementation Plan Revision [EPA-R04-OAR-2005-AL-0002-200528a; FRL-8042-9] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6708. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Incorporation By Reference of Approval State Hazardous Waste Management Program [EPA-R08-RCRA-2006-0048; FRL-8035-5] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6709. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — South Dakota: Final Authorization of State Hazardous Waste Management Program Revision and Incorporation By Reference of Approved State Hazardous Waste Management Program [EPA-R08-RCRA-2006-0047; FRL-8035-4] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6710. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey Consumer Products Rule; [Region 2 Docket No. EPA-R02-OAR-2004-NJ-0004, FRL-8020-6] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6711. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico, Visibility [NM-4-1-5208a; FRL-8025-5] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6712. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Disapproval of Air Quality Implementation Plans; Montana; Maintenance of Air Pollution Control Equipment For Existing Aluminum Plants [EPA-R08-OAR-2006-0017; FRL-8026-1] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6713. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Stationary Gas Turbines [EPA-OAR-2002-0053; FRL-8025-9] (RIN: 2060-AK35) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6714. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30465; Amdt. No. 3141] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6715. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Eagle, CO [Docket No. FAA-2005-22845; Airspace Docket No. 05-ANM-14] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6716. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment and Revision of Area Navigation (RNAV) Routes; Western United States [Docket No. FAA-2005-20322; Airspace Docket No. 05-ANM-1] (RIN: 2120-AA66) received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6717. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace; Salina Municipal Airport, KS; Correction [Docket No. FAA-2005-21873; Airspace Docket No. 05-ACE-27] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6718. A letter from the Director, NIST, Department of Commerce, transmitting the Department's final rule — Small Grants Programs and Precision Measurement Grants Program; Availability of Funds [Docket No. 051202321-5335-02] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6719. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restrictions Imposed on Archaeological Material Originating in Italy and Representing the Pre-Clasical, Classical, and Imperial Roman Periods [USCBP-2006-0016] (RIN: 1505-AB63) received March 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6720. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Requirements for Long Term Care Facilities; Nursing Services; Posting of Nurse Staffing Information [CMS-3121-F] (RIN: 0938-AM55) received February 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1176. A bill to provide immunity for nonprofit athletic organizations in lawsuits arising from claims of ordinary negligence relating to the passage, adoption, or failure to adopt rules of play for athletic competitions and practices (Rept. 109–393). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1871. A bill to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations; with an amendment (Rept. 109–394). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CANTOR (for himself and Mr. POMEROY):

H.R. 4960. A bill to amend the Internal Revenue Code of 1986 to allow 5-year amortization of goodwill and other section 197 intangibles that are acquired from a small business; to the Committee on Ways and Means.

By Ms. HART (for herself and Mr. MANZULLO):

H.R. 4961. A bill to amend the Internal Revenue Code of 1986 to provide that the deduction for the health insurance costs of self-employed individuals be allowed in determining self-employment tax; to the Committee on Ways and Means.

By Mr. BOEHLERT:

H.R. 4962. A bill to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''; to the Committee on Government Reform.

By Mr. DUNCAN (for himself, Mr. JONES of North Carolina, Mr. WICKER, Mr. PICKERING, Mr. BONNER, Mr. GUTKNECHT, Mr. BACHUS, Ms. VELÁZQUEZ, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. HONDA, Mr. MEEKS of New York, Mr. OBERSTAR, Ms. SOLIS, Mr. LARSON of Connecticut, and Mr. UDALL of New Mexico):

H.R. 4963. A bill to recognize the right of the Commonwealth of Puerto Rico to call a constitutional convention through which the people of Puerto Rico would exercise their right to self-determination, and to establish a mechanism for congressional consideration of such decision; to the Committee on Resources.

By Mr. FLAKE (for himself, Mr. COOPER, Mr. GUTKNECHT, Mr. WAXMAN, Mr. BASS, Ms. NORTON, Mr. SOUDER, Mr. FORD, Mr. WESTMORELAND, Ms. LORETTA SANCHEZ of California, Mr. PLATTS, Mr. FRANK of Massachusetts, Mr. MARCHANT, Mr. UDALL of Colorado, Mr. PENCE, Mr. HENSARLING, Mr. MILLER of Florida, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, and Mr. POE):

H.R. 4964. A bill to prohibit Federal agencies from obligating funds for earmarks included only in congressional reports, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Rules, 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. GOHMERT:

H.R. 4965. A bill to amend title II of the Social Security Act to provide that a duty of the Board of Trustees of the Social Security Trust funds is to hold them in trust for the beneficiaries and to ensure that the assets of such trust funds are not diverted, and to authorize investment of such trust funds in securities that are not limited to obligations of the United States or obligations guaranteed as to principal and interest by the United States; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida (for himself, Ms. HARMAN, Mr. REYES, Mr. BOSWELL, Mr. CRAMER, Ms. ESHOO, Mr. HOLT, Mr. RUPPERSBERGER, and Mr. TIERNEY):

H.R. 4966. A bill to require the President to include a line item regarding the Privacy and Civil Liberties Oversight Board in the budget submitted pursuant to title 31, United States Code, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Government Reform, 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. KING of Iowa:

H.R. 4967. A bill to amend the Ethics in Government Act of 1978 and the Rules of the House of Representatives to strengthen financial disclosures and to require precertification of privately-funded travel, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Rules, 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. MCKINNEY:

H.R. 4968. A bill to provide for the expeditious disclosure of records relevant to the life and death of Tupac Amaru Shakur; to the Committee on Government Reform, and in addition to the Committee on Rules, 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. NORTON:

H.R. 4969. A bill to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the ''Hatch Act''; to the Committee on Government Reform.

By Mr. OTTER (for himself, Mr. SIMPSON, Mr. HASTINGS of Washington, and Mr. FLAKE):

H.R. 4970. A bill to ensure general aviation aircraft access to Federal land and to the airspace over Federal land; to the Committee on Resources, and in addition to the Committees on Agriculture, 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. VAN HOLLEN:

H.R. 4971. A bill to amend title 5, United States Code, to exempt certain individuals under the Civil Service Retirement System from the requirement to pay interest on the repayment of amounts received as refunds of retirement contributions as a condition of receiving credit under such System for the service covered by the refund; to the Committee on Government Reform, and in addition to the Committee on House Administration, 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. CASTLE:

H. Con. Res. 358. Concurrent resolution amending the Rules of the House of Representatives and the Standing Rules of the Senate to require the full payment and disclosure of charter flights provided to Members of Congress; to the Committee on Rules.

By Mr. FLAKE (for himself, Mr. DANIEL E. LUNGREN of California, and Ms. BORDALLO):

H. Res. 728. A resolution amending the Rules of the House of Representatives to require preapproval of privately-funded travel and the inclusion of such travel information on the public website of the Office of the Clerk of the House of Representatives, and for other purposes; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. FILNER.
H.R. 65: Mr. KIRK.
H.R. 115: Mr. GEORGE MILLER of California and Mr. KENNEDY of Rhode Island.
H.R. 282: Ms. LEE and Mr. ROYCE.
H.R. 303: Mr. ROSS.
H.R. 378: Mr. KUCINICH.
H.R. 414: Mr. ROTHMAN and Mr. PRICE of North Carolina.
H.R. 500: Mr. OXLEY, Mr. BARTON of Texas, Mr. OSBORNE, and Mr. CAMPBELL of California.
H.R. 521: Mr. BAIRD.
H.R. 583: Mr. PRICE of North Carolina.
H.R. 586: Mr. REHBERG.
H.R. 665: Mr. VAN HOLLEN.
H.R. 670: Mr. ROTHMAN.
H.R. 857: Mr. BACA.
H.R. 898: Ms. WOOLSEY.
H.R. 944: Mr. ROTHMAN.
H.R. 951: Mr. GERLACH, Mr. PETERSON of Minnesota, Mr. MCGOVERN, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. FATTAH, Ms. JACKSON-LEE of Texas, and Mr. WYNN.
H.R. 960: Mrs. DRAKE.
H.R. 987: Mr. BERMAN, Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Mr. SANDERS, Mrs. DAVIS of California, Ms. SOLIS, Mr. BRADY of Pennsylvania, Ms. MCKINNEY, Mr. WATT, Mr. BISHOP of Georgia, Mr. BOUCHER, Mr. HONDA, Mr. JACKSON of Illinois, Mr. MEEK of Florida, Mrs. CAPPS, Mr. SCHIFF, Mr. JEFFERSON, Ms. SCHAKOWSKY, Mr. REYES, and Mr. BISHOP of Utah.
H.R. 995: Mr. MANZULLO.
H.R. 1002: Ms. HERSETH.
H.R. 1016: Mr. DAVIS of Tennessee.
H.R. 1105: Mr. CASE.
H.R. 1200: Mr. JEFFERSON.
H.R. 1426: Mr. JONES of North Carolina and Mrs. KELLY.
H.R. 1431: Mrs. NAPOLITANO and Ms. WATERS.
H.R. 1504: Mrs. DRAKE, Mr. ALLEN, and Mr. PRICE of North Carolina.
H.R. 1671: Mr. CAMP of Michigan.
H.R. 1707: Mr. REYES.
H.R. 1708: Mr. SCHIFF, Mr. PLATTS, and Mr. LEWIS of Kentucky.
H.R. 1871: Mr. HAYES.
H.R. 2047: Mr. GONZALEZ.
H.R. 2177: Mr. MEEHAN and Mr. BECERRA.
H.R. 2206: Mr. OBERSTAR, Mr. MARKEY, Mr. MCINTYRE, Mr. LUCAS, and Mr. FARR.
H.R. 2332: Mr. PETRI.
H.R. 2356: Mr. BLUMENAUER.
H.R. 2369: Mr. FORTUÑO, Mr. MOORE of Kansas, and Mrs. CUBIN.
H.R. 2534: Mr. FOLEY.
H.R. 2553: Mr. MOORE of Kansas and Mr. DOYLE.
H.R. 2561: Mr. LATHAM.
H.R. 2635: Mr. MOORE of Kansas.
H.R. 2671: Mr. BOUCHER, Ms. CARSON, and Mr. STRICKLAND.
H.R. 2683: Mr. ALLEN, Mr. DINGELL, Mr. FATTAH, Mr. PAYNE, Mr. BERRY, Mr. GUTIERREZ, and Mr. LARSON of Connecticut.
H.R. 2684: Mr. ENGLISH of Pennsylvania.
H.R. 2943: Ms. ZOE LOFGREN of California and Mr. HOLDEN.
H.R. 2963: Mr. ISRAEL.
H.R. 3005: Mr. LARSON of Connecticut.
H.R. 3061: Mr. LEWIS of Kentucky and Mrs. MILLER of Michigan.
H.R. 3127: Mr. LINCOLN DIAZ-BALART of Florida, Ms. WATERS, and Ms. BALDWIN.
H.R. 3146: Ms. NORTON.
H.R. 3177: Mr. GERLACH and Mr. GREEN of Wisconsin.
H.R. 3194: Ms. LINDA T. SÁNCHEZ of California, Mr. GONZALEZ, and Ms. BERKLEY.
H.R. 3255: Mr. BOYD.
H.R. 3478: Mr. SCHWARZ of Michigan, Mr. CAMPBELL of California, Mr. COLE of Oklahoma, Mrs. LOWEY, and Mr. PUTNAM.
H.R. 3492: Mr. ALLEN and Ms. WATSON.
H.R. 3576: Mr. GRIJALVA.
H.R. 3644: Mr. MCGOVERN, Mr. OWENS, Mr. DOYLE, and Mr. MOLLOHAN.
H.R. 3658: Mr. CUMMINGS, Mr. TOWNS, Mr. MARIO DIAZ-BALART of Florida, and Mr. JEFFERSON.
H.R. 3778: Mr. BLUMENAUER, Mr. KUCINICH, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 4092: Mr. HYDE and Mr. SMITH of New Jersey.

H.R. 4147: Mr. FORTUÑO.
H.R. 4157: Mr. HASTINGS of Washington, Mr. PORTER, Mr. KUHL of New York, and Mr. LEACH.
H.R. 4315: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4341: Ms. FOXX.
H.R. 4357: Mr. OSBORNE.
H.R. 4411: Ms. BORDALLO and Mr. BARRETT of South Carolina.
H.R. 4452: Mr. INSLEE, Mr. LYNCH, Mr. WEXLER, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. FORD, Ms. WOOLSEY, and Mr. AL GREEN of Texas.
H.R. 4460: Mr. PETRI.
H.R. 4547: Mr. BOOZMAN.
H.R. 4569: Mr. COBLE.
H.R. 4621: Mr. WELLER, Mr. LEWIS of Kentucky, and Mr. FOSSELLA.
H.R. 4629: Mr. GEORGE MILLER of California.
H.R. 4662: Mr. PLATTS.
H.R. 4668: Ms. WASSERMAN SCHULTZ.
H.R. 4695: Mr. ROSS, Mr. ROTHMAN, and Mr. MURTHA.
H.R. 4704: Mr. GENE GREEN of Texas, Mr. LYNCH, Mrs. JO ANN DAVIS of Virginia, Mr. EMANUEL, and Mr. RAHALL.
H.R. 4737: Mr. PALLONE and Mr. GORDON.
H.R. 4747: Ms. BERKLEY, Mr. AL GREEN of Texas, Mr. CONYERS, Ms. WASSERMAN SCHULTZ, and Ms. BORDALLO.
H.R. 4755: Ms. GINNY BROWN-WAITE of Florida, Mr. ALLEN, Mr. BILIRAKIS, Mr. BROWN of Ohio, Mr. HOLT, Mr. GONZALEZ, and Mr. MCGOVERN.
H.R. 4761: Mr. NUNES, Mr. GOODLATTE, Mr. CRAMER, Mr. DAVIS of Alabama, Ms. GRANGER, and Mr. SESSIONS.
H.R. 4774: Mr. LEWIS of Kentucky.
H.R. 4777: Mr. FEENEY.
H.R. 4781: Mr. EVANS.
H.R. 4794: Ms. MCKINNEY and Ms. HERSETH.
H.R. 4796: Mr. BOOZMAN.
H.R. 4807: Mr. CONYERS.
H.R. 4808: Mr. UPTON.
H.R. 4814: Mrs. JO ANN DAVIS of Virginia, Mr. KUHL of New York, and Mr. MCCOTTER.
H.R. 4821: Mr. ROTHMAN.
H.R. 4824: Mr. HOLDEN.
H.R. 4830: Mr. PUTNAM and Mr. FOLEY.
H.R. 4833: Mrs. JO ANN DAVIS of Virginia.
H.R. 4838: Mr. MILLER of Florida and Mr. KELLER.
H.R. 4864: Mr. MARSHALL.
H.R. 4882: Mr. WELDON of Pennsylvania.
H.R. 4902: Mr. HALL, Mr. SESSIONS, Mr. MURTHA, Mr. ROSS, Mr. ALEXANDER, Mr. YOUNG of Alaska, Mr. COBLE, Ms. PRYCE of Ohio, Mr. DELAHUNT, Mr. TAYLOR of Mississippi, Mr. GRIJALVA, Mr. MURPHY, and Mr. PETERSON of Pennsylvania.
H.R. 4903: Mr. KILDEE and Mr. DEFAZIO.
H.R. 4922: Mr. SHUSTER.
H.R. 4949: Mr. ENGLISH of Pennsylvania, Mr. BACHUS, Mrs. WILSON of New Mexico, Mr. BOREN, Mr. RANGEL, Mr. HOLDEN, Mr. RAHALL, Mrs. JO ANN DAVIS of Virginia, Mr. ORTIZ, Mr. ROSS, Mr. CARDOZA, Mr. REYES, Mr. GONZALEZ, Mr. BROWN of Ohio, Mr. SANDERS, Mrs. TAUSCHER, and Mr. GUTIERREZ.
H. Con. Res. 197: Mr. GUTIERREZ.
H. Con. Res. 247: Mr. CLAY.
H. Con. Res. 282: Ms. WOOLSEY, Ms. CORRINE BROWN of Florida, and Mr. GUTIERREZ.
H. Con. Res. 320: Mrs. MYRICK.
H. Con. Res. 348: Mr. PAUL, Mr. JONES of North Carolina, Mr. ABERCROMBIE, Mr. RANGEL, and Ms. MATSUI.
H. Con. Res. 353: Ms. MCKINNEY and Ms. WASSERMAN SCHULTZ.
H. Res. 116: Mr. SMITH of Washington and Mr. JONES of North Carolina.
H. Res. 295: Ms. MCKINNEY and Mr. OLVER.
H. Res. 498: Ms. MCCOLLUM of Minnesota.
H. Res. 672: Ms. MCKINNEY.
H. Res. 693: Mr. JEFFERSON and Mr. SANDERS.
H. Res. 720: Mr. CONYERS, Mr. MCDERMOTT, and Ms. MCCOLLUM of Minnesota.
H. Res. 724: Ms. WATERS.
H. Res. 727: Mr. TOWNS and Ms. MCKINNEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 13: Page 73, line 10, after the dollar amount insert ''(increased by $800,000,000)''.

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 14: Page 74, lines 3 through 8, strike ''the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that'' and ''unless the Secretary otherwise makes a finding of compelling need''.

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 15: Page 74, strike ''the Secretary'' in line 3 and all that follows through ''need'' in line 8 and insert ''notwithstanding the preceding proviso, the Secretary may not waive any requirement that activities benefit persons of low and moderate income ''.

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 16: At the end of the bill, and before the short title, insert the following:

SEC. 3013. None of the funds appropriated in this Act, or any prior Act making appropriations related to the necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, may be obligated by the Department of Justice to prohibit registered and legal, but displaced, residents of the Gulf Coast region from the right to legally vote in any officially designated election of the Gulf Coast region.

H.R. 4939

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 17: Page 81, beginning on line 21, strike section 3010 (relating to LIHEAP).

H.R. 4939

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by section 3010 for fiscal year 2006 for the Low-Income Home Energy Assistance Program may be used while there continues in effect a Federal prohibition on the exploration, leasing, development, or production of oil or natural gas in the Arctic National Wildlife Refuge or the Outer Continental Shelf.

H.R. 4939

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 19: Page 79, beginning on line 10, strike section 3006.

H.R. 4939

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 20: Page 35, line 21, strike ''That'' and all that follows through the comma on line 24.

H.R. 4939

OFFERED BY: MR. GINGREY

AMENDMENT NO. 21: Page 62, beginning on line 1, strike lines 1 through 11 (relating to National Park Service Historic Preservation Fund).

H.R. 4939

OFFERED BY: MR. HALL

AMENDMENT NO. 22: At the end of title II, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. In order to provide child care subsidies to the children of parents who are working or enrolled in workforce activities, in a manner that does not put the child care needs of temporary residents ahead of families already on waiting lists for services funded by the Child Care and Development Fund, in any redistribution of unobligated Federal matching funds as authorized by section 418 of the Social Security Act, the Secretary of Health and Human Services shall give priority to States currently serving a significant number of children in families adversely affected by Hurricane Katrina.

H.R. 4939

OFFERED BY: MRS. FOXX

AMENDMENT NO. 23: Strike line 6 through page 38, line 4 (relating to International Broadcasting Operations and Broadcasting Capital Improvements).

H.R. 4939

OFFERED BY: MR. FLAKE

AMENDMENT NO. 24: Page 79, beginning on line 22, strike section 3007.

H.R. 4939

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 25: In chapter 4 of title II, in the item relating to ''Federal Emergency Management Agency-Preparedness, Mitigation, Response, and Recovery'', after the dollar amount on Page 58, line 18, insert the following: ''(reduced by $5 million)''.

H.R. 4939

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 26: On page 84, after line 17, insert the following:

TITLE IV—ESTABLISHMENT OF A ''TRUMAN'' INVESTIGATIVE COMMITTEE TO PROTECT AGAINST WASTE, FRAUD, AND ABUSE RELATED TO CONTRACTS FOR THE GLOBAL WAR ON TERRORISM AND HURRICANES KATRINA AND RITA REBUILDING EFFORTS

SEC. 401. There is hereby created a select committee on the model of the Truman Committee to investigate the awarding and carrying out of contracts to conduct military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts (hereinafter referred to in this title as the ''select committee'').

SEC. 402. (a) The select committee is to be composed of 19 Members of the House, one of whom shall be designated as chairman from the majority party and one of whom shall be designated ranking member from the minority party. The chairmen and ranking minority members of the following committees will serve on the select committee:

(1) Committee on Armed Services.
(2) Committee on Government Reform.
(3) Committee on Homeland Security.
(4) Committee on International Relations.

The chairmen and ranking minority members of the following subcommittees of the Committee on Appropriations will serve on the select committee:

(1) Subcommittee on Defense.
(2) Subcommittee on Foreign Operations, Export Financing, and Related Programs.
(3) Subcommittee on Homeland Security.

In addition, the Speaker shall appoint 5 members of the select committee, of which 2 members shall be appointed upon the recommendation of the minority leader. Any

vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(b) The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by the Government for military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts and make such recommendations to the House as the select committee deems appropriate regarding the following matters:

(1) Bidding, contracting, and auditing standards in the issuance of Government contracts.

(2) Oversight procedures.

(3) Forms of payment and safeguards against money laundering.

(4) Accountability of contractors and Government officials involved in procurement.

(5) Penalties for violations of law and abuses in the awarding and carrying out of Government contracts.

(6) Subcontracting under large, comprehensive contracts.

(7) Inclusion and utilization of small businesses, through subcontracts or otherwise.

(8) Such other matters as the select committee deems appropriate.

SEC. 403. (a) QUORUM.—One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the committee to be actually present, except that the select committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) POWERS.—For the purpose of carrying out this title, the select committee may sit and act during the present Congress at any time and place within the United States or elsewhere, whether the House is in session, has recessed, or has adjourned and hold such hearings as it considers necessary and to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, and other things and information of any kind as it deems necessary, including relevant classified materials.

(c) ISSUANCE OF SUBPOENAS.—A subpoena may be authorized and issued by the select committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Authorized subpoenas shall be signed by the chairman or by any member designated by the select committee, and may be served by any person designated by the chairman or such member. Subpoenas shall be issued under the seal of the House and attested by the Clerk. The select committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Government.

(d) MEETINGS.—The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless a majority of members of the select committee voting, there being in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(e) APPLICABILITIES OF RULES OF THE HOUSE.—The Rules of the House of Representatives applicable to standing committees shall govern the select committee where not inconsistent with this title.

(f) WRITTEN COMMITTEE RULES.—The select committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this title or the Rules of the House of Representatives.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 27: Page 73, line 15, after the colon insert the following:

Provided further, That not less than $2,000,000,000 from funds made available under this heading shall be used as provided under this heading only for the long-term recovery of areas that are housing victims of Hurricane Katrina who, at the time of the onset of such hurricane, were residents of States other than the State in which such area is located:

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 28: Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $1,380,500,000)''.

Page 72, line 18, after the dollar amount, insert the following: ''(increased by $1,380,500,000)''.

Page 73, line 15, after the colon insert the following:

Provided further, That not less than $1,380,500,000 from funds made available under this heading shall be used as provided under this heading only for the long-term recovery of areas that are housing victims of Hurricane Katrina who, at the time of the onset of such hurricane, were residents of States other than the State in which such area is located:

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 29: Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $1,380,500,000)''.

Page 72, line 18, after the dollar amount, insert the following: ''(increased by $1,380,500,000)''.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 30: Page 76, after line 20, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. (a) For the recovery, rebuilding, and relief of the State of Texas from the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000,000, to remain available until expended and to be allocated and administered by the Secretary of the Treasury and used only for the State of Texas as follows:

(1) For the costs of housing, social services, health care, and education for the residents of other States affected by the hurricanes who are temporarily residing in Texas.

(2) For the costs of recovery from damage caused by the hurricanes, including repair and construction of infrastructure and housing, debris removal, unreimbursed health care costs of evacuees, flood control and waterway repair, employment and labor services, public safety and security costs, and community and economic development activities.

(3) For such other related costs as may be necessary.

(b) The amounts otherwise provided in this Act for the following accounts are hereby reduced by the following amounts:

(1) ''Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs'' in chapter 6 of title I, by $1,380,500,000.

(2) ''Federal Emergency Management Agency—Disaster Relief'' in chapter 4 of title II, by $619,500,000.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 31: Page 72, line 25, after the colon insert the following:

Provided further, That the factors used by the Secretary in distributing funds made available under this heading shall apply the most timely and accurate data available relating to all damages from such hurricanes and total numbers of relocated evacuees based on their current addresses rather than their addresses of record at the time of the storms, and, to the extent possible, the Secretary shall obtain information from the departments of insurance and tax appraisal records of States and consult and coordinate with the Bureau of the Census of the Department of Commerce to reestimate population, income, and other statistics when determining estimates for use in connection with amounts made available under this heading:

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 32: Page 65, after line 2, insert the following:

''CHAPTER 5A

''DEPARTMENT OF EDUCATION

''For assisting in meeting the educational needs of individuals affected by hurricanes in the Gulf of Mexico in calendar year 2005, $400,000,000, to remain available through September 30, 2007, to be available to carry out section 107 of title IV, division B of Public Law 109–148: *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. BRADY OF TEXAS

AMENDMENT NO. 33: Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $400,000,000)''.

Page 65, after line 2, insert the following:

''CHAPTER 5A

''DEPARTMENT OF EDUCATION

''For assisting in meeting the educational needs of individuals affected by hurricanes in the Gulf of Mexico in calendar year 2005, $400,000,000, to remain available through September 30, 2007, to be available to carry out section 107 of title IV, division B of Public Law 109–148.''

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. Of the funds appropriated under this Act under the heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—Community Development Fund'', $400,000,000 shall not be available for expenditure until $400,000,000 is made available to carry out section 107 of title IV, division B of Public Law 109–148.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 35: Page 72, line 22, strike ''the most''.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 36: Page 27, strike line 24 and all that follows through line 5 on page 28.

Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Page 36, strike line 14 and all that follows through line 21.

H.R. 4939

OFFERED BY: MR. KENNEDY OF MINNESOTA

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following new section:

SEC. __. None of the funds provided in this Act may be used to allow entry onto the grounds of any Department of Defense installation or cemetery or Department of Veterans Affairs cemetery for the purpose of a demonstration in connection with a funeral or memorial service or ceremony for a deceased member of the Armed Forces.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, WEDNESDAY, MARCH 15, 2006 No. 33

Senate

The Senate met at 9 a.m. and was called to order by the Honorable JON KYL, a Senator from the State of Arizona.

PRAYER

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

Let us pray.

King of Kings, and Lord of Lords, we pause today to lift our hearts to You. You are the God of hope who fills us with joy and peace. Thank You for the privilege of serving You as we labor for country.

Today, inspire our Senators with Your presence. Renew their minds, stir their spirits, and warm their hearts. Give them wisdom so that they can alleviate the suffering of the multitudes. Open to us opportunities to touch the lives of others with the spirit of hope we find in You.

Let our lips and lives sing Your praises for the kingdom, the power, and the glory belong to You. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON KYL 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 15, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON KYL, a Senator from the State of Arizona, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. KYL 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, we are returning to the consideration of the budget resolution. Last night, the two managers reached an agreement for a series of amendments that will be debated this morning. Following that debate, we will schedule votes on the amendments debated last evening, as well as the amendments that will be finished this morning. We will likely have the first vote around 1 o'clock today.

We have a joint meeting at 2 o'clock today. Senators will gather in the Chamber and depart at approximately 1:40 to hear the address by the President of Liberia. We would like to dispose of two votes prior to that joint meeting so I ask all Senators vote quickly on the first vote so we have time to do that second vote prior to our departure.

When we return from that joint meeting, at approximately 3 o'clock today, we will start a series of rollcall votes to dispose of the remaining amendments from the list agreed to. We continue to work toward an agreement for consideration of the debt limit extension. We may turn to that bill later today as well.

I will say again that we have a lot to do. We have the budget resolution and the debt limit extension, both of which we need to complete this week. We will stay as late as necessary today, tomorrow, Thursday night, Friday to complete these two issues. I encourage Senators to show as much restraint as possible to allow us to finish at the earliest possible time.

I am happy to yield to the Senator from Alaska.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

HONORING MAGGIE INOUYE

Mr. STEVENS. Mr. President, words cannot express the sadness that my wife, Catherine and I felt when we learned Maggie Inouye had passed away.

Maggie was truly DAN's partner in life. Their courtship and marriage was a love story for the ages.

As so many of us did during World War II, DAN put his education on hold to serve his country. When he met Maggie, DAN was finishing his undergraduate degree at the University of Hawaii. He knew instantly he wanted to marry her. On their second date, they were engaged.

From that point on, Maggie was a constant source of support and friendship for DAN. She had a gift for teaching and a way with words. Maggie worked as a university speech instructor while DAN was finishing college. Many have praised DAN's speeches on the Senate floor, but few know Maggie had a hand in our good friend's eloquence. As Frank Fasi, the former mayor of Honolulu, once said, ''If anyone was responsible, she was responsible for [DAN's] wonderful oratory.''

When DAN decided to go into politics, Maggie supported him, listened to him, and campaigned for him.

When DAN was elected to the House of Representatives in 1959, Maggie came to Washington with him to help serve the people of Hawaii. It could not have been easy to leave her family and friends in Hawaii behind, but Maggie was a devoted wife—and in her own, quiet way, a devoted public servant.

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

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In his autobiography, DAN tells the story of the day he was elected to the Senate. It was Election Day in 1962, and DAN and Maggie had gone to the polls. As they walked toward the voting booth DAN asked Maggie, ''How do you think you'll like being a Senator's lady?''

Maggie looked at DAN and said, ''Being DAN INOUYE's lady is what's important. The rest is just extra.''

That story really tells you who Maggie Inouye was. She was an elegant woman. Her love for DAN was absolute, and she was completely devoted to him.

Maggie lived her life with great dignity, grace, and optimism. It was these qualities that drew DAN to her 58 years ago. Even illness could not dampen her spirit.

Catherine and I extend our deepest sympathies to DAN, their son Kenny and his wife Jessica, and Maggie's five sisters. Maggie will be sorely missed by all who knew her.

As everyone can tell, I too have a mentor in my wife Catherine. Dr. Lindsey Hayes helped me prepare these remarks.

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.

The PRESIDENT pro tempore. In my capacity as a Senator from the State of Alaska, I ask the calling of the quorum be rescinded.

Without objection, it is so ordered.

RESERVATION OF LEADER TIME

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

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2007

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of Senate Concurrent Resolution 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.

Pending:

Specter amendment No. 3048, to increase the advance appropriations allowance in order to fund health, education and training, and low-income programs.

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.

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.

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.

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.

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.

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.

The PRESIDENT pro tempore. The Senator from Arizona is recognized.

AMENDMENT NO. 3068

Mr. KYL. Mr. President, I thought the chairman of the Committee on the Budget, Senator GREGG, might give us a little bit more texture about the order of the day, but I think the majority leader pointed out what the schedule is going to be. The first amendment, as I understand that is to be laid down, is an amendment which I now ask unanimous consent to call up.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL], for himself and Mr. CORNYN, proposes amendment numbered 3068.

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

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

The amendment is as follows:

(Purpose: To designate $2 billion in immigration- and homeland security-related funding for interior enforcement purposes, including, but not limited to: federal detention bed spaces and personnel; implementation of an expanded and user-friendly Electronic Employment Verification System; and, additional worksite enforcement personnel, including additional immigration enforcement agents, forensics auditors, fraud agents, intelligence research assistants, employer outreach assistants, and others)

On page 24, line 24, increase the amount by $2,000,000,000.

On page 24, line 25, increase the amount by $2,000,000,000.

On page 27, line 23, decrease the amount by $2,000,000,000.

On page 27, line 24, decrease the amount by $2,000,000,000.

Mr. KYL. Mr. President, I ask unanimous consent Senator CORNYN be added as an original cosponsor of this amendment.

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

Mr. KYL. By way of brief explanation, this amendment adds, with an offset from the function 920, a total of $2 billion to the fiscal year 2007 budget for the purpose of additional immigration and Homeland Security resources. The actual tally of costs that we are probably going to have to bear exceeds this amount. But in effect, this will be a downpayment toward the necessary work to be done in beginning to prepare for a temporary worker program, a worker eligibility or verification program and other elements of a comprehensive immigration reform that would be necessary to fit together once the Senate acts and the House acts on such a system.

In addition, funding that could be included within this $2 billion is the State Criminal Alien Assistance Program, or SCAAP funding, which the budget currently does not fund but which historically has been funded at up to about $600 million. Last year, it was a little more than a third that much. Clearly, Congress needs to act to reinstate the funding for the SCAAP program. This amendment can accommodate that funding as well.

Let me list the primary elements of this particular amendment that funds programs necessary to begin the development of the worker verification program in connection with comprehensive immigration reform.

One thing we need to do is to implement an electronic employment verification system and clean up the Social Security database and reissue a secure Social Security card and number to workers in the United States as the primary method of verifying worker eligibility. That is going to require not only work to clean up the database itself but a broadening of the current basic pilot program which is the only program currently in existence that can electronically verify employment. The Congressional Budget Office has estimated it will take about $450 million to erect the system and, in effect, to make the basic pilot program through the Department of Homeland Security mandatory, rather than discretionary, over a period of 5 years, about $90 million each year.

The Social Security Administration has estimated costs with regard to creating a system to produce a secure Social Security card and distribute that. Those costs vary widely in terms of the estimates. One estimate that could be made, based upon information that has been provided, would provide a cost of about $1.14 billion a year to actually get this entire system up and running. That cost, or part of that for 1 year could be included within the $2 billion that is specified in this amendment.

Second, we are going to need worksite enforcement personnel. One of the areas that has been neglected in the current enforcement regime is the following up or auditing of employers who, in many cases, are employing illegal immigrants. The Bureau of Immigration Enforcement, responsible for enforcing immigration laws at the worksite, has requested 200 full-time employees, about a $23 million expense

in 2005. In 2006, an additional $18 million above the 2005 level, and the 2007 budget requests $47.1 million for worksite enforcement to add 206 agents and support staff for this effort.

However, there are clearly a lot more requirements to be met. Some 24 million business entities file income tax returns and the number that can be checked is far less than that.

So it is clear we need additional administrative personnel so the auditing can be done and we can lay the basis for a workable worksite verification and enforcement program. Any immigration bill that passes the Congress this year will fail unless the requisite number of worksite enforcement personnel is actually funded this year.

Let me just restate that. Whatever we do this year, we are going to have to begin the process of adding the personnel, so that once we act, we can begin to enforce whatever it is we pass. If we wait until after the President signs a bill into law to do this, then there will be at least a year delay as we ramp up the personnel and necessary other systems to implement the law. So we need to begin this process now.

There is a potential to fund additional Border Patrol agents that would be authorized under the program. There is, importantly, an estimate to increase the amount of detention space that we are going to need that could be funded from this.

The 2007 budget for the Department of Homeland Security requests over $400 million to add about 6,700 additional detention beds, rather than the 8,000 beds currently authorized each year, which would bring the total to 27,500. Clearly, at least 10,000 additional beds over the next 5 years are going to be needed.

Let me explain the primary reason for this. The illegal immigrants who are apprehended here, who come from countries other than Mexico, cannot easily be returned to their home countries in every case. In fact, in most cases, there is quite a delay. In fact, in some cases, the countries will not even take them back. Clearly, either those people have to be detained until they can be removed to their home country or they are released into our society.

The current policy has been one of ''catch and release,'' which means hundreds of thousands of people who come from countries other than Mexico—many of them from countries of special interest; in other words, countries from which terrorists have come—are simply melding into our society, never reporting for removal. It is an unacceptable situation, everybody recognizes.

In order to have the space to detain them until they can be removed to their home country, we need to appropriate additional money. This provides the authorization for that additional detention space.

Finally, Mr. President, I mentioned the State Criminal Alien Assistance Program. The estimated cost to reimburse the States—about 30 cents on the dollar—is $700 million this year. This funding provided for in this amendment would enable us to provide that funding to the States and to the local governments, which have had to carry the burden of housing these illegal immigrant criminals, people who have been convicted in State courts of crimes, and then the States have had to pay the expense of their incarceration. The Federal Government has in the past deemed there is at least some responsibility to help bear these costs. I think this amendment can go a long way toward meeting this responsibility.

This additional $2 billion in no way covers all of the expenses that would need to be covered. But in addition to that which is already provided for in the budget—I have to take one second to compliment the chairman of the Budget Committee and the ranking member for their hard work to gain additional resources in the budget for a variety of programs to deal with comprehensive immigration reform. Their additions this year are historic and welcome and needed. What this funding does is to complement that in some additional areas they have not covered so we can get a start on comprehensive immigration reform and not be lagging behind 2 or 3 years simply because we did not anticipate the kind of expenses that would be needed to make such a program work.

So I compliment the members of the Budget Committee for their hard work. I think this amendment should be accepted as an additional complement to what they did.

Mr. President, I yield the floor at this time and hope to hear from my cosponsor, Senator CORNYN from Texas.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Texas.

Mr. CORNYN. Thank you, Mr. President.

Mr. President, I congratulate the Senator from Arizona for his tremendous leadership in this area. I wish to detail some of that leadership and some of the work he has done. I have been proud to work with him.

I think what the amendment really helps to do is to serve as a wake-up call, a wake-up call to the Senate, a wake-up call to the Federal Government, and really a message that is being delivered day in and day out by people in my State and people all across America, who say they are sick and tired of the Federal Government not living up to its responsibilities when it comes to securing our international borders.

We all know in minute detail how porous our borders are, and we know that in the past the American people have been asked to accept solutions—like amnesty in 1986—on the condition that the Federal Government would provide a means whereby employers could determine the eligibility of prospective employees to work legally in the United States. But while the American people were given an amnesty program, legalizing roughly 3 million individuals, the Federal Government did not provide the means for employers to determine whether that prospective employee could legally work in the United States.

The Senator from Arizona mentioned the basic pilot program which was supposed to be the means to that end, but it was a purely voluntary program, and thus employers were left with a conundrum. They needed the workforce, but they did not necessarily have access to a means to determine the legal status of prospective employees. So what they relied upon were oftentimes what turned out to be fake identification, whether driver's licenses, Social Security cards, passports, or the like. We do not expect the employers in this country to try to be FBI agents or to conduct an independent investigation as to the legal status of prospective employees.

What this amendment will do is two important things. No. 1, it will begin to cause the Federal Government to step up to finally begin to provide the resources necessary to have a bona fide electronic verification system. But perhaps more importantly, it will demonstrate the seriousness of the Federal Government to finally live up to its responsibilities.

The people across America, the U.S. Chamber of Commerce—we are hearing a lot from sectors of the employment community saying they need a temporary worker program, a guest worker program. I think we all acknowledge it is important for us to determine who the 10 or 11 million people are who are currently in the country who have come here, perhaps legally in the first instance, but at least 40 percent of them have outstayed their visas and are currently out of status or people who have literally walked across or swam across the Rio Grande River to come here.

But in a post-9/11 world, there can be no doubt we must know who is in our country and what their reasons are for being here, so we can cull out the criminals, the people who come here to do us harm, and including the potential prospects of terrorists exploiting these known vulnerabilities in our way too porous border. So we need a national strategy to deal with that.

As the current occupant of the chair knows and the Senator from Arizona knows, as members of the Judiciary Committee, we are working hard to try to come up with a solution to this extraordinarily complex problem. The difficulty is compounded by the fact that, here again, we are playing catch-up.

But the purpose ultimately served by this amendment as well as the budget resolution that is pending on the floor—and the Senator from Arizona rightly praised the chairman of the Budget Committee for moving funds into building infrastructure along our border—the American people need to know we are making a firm and solid

commitment to do whatever it takes to make this system work and to finally bring it under control. Because people are not going to accept the bait and switch that essentially was foisted upon them in 1986, when they said take an amnesty, and then, on the condition we will have an employer verification system, we will actually sanction people for hiring people who cannot legally work in the United States, I do not think people will be fooled again. I certainly do not plan to be part of that.

I know there are many in Congress and in the Senate who are absolutely committed to coming up with a solution to this problem. It is not easy. But again, I do not believe the American people or our constituents sent us here necessarily to do just easy things. They expect us to come here and do more than go to receptions or meetings at the White House. They actually expect us to do some real work. But it is going to take some real work, and it is going to take some real money to finally make the investment the Federal Government has to make in order to bring this broken system under control.

So I gladly join as a cosponsor of this amendment and ask for the support of all of our colleagues for this very important step forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me say on this side we agree entirely with the need to put more resources into enforcing the border. And that part of the Senator's amendment on our side we strongly support.

Let me just register, as I have registered on previous amendments, that the problem I see with this amendment is how it is paid for. It is paid for out of section 920. But there is no money in section 920. We keep passing amendments that are theoretically funded by that source. But before we started voting for additional amendments taking money out of 920, 920 was already $500 million underwater.

So what happens? What is the practical effect? The practical effect is that there will be an across-the-board cut on all discretionary accounts. We have now passed $10 billion in amendments that will be funded by across-the-board cuts in discretionary accounts. That means we will reduce homeland security, we will reduce law enforcement, we will reduce national defense in order to pay for these amendments which are theoretically funded out of 920 because there is no money in 920.

So what we are left with is, at the end of the day, the appropriators had $873 billion before this amendment, and after this amendment they will have the same amount of money—$873 billion. If they are to use more money within that allocation for this purpose, they will simply have to reduce the other discretionary accounts. Of course, the biggest one is defense. They will have to reduce homeland security. They will have to reduce law enforcement. They will have to reduce the others. That is the practical effect.

I know there are a whole series of other amendments that use 920 as a funding source, when there just is no money in 920. So at the end of the day, what is going to happen is there will be an across-the-board cut in all domestic accounts, and that will include defense, that will include homeland security, that will include law enforcement. So that is the practical effect.

The hard reality is, we had $873 billion for the appropriators before this amendment. After this amendment, we will have that same amount of money for the appropriators. They will ultimately have to decide how it is funded.

With that, I want to indicate we would be willing to take this amendment on a voice vote, if the Senator from Arizona would be willing to so do.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I certainly am.

Let me, first of all, say I think the comments of the ranking member of the Budget Committee are entirely appropriate, and they are absolutely accurate. It is a matter of setting priorities.

And to the point that we are requiring the appropriators to engage in a very difficult job of setting those priorities and having to choose between different programs, I certainly take his point. He is 100 percent right. It is our view that, of course, among the highest of priorities is national defense, homeland security, and this is part of that.

We hope to work with him and with the members of the Appropriations Committee to try to make sure the priorities are established in the appropriate way. I do appreciate his cooperation here, and we are ready to take the vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3068) was agreed to.

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

The motion to lay on the table was agreed to.

Mr. CONRAD. The regular order is now to go to Senator NELSON, is that correct?

The PRESIDING OFFICER. The regular order is the amendment by the Senator from Iowa, Mr. GRASSLEY.

Mr. NELSON of Florida. Will the Senator from North Dakota yield?

Mr. CONRAD. I am happy to yield.

Mr. NELSON of Florida. I would proffer a unanimous consent request that since the Senator from Iowa is not able to be here right now—it is my understanding he is delayed in traffic—I be able to proceed by offering my amendment.

Mr. CONRAD. Mr. President, Senator GREGG and I have an agreement that neither one of us do unanimous consent requests without the other informed or on the floor. I have been told by his staff that it is OK with Senator GREGG. With that assurance, I have no objection. I thank Senator NELSON very much for being here to expedite the business of the Senate. It is gracious of him to do so.

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

The Senator from Florida.

Mr. NELSON of Florida. I ask unanimous consent that the next amendment be my amendment instead of the regular order of the Grassley amendment.

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

AMENDMENT NO. 3009

Mr. NELSON of Florida. I call up amendment 3009.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. NELSON] proposes an amendment numbered 3009.

Mr. NELSON of Florida. 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 establish a deficit-neutral reserve fund to protect medicare beneficiaries who enroll in the prescription drug benefit during 2006)

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO PROTECT MEDICARE BENEFICIARIES WHO ENROLL IN THE PRESCRIPTION DRUG BENEFIT DURING 2006.

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) extend the annual open enrollment period under the Medicare prescription drug program under part D of title XVIII through all of 2006 without imposing a late enrollment penalty for months during such period; and

(2) allow a one-time change of plan enrollment under such program at any time during 2006;

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.

Mr. NELSON of Florida. Mr. President, this is the deadline amendment on the Medicare prescription drug, Medicare Part D, that the Senate has heard about now over the course of the last 6 months. Each time we have been in a parliamentary procedure where we have been able to receive a majority of votes, in excess of 51 votes, but because of the parliamentary procedure we have found ourselves in, a 60-vote majority was required. Not so today. This amendment can pass with a simple majority vote, according to how many Senators are here, whatever is the simple majority.

It is an amendment all of our Senators have been hearing a lot about. As we have gone home to our States,

clearly every Senator has received an earful from senior citizens of their States in which the seniors have not only implored but in some cases begged for an extension of the May 15 deadline for signing up for the Medicare prescription drug benefit.

Why? Why are senior citizens confused and bewildered and, in some cases, frightened? They are confused because they are facing a multiplicity of plans. For example, in my State of Florida, 18 companies are offering 43 stand-alone plans, 43 prescription drug plans that a senior citizen is to try to make a determination about which is the best for them according to the prescription drugs they need. They are confused and bewildered and, in some cases, frightened. Why are they frightened? Because they know if by the deadline they don't make a choice, they are going to be penalized 1 percent of the overall drug premium prices per month or 12 percent a year.

Indeed, the Congressional Budget Office, in determining what is the cost of this amendment over 5 years, has taken that into account and has said it is going to be an additional cost on average to a senior citizen of 6 to 7 percent. Our senior citizens cannot afford that. So they are frightened.

They are also frightened in knowing if by the deadline they are confused and they pick a plan hastily in order to satisfy the deadline, they know if they happen to choose the wrong plan, they are stuck for a year. That causes considerable consternation and fright, because the medicines they take often are life giving. And thank the good Lord, we have progressed to the point that now the miracles of modern medicine through prescriptions have become an opportunity for us to have a much higher quality of life. A lot of the ailments that afflicted us 20, 30, and 40 years ago that had to be dealt with in a hospital by surgery and hospital procedures today can be taken care of, in large part, by prescription drugs. Naturally, senior citizens are confused. They are bewildered and, in some cases, they are frightened.

Every one of the Senators here has been hearing from their folks back home who are saying: Help us. Yet this body has taken a position. We are looking out for Medicare instead of looking out for the people Medicare serves. It is the beneficiaries of Medicare, the senior citizens of this country, we ought to be looking out for. So we have had this issue twice in front of us with a majority vote. We are going to have another opportunity today.

The stakes are high because simply we need to provide our seniors with the time and the resources they need to make an informed decision. In some cases, this is a matter of life or death, especially for those who are frail. How do we expect an artificial deadline to be handled with someone who has the onset of dementia?

Further complicating matters, the Medicare prescription drug benefit has been marred by implementation problems. These appear to be widespread, and they are clearly adversely affecting vulnerable beneficiaries. How many news stories have all of us read that talk about the senior citizen who is distraught because they go to the pharmacy and the pharmacy says: Your particular prescription is not on the formulary of the new plan. We saw that in what is called dual eligibles, in the shifting of Medicaid recipients over to Medicare. Hopefully that is going to be worked out, but it is all a part of this implementation of a new program that is having difficulty. Hopefully we will get it right, but we need to give senior citizens a break and not hold them with the guillotine over their head with an artificial deadline of May 15.

If we pass this amendment by delaying the late enrollment penalties and giving every beneficiary a chance to change plans once during the first year of the prescription drug benefit, then we can make sure our citizens are not going to have to make hasty decisions.

This amendment that I offer on behalf of a bipartisan group of Senators, including Senator SNOWE of Maine, instructs the Senate Finance Committee to extend the annual open enrollment period under the Medicare prescription drug program through all of 2006 without imposing a late enrollment penalty and to allow a one-time change in the plans at any point in 2006.

We are going to hear some Members oppose this amendment by saying that the Congressional Budget Office recently rescored the cost of extending the deadline. When the amendment was here before us a month or so ago, CBO had scored it at about a $300 million cost over 5 years. CBO now says it is going to cost $2 billion over 5 years. It is important to note that the new score by CBO is mainly due to the fact that the enrollment program has gone so poorly. The new cost reflects the fact that 10 million fewer people will be signing up for the drug benefit than previously estimated. That is not the senior citizens' fault. Why should they be penalized by saying this is going to cost more when, in fact, it has had such a problem in its implementation and it is not quite as attractive to seniors as the administration had once thought?

According to CBO's new estimates, if we extend the deadline for signing up through all of 2006, 1.1 million more beneficiaries will sign up before the end of the year. In addition, 10 million beneficiaries will pay lower premiums because they will have fewer penalties. So on the one hand, CBO is saying it is going to cost more because the enrollment program has gone so poorly, but on the other hand, the Congressional Budget Office is saying, indeed, if we extend it, we are going to have more beneficiaries sign up, over a million more, they are saying, will sign up if we extend the deadline. And they are saying the beneficiaries who sign up—they are estimating 10 million—will pay lower premiums because they will have fewer penalties. What Senator would want to vote against this amendment and, therefore, increase the cost to the senior citizens?

By opposing this amendment, if, indeed, the chairman of the Finance Committee, Senator GRASSLEY, is going to oppose it, it would seem that those who would oppose would suggest that you don't want to allow an additional million beneficiaries to enroll in the program. I would think we would want to enroll everybody as much as possible. And why would we want to punish 10 million beneficiaries with higher premiums through penalties?

It is kind of arcane language but also, according to the Congressional Budget Office, they have reevaluated the cost of the Medicare prescription drug benefit, and it is now projected over the next 5 years, the overall program, to cost $5 billion less than originally estimated by CBO. They also say by extending the deadline, it is going to cost another $2 billion over 5 years. That means that net, it is going to be costing $3 billion less than originally anticipated. So in every way we look at it, it is a win-win.

It is a win for the seniors. It is certainly a win for the seniors in taking them out of the confusion and bewilderment. It is a win for the seniors in them not paying more on their premiums with the penalties that the CBO estimates. And it is also a win in that the overall cost of the program would be net less than what it was originally expected to cost.

This is a time-limited, very important step which would help ease the pressure of the first year of this new drug program. So I think it is time that we now go on the record with a majority vote and pass the extension for the relief of our senior citizens.

I yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I have some points I would like to make. Before I do that, I will respond to a couple of points that the Senator from Florida made. One was his speaking about the bewilderment among seniors about the program. I would say that a great deal of the bewilderment comes from the confusion that people have because of the rhetoric of people who don't like this plan and have tried to kill it with rhetoric because they didn't have the votes on the floor of the Senate. That has not created a very good environment.

On the other hand, I can say that at my town meetings—I held 16, Monday through Thursday, during our last break—people who came expressed some wonderment about exactly what program to get into. But people who also had already selected a program gave very positive comments about the benefit of the program to them.

The other point I would like to make, Mr. President, is the point that was made that maybe the cost is coming in

less than what was anticipated because not enough seniors are coming in. I think it is very clear that the reason this is costing $8 billion less than what 3 years ago CBO estimated it would be for this year is because of the competition. As a conferee, as I was going through ironing out the differences between the House and Senate on this bill, we were very nervous that our anticipation of the premium being $37 a month, on average, might end up being much higher. And we, as writers of this legislation, would be embarrassed about that.

Competition has brought that premium down to $25. Instead of $37, the average premium is $25. We were estimating that there would be all sorts of savings from competition because we were patterning this program after what the Federal Employees Health Benefits Plan had been for 4 years. It worked so well for Federal employees, we felt it would work very well for seniors, and it is working very well in this respect for seniors. But we estimated there would be certain savings.

Quite frankly, we were nervous about whether these savings would materialize. But they did materialize—to the point of adding up to that $8 billion that I have referred to. But with specific drugs—we have drugs and pharmacists coming in under these plans—brand-name drugs are coming in on an average of 18 percent less than otherwise in a pharmacy. If it is mail order, it is about 26 percent less. In the case of generics bought at a pharmacy, it is 55 percent less, and for mail order it is 66 percent less.

So I suggest to the Senator from Florida that enrollment has nothing to do with it. The savings are coming because competition is working.

Now, another confession we have to make is that as we were writing this bill, we wondered whether we would have enough plans sign up so we would have this competition that works so well in the Federal Employees Health Benefits Plan—even to the point where we decided we needed a backup plan. Just in case only one plan signed up, we would make sure the Government set up a competitive plan so that there would be some choice for our seniors. We ended up with lots of plans, and we hear from the other side there are too many plans. Well, the marketplace brought plans in and drove down the price. Some of these plans are going to get out because the marketplace is going to drive them out. Hopefully, we still have plenty of choice when this all happens. But competition is working.

Now, also, I hear the rhetoric about too many plans being confusing. I just read in the newspaper in a whole other area, but to throw it out for comparison, I heard that in regard to people signing up for health savings accounts—HSAs—you have to have a catastrophic insurance policy go with it. There are 96 companies selling catastrophic policies. Yet we have had 3 million Americans sign up in less than a year for catastrophic policies. I don't know whether it is confusing to them or not, but they are joining. That is twice as many plans that are available. We don't hear people complaining about too many plans out there for health savings accounts.

So I don't know why—except for rhetoric to gain political advantage—we talk about too many plans out there for seniors. The more plans, the more choice.

Do you think Congress has the ability to write one plan that is going to fit the needs of 44 million seniors and disabled people? First of all, if you did that, it would have to be mandatory. If you make it mandatory, it would be evidence that you never learned a lesson from the last time we tried to extend Medicare and make it mandatory when we put a catastrophic program in in 1988 or 1989, which passed this body—I don't know—it was a closer vote than it was repealed.

But when you go home to the grassroots of Iowa, and every other State in the Nation, there is an uproar because it was mandatory and people had to pay for something they didn't want to use. And in a year or two it was almost unanimously repealed by this body. So we believed it ought to be voluntary, and it is voluntary. So if you don't want to join, you don't have to join.

But if you want to join, everybody has different needs and desires and you ought to have some choice, just like Federal employees have. If it has worked 40 years for Federal employees, it seems to me that it is a pattern that we ought to have enough respect for the seniors of America to give to them.

Mr. President, I would like to go to the issue before us, an issue that we have discussed before, not an issue that I entirely disagree with the Senator from Florida on because I don't know what the situation is going to be by May 15. But I know if you had an amendment up to extend the deadline for filing income tax on April 15 and you moved it to May 15, everybody would be going to the post office on May 15 to drop in their income tax forms, and I would be one of them. Americans procrastinate until the last minute. Some are going to procrastinate until the last minute on joining one of these plans.

The extent to which people benefit from this plan, particularly lower income people, because it is highly subsidized—up to 98 percent—it seems to me the extent to which you want to give them more leeway, you are not being very humane to them if they can benefit from the program today instead of tomorrow.

So you may be right, but today you are not right. You may be right on May 1. Maybe your timing is off. Maybe I am conceding too much. My staff will probably tell me when I am done I was too good to you, that you are too right. But there are other ways of doing what you want to do, and I am going to suggest a way. You are probably going to disagree with it.

Before I get to that point, I want to give some background. The amendment by Senator NELSON is going to extend the open enrollment period. Information on the Medicare prescription drug benefits first became available last October, and then the open enrollment period began November 15. So today the open enrollment period has been going on for 4 months, and there are still 2 months left before open enrollment ends on May 15.

I personally think that enrollment is going well. About a quarter million people—250,000 beneficiaries, in other words—enroll each week. Enrollment in stand-alone plans in my State of Iowa increased by 71 percent between January and February. At this rate, Medicare is on a track to reach the goal of 28 million to 30 million beneficiaries with coverage by May 15.

I think making decisions about one's health care can, in fact, be difficult. That is why information about the available plans went out way back in October. That is why beneficiaries have 6 months to make a decision. That is why there are many resources to help beneficiaries learn about their options and make their decisions. That is why beneficiaries can change their plan choice once before May 15. But that said, I know there is concern that beneficiaries may need more time. So the amendment I am offering would grant the Secretary of Health and Human Services the authority to extend the enrollment period. We are just 2½ months into this new benefit—the first expansion of Medicare in 40 years.

Personally, I think it is premature to change this date. So I offer this amendment as a compromise. The amendment would grant the Secretary definitive authority to extend the enrollment period. It would waive the application of the late enrollment penalty, and it would extend beneficiaries' rights to change their plan, and to change it once. Despite the rhetoric that we constantly hear around here, I hope everyone wants this benefit to be successful.

I know there have been some disappointing startup problems, especially for some of our Nation's most frail and vulnerable beneficiaries. But what would you expect when, on January 1, you have 44 million people rushing into a brand new Government program? There are obviously going to be some roadblocks, when people sign up on December 31 and go to the drugstore on January 2 to get drugs under a plan that you are trying to squeeze 44 million Americans into. It is quite obvious that there would be some problems.

I think the administration has made great progress in getting these problems solved. The Secretary of HHS has sat down with our committee on three occasions to hear both Republicans and Democrats, to listen to what the problems are.

I think it is mutually agreed that there were about seven areas where there were problems. The question I

asked three times was: Is there any change in law that is necessary for the Secretary of HHS in order to grapple with these problems? And the Secretary said, no, he had ample authority to do that. He pointed out to us the seven problems. He pointed out to us how he was going to solve those problems. Between meetings, he gave us updates on progress being made toward solving those problems.

So I think we have a Secretary of Health and Human Services and we have a director of CMS who are working more than full time, and a lot of these problems, quite frankly, are simply the technicians it takes to make sure the computer software is working right.

What is the problem?

The PRESIDING OFFICER (Mr. VITTER). The Senator will note that the time on this amendment has expired, although the amendment of the Senator from Iowa is next in line and it would be appropriate to proceed to that amendment.

Mr. GRASSLEY. Mr. President, I think we have a Secretary who is working hard on it. There are problems, but at the same time, we are writing a million prescriptions a day without incident. Beneficiaries are saving a lot of money.

I spoke with the Senator from Florida about how the average premium is now $25 a month, 20 percent lower than we first projected. I spoke with the Senator from Florida about the lower drug costs, saving the taxpayers dollars as well. Just this year, the benefit, as I said, will cost $8 billion less than originally thought. The 10-year cost has dropped by $180 billion.

I heard from a couple in Iowa who are saving nearly $2,800 a year. Another Iowan is saving $1,750 a year. And here is another one. A person from Massachusetts is saving $17,000—$17,000—a year on medicine because they are participating in this program.

Getting this level of savings depends on strong competition among the plans, and we have that. Many people will remember the skepticism on whether many plans would participate at all. Some would say that we have too many choices and that is why beneficiaries need more time. Those choices, in fact—let me put it this way: It is not just choices, but because of choice, we have competition keeping premiums low, and they are letting people pick the plan that best suits their medical needs.

My amendment strikes an effective compromise, I believe, to Senator NELSON's amendment, which is before us. Senator NELSON's amendment calls for a unilateral extension of the enrollment deadline right now, and it would extend it until the end of the year and into the enrollment period of next year.

As I said, I think it is premature to make that decision now. Some people think 6 months is not enough time to make a decision on a plan. Yet millions are enrolling even now.

Many people are also concerned about the late enrollment penalty. This penalty is modeled after the way Medicare Part B has worked since its origination in 1966. There is a late enrollment penalty in Part B that anybody who doesn't sign up for it when they get to be 65 will pay, and that is there to encourage people to enroll early and to think of Part B as not some Government program, just a Government program, but to see all of this—whether it is Part B or it is Part D, as in drugs—as an insurance policy.

People who are 65 today thinking about signing up for the Part D drug program under Medicare may be very healthy and may think they have never taken a pill in their life and that they will never take a pill, but that is today when they are 65. They are not going to know what their health needs are when they are 70 and maybe get sick and have to take a lot of medication.

It is a little bit as if you were never going to have a car accident, you would never buy car insurance. If you were never going to have a fire in your house, you would never buy fire insurance. But Americans see insurance as a very useful tool, a necessary tool to manage their risks, and our seniors and disabled people ought to see this as an insurance policy, maybe not needed today, but that will be needed some day, and they ought to be enrolled.

Obviously, if you didn't have that penalty in Part B and now in Part D, the drug part, then who would ever sign up until the day before they have to buy their first pill, just as you would not buy your car insurance policy until the day before you were going to have a car accident.

So I hope people see it as a good investment, as an insurance policy, as it has been for Federal employees for the last 40 years.

The late enrollment penalty is designed to encourage enrollment, and as with other coverage of insurance, it spreads these costs across many enrollees. The more people enroll, the lower the costs are for everyone.

So if the Senator from Florida wants to keep these costs continually low, get more people under the umbrella, sell an insurance policy, as he has been so successful selling people on the importance of keeping Senator NELSON in the Senate.

The open enrollment creates an enrollment deadline. The deadline that is involved in the open enrollment period encourages people to act, to get the protection against unexpected drug costs. We all know that people sometimes wait until they need coverage to get it. It would be the same as if only people with a burning house get fire insurance. If you waited until the day before your house was going to burn down to buy fire insurance, fire insurance would be awfully expensive. That leads to higher costs for everyone.

For the same reasons then, there is an enrollment period and a late enrollment penalty under Medicare Part B, not at all a new idea. The premise of the Nelson amendment is that Congress needs to override that 6-month open enrollment period and make it even longer. The Nelson amendment would do that today even though enrollment is on track. It would extend the open enrollment period now even though we don't know whether it will be necessary 2 months from now. It presupposes a bad outcome to the enrollment of Part D of Medicare. It plans for failure, and I think this plan, particularly with how successful the competition is, for failure is wrong.

Frankly, I think Senator NELSON's amendment has the potential to do more harm than good, regardless of his good intentions. Without the pressure of that May 15 deadline, many beneficiaries may forgo savings by putting off their decision.

Now, it may turn out that the enrollment period needs to be extended, as I said in my first remark to my colleague from Florida. And if that is the case, then my amendment would give the Secretary the authority to do that right away. No further congressional action would be needed.

Under my amendment, if in 2 months the Secretary determines the enrollment period should be extended, if enrollment is lagging, for example, then he has clear authority to do that.

My amendment would also automatically delay the late enrollment penalty if the enrollment period is extended by the Secretary of HHS.

My amendment would provide the funding needed to continue the open enrollment period. This funding is needed to continue the round-the-clock operations of the 1–800 Medicare number, and the expanded operations for that open enrollment period.

I close this debate by reading an editorial from the New York Times in 1966. This was an editorial about the implementation of the original Medicare Program we have had on the books since 1966. A quote from the New York Times:

> But as Medicare gets underway, the danger is that the strains on it will generate pressures for unsound change. They will come from those who will be disappointed because they have been led to expect too much as well as from those who see failure in every shortcoming. Changes will come in time, but they should be made on the basis of Medicare's own experience. This great new experiment must be given ample time to get over its growing pains.

Those growing pains for Part D Medicare are now just 2½ months old. So I go back to the first sentence, for the consideration of my friend from Florida, ''that the strains on the system will generate pressures for unsound change.'' I think his is an unsound change. This quote speaks volumes about our current situation with Part D Medicare.

I urge my colleagues to support my amendment and to oppose the Nelson amendment.

Mr. President, do I have to ask to have a previous amendment set aside

in order to send my amendment to the desk?

The PRESIDING OFFICER. No, but the Senator should seek consent that the time already used be charged against this new amendment.

Mr. GRASSLEY. You mean the time I used off the bill.

The PRESIDING OFFICER. Correct.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that time be charged to my amendment.

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

AMENDMENT NO. 3073

Mr. GRASSLEY. I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 3073.

Mr. GRASSLEY. 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 establish a reserve fund to allow for deficit-neutral legislation that would provide for an extension of the Medicare part D enrollment period)

At the end of title III, insert the following:

SEC. _____. RESERVE FUND FOR EXTENSION OF THE MEDICARE PART D ENROLLMENT PERIOD.

If the Committee on Finance of the Senate reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(1) authorizes the Secretary of Health and Human Services to extend the initial open enrollment period under part D of title XVIII of the Social Security Act beyond May 15, 2006;

(2) provides funding to the Centers for Medicare & Medicaid Services and the Social Security Administration for the purpose of conducting enrollment activities for the period of any extension of the initial open enrollment period;

(3) waives the application of the late enrollment penalty for the period of any extension of the initial open enrollment period; and

(4) permits beneficiaries to change their enrollment election in such part D once during the initial open enrollment period, including throughout any extension of the initial open enrollment period;

the Chairman of the Committee on the Budget of the Senate 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.

Mr. NELSON of Florida. Mr. President, will the Senator yield for a question about this amendment?

Mr. GRASSLEY. Let me get a copy of my amendment.

The PRESIDING OFFICER. The Senator from Iowa has control of the time.

Mr. GRASSLEY. Mr. President, I will yield to whatever the Senator wants me to listen to.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I want to ask the distinguished Senator from Iowa, does his amendment waive the penalties to senior citizens or does it give the Secretary of HHS discretion to waive the penalties?

Mr. GRASSLEY. Mr. President, to the Senator from Florida, Mr. NELSON, if the Secretary extends the period, it automatically then waives the penalty for that period of time.

Mr. NELSON of Florida. Mr. President, I ask the distinguished Senator, if the Secretary waives the requirement—so the Senator's amendment gives the Secretary discretion to waive the requirements of the May 15 deadline?

Mr. GRASSLEY. The purpose of my amendment is—I think I am answering the Senator's question. Let's say May 14 comes and the Secretary decides we need more time and he makes a decision to extend that period of time. Let's say he extends it from May 15 to September 15. During the period of May 15 to September 15, there would be no penalty.

Mr. NELSON of Florida. Mr. President, I thank the Senator for answering the question.

I would inquire of the Chair, under the previous order, does the Senator from Florida have time to discuss the Senator's amendment?

The PRESIDING OFFICER. The time in opposition is controlled by the Senator from North Dakota.

Mr. CONRAD. Mr. President, how much time do I have on this amendment?

The PRESIDING OFFICER. There is now a total of 13 minutes 30 seconds in opposition.

Mr. CONRAD. Mr. President, I am happy to yield 5 minutes to the Senator from Florida.

Mr. NELSON of Florida. Mr. President, I thank the Senator. I understand the good intentions of the Senator from Iowa in what is a difficult situation for him. The Senator from Iowa has indicated he had a number of townhall meetings, of which there seemed to be complete acceptance and happiness with this prescription drug benefit. I want the Senator to know that I, too, have had innumerable townhall meetings in my State of Florida, and I get exactly the opposite result. Perhaps that is because it is a demographic fact that Florida has a higher percentage of senior citizens than most States. Perhaps it is that our senior citizens are very aware and current on events and on news. Perhaps it is also because there is a great deal of activity in our State of Florida with regard to wanting to sign up for this plan, because we have the beneficence of the fact that so many seniors around the country, including from the State of Iowa, the State of the Senator, retire and move to the State of Florida. So there is great consternation, I want the Senator to understand, among seniors in our State.

The Senator mentioned earlier in his comments—and I don't take the comments personally—he said there was a politicizing of this particular issue. This Senator from Florida has an obligation to stand up and fight for his people. I can tell you that the senior citizens of my State are concerned and they are confused and they are bewildered and, in some cases, they are frightened because of this. I will concede to the Senator from Iowa that what he said is true, that normal human behavior is when we have a deadline, we wait until it is close to that deadline to sign up. However, I would suggest to the Senator in his consideration of this issue, and to the Senate as they decide between the amendment of the Senator from Iowa or this Senator's amendment, we should be looking at what is not best for the Medicare Part D benefit but what is best for the beneficiaries, the senior citizens. When the Senator from Iowa tells us in fact his amendment is going to give the discretion to the Secretary of HHS, look what the Secretary has said; he throws it right back to the Congress. He says:

If people haven't had time to enroll, that is a policy decision that Congress has to make.

He said that a month ago, the Secretary of HHS, a distinguished Secretary in the President's Cabinet.

I would suggest to the Senator if we are going to make the policy here, let's consider these people, these senior citizens who are anguished at this point.

I will simply close with this: Medicare first thought they were going to have about 35 million seniors enrolled in this program. Now they are expecting that they are going to be about 10 million short, that there is going to be only about 25 million enrolled. CBO has estimated if we extend the deadline, we are going to get at least another million enrolled this year, and over the life of the program we will get that additional 10 million. So why would we not want to go on and extend the deadline and prohibit those penalties that CBO said will average to senior citizens 5 to 7 percent? Why would we not want to go on and extend that deadline instead of leaving it to the discretion of the Secretary of HHS?

The PRESIDING OFFICER. The Senator from Florida has used the 5 minutes allotted to him.

Mr. GRASSLEY. Mr. President, I have 35 seconds?

The PRESIDING OFFICER. The Senator from Iowa is recognized for 35 seconds.

Mr. GRASSLEY. Mr. President, I only want to clarify two things. One, if I said there were no complaints at my town meetings about the program, there were, but I found a great deal of people who had enrolled very satisfied and also satisfied with the process.

The second thing is, it has to be a policy decision by Congress to do what I want to do, so it is still up to Congress to make this decision. I would be willing to make this decision if it was made first, but your amendment is up today. So it is still a choice we are making.

I yield the floor.

Mr. CONRAD. Mr. President, was the Senator in the middle of his thought that he wanted to complete? Can he do that?

Mr. NELSON of Florida. Of course.

Mr. CONRAD. Mr. President, let me yield 1 minute to the Senator from Florida, and then we are going to go to the Senator from Pennsylvania for 5 minutes, and then we are going to come back on this amendment. The Senator from Pennsylvania has another obligation, so we want to try to accommodate him on that. But I give an additional minute at this time to the Senator from Florida, and I will tell him we will have more time for him momentarily after the Senator presents his amendment.

Mr. NELSON of Florida. Mr. President, I can sum this up in 60 seconds. The choice here is between a direction by the Congress to definitely extend the deadline, or the alternative Senator GRASSLEY is offering, which is to give the Secretary of HHS the discretion to extend the deadline.

The policy of the administration is clear. I asked Dr. McClellan, the head of CMS, his position on extending the deadline and he said:

Senator, we are not supporting that legislation at this time.

So I think it is clear, the choice is clear for the Senate between these two amendments.

I yield the floor.

Mr. CONRAD. Mr. President, now we will go to the Senator from Pennsylvania for 5 minutes to offer his amendment, and then we will come back to this subject. So I alert the Senator from Florida, we have some time remaining.

I yield to the Senator from Pennsylvania.

AMENDMENT NO. 3050

Mr. SANTORUM. Mr. President, I ask unanimous consent to call up amendment No. 3050.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM], for himself, Mr. COLEMAN, Ms. COLLINS and Ms. SNOWE, proposes an amendment numbered 3050.

Mr. SANTORUM. 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 increase funding for the Community Development Block Grant Program)

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.

Mr. SANTORUM. Mr. President, this is an amendment I am offering on behalf of Senator COLEMAN as well as Senator COLLINS and Senator SNOWE on the CDBG Program. This is an amendment I worked with Senator COLEMAN on last year. He offered it last year, and I want to thank him for his cooperation in allowing me to step forward.

This is an important issue to my State. It is an important issue to most States across America. This is a program that is, I believe, one of the most effective programs we have in the Federal Government to help localities deal with housing problems, local economic development problems, and community problems we have. In Pennsylvania we get well over $50 million a year for this program. I don't know of anything that unites Republicans and Democrats on a local level more than the CDBG Program.

The Community Development Block Grant Program, CDBG, is a program that takes money from the Federal Government and distributes it into the local communities for local priorities. There is a broad degree of discretion in this program and it allows the local communities to leverage Federal dollars to attract, in some cases, private dollars and, in some cases, other State dollars or philanthropic dollars that are used for projects that are vital to the local community.

Unfortunately, in the last few years, the President has reduced the funding allocation for this program. Last year we were able to put back some of that money into CDBG. We ended up with about $3.7 billion for the CDBG last year. My amendment would add $1.3 billion. That would bring it up to $4.3 billion for this year. That level, by the way, is exactly the level that was appropriated for CDBG in the year 2004. So we are not talking about an outrageous increase; we are just trying to get back to historic levels of funding for this program.

Again, it is a program that is vitally important for the local community. This is offset with section 920. I have heard the Senator from North Dakota talk about there being no money in section 920, and he is absolutely right, there is no money in section 920. But what this amendment does is set priorities. It says to the appropriators that the Congress—I think this amendment will be approved overwhelmingly—that the Congress and the Senate believe this is a program that needs more robust funding. This is a program that is a priority for the Senate and for folks on both sides of the aisle.

I appreciate the opportunity to come here to speak on this very important amendment. It sends a very clear signal that this is an area we need more resources devoted to. I thank the Senator from North Dakota and the Senator from New Hampshire for allowing me the opportunity to speak at this time.

AMENDMENT NO. 3073

The PRESIDING OFFICER. The Senator from North Dakota is now recognized to go back to the previous amendment.

Mr. CONRAD. Will the Chair inform me how much time I have on that amendment?

The PRESIDING OFFICER. There is 6 minutes 12 seconds.

Mr. CONRAD. Mr. President, I will not take all of that time. Let me say this: I voted for the Medicare prescription drug program. I voted for it because I think it will help a substantial number of my seniors. Also, that legislation contained provisions to make Medicare reimbursement for rural hospitals more equivalent to what urban hospitals receive. In my State, under the old law, our hospitals were receiving about one-half as much to treat the same illness as a more urban hospital. That was in part corrected in the Medicare prescription drug legislation.

Let us be frank. The handling of the Medicare prescription drug implementation has been a fiasco from beginning to end. I think every one of us has heard loudly and clearly from our States—I certainly have. I have done nine meetings in my State, including hosting Secretary Leavitt, on this question. It has been botched. The implementation of the Medicare prescription drug bill has been botched. On the day, the initial day, I have never seen such chaos. You couldn't get through on the phones. You couldn't get through on the Internet. You couldn't get accurate information. Cards weren't in people's hands. They automatically enrolled those who were eligible for both Medicare and Medicaid in plans that often didn't cover the drugs that they were on.

That is a fact. This was very badly handled by the administration, as badly handled as anything that I have seen in 20 years representing my State

in the Senate. It was an absolute fiasco. That is a fact.

The question is, What do we do to try to improve the circumstance? The Senator from Florida, who has a very large elderly population, has made one constructive suggestion. He has said let's extend the deadline.

Let me just say, in my State, 37 or 38 percent of the people who are eligible have signed up so far. We have over 100,000 people eligible and only 37,000 have signed up and about half of those were automatically enrolled. So the true signup, the voluntary signup is very low.

It is clear we need more time. One of the problems is there are so many plans that it just confuses people. There are 41 plans in North Dakota. In all of the meetings I have had, people have said to me: Senator, how can you make any sense out of this, especially since, when you go to the phone lines you can't get an answer; when you go to the computer, the Internet sites, you can't get an accurate answer? I think the Senator from Florida is responsible in saying we ought to extend the deadline.

According to the department, we now know that some 10 million people will not have signed up in time. That means they will start to have penalties imposed on them. Ten million seniors, many of them frail and elderly, will start to be penalized because they can't make sense out of this profusion of plans and this confusion.

Senator NELSON has a very straightforward approach. He extends the deadline. The Senator from Iowa has an alternative. His approach is to give the department that has botched this signup the decision about whether the deadline is extended. That is a very clear choice. Do we really want the decision whether the deadline is extended to be made by the people who made a hash of this program's implementation? Or are we going to take responsibility and extend the deadline so 10 million people aren't penalized through no fault of their own. I think that choice is very clear.

Mr. MENENDEZ. Mr. President, as I have been traveling across the State of New Jersey on a listening tour, I have heard from countless seniors and their loved ones that the new prescription drug plan has brought much confusion, concern, and difficulty.

In townhall meetings and in senior homes, these sentiments of puzzlement are echoed over and over again.

Knowing the challenges seniors are facing, I am committed to doing whatever it takes to make this drug benefit something that helps instead of hurts, which is why I am speaking in support of Senator NELSON's amendment.

This amendment will make sure that instead of penalizing our seniors for taking a little more time in choosing a plan, it will accommodate them.

This amendment will make sure that instead of penalizing our seniors for choosing the wrong plan, it will give them the flexibility to change to the right one.

It is already March 14, just about 2 months before the May 15 deadline for seniors to signup for a plan without being penalized by the late enrollment fee.

And the tune I hear in New Jersey and across the country hasn't changed. Seniors need more time to figure out how the new program works and which drug plan is best for them.

And it isn't just the seniors that need more time—let's not forget that the Federal Government needed more time, too.

As a matter of fact, when the new drug plan was implemented, New Jersey, like many other States, stepped up to the plate to provide emergency drug coverage to ensure that no one went without the lifesaving drugs they needed.

They did not do it because that was planned; they did it because it was the right thing to do. They did it to make sure that there was no loss of life or emergency hospitalization due to the inability for individuals to get their lifesaving and life-enhancing drugs.

The Federal Government dropped the ball, and our States picked it up. While the Centers for Medicare and Medicaid have agreed to reimburse New Jersey and other States for their emergency coverage costs, our States still haven't seen a check, and it will probably be a while until they.

I think our seniors deserve the same flexibility and understanding granted to our Government.

We have a responsibility in Washington to ensure that the initial confusion and problems with implementation do not go any farther.

Our seniors should not be punished for the shortfalls of this new drug benefit. It is an issue of fairness. It is about keeping your word, about being accountable. And today we have the opportunity to give our seniors the much needed extension of time and flexibility they need to choose a plan.

I voted against the Medicare Modernization Act at the time because I didn't think it would provide adequate assistance, and I have been sorry to see that the implementation has not gone as promised.

However, this is the prescription drug plan we have, and we must do everything we can to make it as helpful and beneficial as possible.

For that reason, I hope my colleagues will join me in supporting Senator NELSON's amendment. It is the least we can do to make things right.

Mr. CONRAD. Mr. President, has all time been yielded back on the other side on this amendment?

The PRESIDING OFFICER. All time has been consumed.

Mr. CONRAD. All time has been consumed. I am prepared to yield back the time on my side on this amendment so we can then go to Senator MURRAY so she can respond on Senator SANTORUM's amendment.

Mr. GREGG. That is fine.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I ask after we complete the Santorum debate we move to your amendment on avian flu and then that be followed by—you have another amendment?

Mr. CONRAD. We have an amendment by Senator WYDEN, or Senator BYRD, that is next in the queue. I think Senator WYDEN is our next amendment, and we will be prepared to go to that.

Mr. GREGG. I ask unanimous consent that after we complete the Santorum amendment we go to the Conrad amendment on avian flu, and then we go to the Wyden amendment on Medicare.

Mr. CONRAD. Let's reserve on that one until I make certain.

Mr. GREGG. Other than that, go to yours.

Mr. CONRAD. Yes.

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

The Senator from Washington is recognized for 5 minutes.

AMENDMENT NO. 3050

Mr. CONRAD. How much time is left on the amendment of Senator SANTORUM?

The PRESIDING OFFICER. The opposition on that amendment has the full 15 minutes available.

Mr. CONRAD. I yield the full 15 minutes to the Senator from Washington for her use, or anybody she would designate.

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

Mrs. MURRAY. Mr. President, I am here because the Senator from Pennsylvania came to the floor this morning and offered an amendment on funding for Community Development Block Grant Programs. First of all, I am delighted that the other side recognizes that the assumption in this budget, to cut $1 billion from Community Development Block Grant Programs, is absolutely unacceptable. Their assumption is absolutely accurate.

Across our country today, mayors and other community leaders are up in arms about the billion-dollar cut to Community Development Block Grant Programs that is in this budget, on top of what I might remind all of my colleagues was the $500 million cut from last year.

We all know these essential programs. They are essential for housing, an absolutely critical part of our infrastructure, making sure we help develop many of our neighborhoods across this country with that critical seed money that brings those communities back up to standard and makes sure people have adequate housing while it creates jobs and economic development in communities across our country. Robbing those communities of those funds right now when our country is struggling to get back on its feet is the

wrong thing to do, and the Santorum amendment recognizes that.

Here is my problem. Last night I was on the floor of the Senate. I offered a real amendment to restore the funding for Community Development Block Grant Programs. It provides $1.3 billion, and it does it by adding real money to the budget amendment by closing corporate loopholes. The amendment offered by Senator SANTORUM is simply a ''let's not worry, be happy until after the election'' amendment and doesn't provide one dollar.

How do I know that? I keep hearing the other side go to the floor and—whether it is veterans or Community Development Block Grant Programs or defense—say we are going to take money out of function 920. I went to the budget resolution book and I looked up 920 to see how much money was left. I was astounded to find out there is no money in function 920. In fact, they are half a billion dollars in the hole right now.

I see the ranking member, Senator CONRAD, on the floor. If he wouldn't mind, I wanted to ask him a question because he knows this budget better than anybody.

I ask, through the Chair to the ranking member, am I wrong, in looking at this budget resolution, that the Republican Members are coming to the floor offering amendments to pay for funding for CDBG or veterans or defense, when there is no money? I ask my colleague if he could respond?

Mr. CONRAD. Mr. President, unfortunately the Senator is completely correct. There is no money in function 920. The Senator is absolutely correct that when we started this process, function 920 was $500 million in the hole.

I guess what is even more remarkable is we have now had $10.5 billion of additional funding supposedly covered by function 920 when there never was any money to begin with.

Mrs. MURRAY. Mr. President, I ask my colleague, the ranking member of the Budget Committee, then am I to assume that function is now $11 billion in the hole? And we are hearing our colleagues on the other side say: Don't worry, be happy; simply take it out of the function where there is no money? I ask my colleague, the ranking member on the Budget Committee, is that real?

Mr. CONRAD. No, it is not real. What is happening now—I must say my colleagues on the other side have got an increasing habit of spending money that doesn't exist. We started out with function 920 having no money, in fact, being $500 million in the hole. They have now passed amendments that take another $10.5 billion out of a function that has no money. What will the practical effect be? The practical effect will be an across-the board cut in all the domestic discretionary accounts. What are they? It will cut defense, it will cut homeland security, it will cut law enforcement. That is what is really happening.

It is the difference between doing something and acting like you are doing something but not doing it. The fact is, as to the amendments they have offered, before they offered them there was $873 billion available to the appropriators for the domestic accounts. When all their amendments are finished, the appropriators will have—guess what—$873 billion, not a nickel more. So this is all a sham. It is creating funding that does not exist. The Senator is correct. The amendment that she offered really did offer new funds, additional funds to buttress the community development block grant.

Mrs. MURRAY. Mr. President, that sounds completely irresponsible to me, to send a false promise by some kind of sham vote that you are supporting veterans or Community Development Block Grant Programs or all the other programs that we hear from the other side. I heard the Senator from Pennsylvania say this will just tell the Appropriations Committee that this Senate says you are to spend that money.

I am the ranking member on the Transportation-HUD subcommittee. We are already looking at a transit cut of $100 million, an Amtrak cut, which I know the Senator from Pennsylvania cares about, a cut of $394 million, and the FAA is cut by $561 million, a safety factor.

I say to my colleague from North Dakota, I am completely worried about the irresponsible message that these amendments are sending and the sham that they are. I heard last night when I offered my amendment, the chairman of the Budget Committee said we were raising taxes to pay for our amendments on this side.

I want to ask this of the ranking member on the Budget Committee. My amendment I am offering today is to restore Community Development Block Grant Programs at a real, significant number. The $1 billion cut in the budget is irresponsible. Trying to pay for it out of sham money that is not there is irresponsible. We are asking for $1.3 billion by closing corporate tax loopholes. I heard those on the other side say that is raising taxes. I know my colleague, who happens to be the ranking member, who happens to be one of the most fiscally responsible Members on this side, is also a member of the Finance Committee. I would like to ask him, through the Chair, how he would respond to that being a tax increase.

Mr. CONRAD. I do not believe it is a tax increase, to require people to pay taxes that are legitimately owed and due now that they are failing to pay.

We could easily pay for the amendment of the Senator by shutting down two sham operations. Let me describe them. One is American companies and American wealthy investors—this will be hard to believe, but this is really going on—buying sewer systems in Europe, depreciating them on their books to reduce their taxes in America, and leasing back those sewer systems to European cities so that they can run them. Shutting down that scam, is that a tax increase? I don't think so.

Let me describe one other. The other day my colleague showed an office building in the Cayman Islands, a five-story office building that is the home to 12,700 companies. I say that is a remarkable building. That is a real smart building, to be able to house 12,700 companies.

What is really going on? What is really going on is a giant tax scam. They say they are doing business in the Cayman Islands. They are not doing any business in the Cayman Islands. They have a file clerk in this building who takes their financial records so they can claim they are doing business there. Why do they want to be doing business in the Cayman Islands when they are really not doing business in the Cayman Islands? Because the Cayman Islands is a tax haven. It is a place where you can show your profits and not pay taxes.

We could pay for your amendment five times over by shutting down those two scams alone. That is not a tax increase. That is stopping a tax scam.

I might say, of the the amendments that have been passed so far that have been theoretically funded by section 920, we had an amendment to increase defense by $3 billion. That was funded out of section 920 when 920 had no money. We passed an amendment for veterans, supposedly to increase funding for veterans by $823 million, funded out of section 920 when section 920 has no money.

We funded an increase in education by $2 billion out of function 920 when there is not any money. We had border security this morning, and $2 billion was supposedly paid for out of function 920 when we all know there is no money in 920. So what will happen is there will be across-the-board cuts and they will cut defense, they will cut homeland security, they will cut law enforcement, and cut everything else. The fact is there is no new money to pay for any of them.

Mrs. MURRAY. Mr. President, I thank the ranking member for clarifying that. I think it is important for all of us to understand that.

These votes we take today will have real consequences. How do I know that? Not just because of the respect I have for the ranking member and his explanation, because this is exactly what happened on this floor last year when the Senators on the other side of the aisle offered a ''don't worry, be happy'' amendment to restore funding for community development block grants, critical money for neighborhood restoration, for low-income housing for our communities across the country.

Do you know what happened when we got to Appropriations? We didn't have the flexibility because our subcommittee also has to fund Amtrak, airlines, transit, and other housing programs. There was no way to do it

despite what the Senate voted on. They ended up having to cut $.5 billion from the community development block grants.

It is a sham to me to watch these amendments march through here on an account that has no money, that is deficit spent already, and try to sell to their constituents that we are doing something about it when every Senator on this floor knows we ran into a train wreck last year which lasted well into this year on the Appropriations bills. Who was hurt? Not the Senators who voted for it, but our neighbors and friends, mayors and city councils and people on the ground across this country who are trying very desperately today to try make sure that the most important citizens have critical housing infrastructure, that we create jobs, that we have economic development, and that our communities become strong again.

I have said time and time again on this floor that we need to make our country strong again. The most important way we can do it is to invest real dollars in our infrastructure. The CDBG Program is one of the best ways to do that. Every Senator here knows it. The votes we will take later today will be for sham accounts or a real vote. And when will it count? Next fall, when our friends and neighbors see the reality of these amendments and the budget impact on it.

I will conclude by saying that I have been around my State talking to many mayors, talking to many community developers, hearing story after story about how our communities have taken this small amount of money from the Federal Government and invested it wisely, created jobs, created housing, improved the lives of our citizens.

I know this CDBG cut, if we don't pass real money, will mean that Pennsylvania will lose $46 million in funding. It means Minnesota will lose $15 million in funding. In my home State, it means $16 million. Those are not just items on a budget; those are real dollars that make a difference in the lives of our friends and neighbors and communities across the country.

This afternoon we will have an opportunity to cast votes for a real amendment—the Murray amendment—that restores funding and makes sure our Appropriations Committee has the allocation that will allow us to fund the CDBG, or we can take a political vote and be happy for a day. But it will not change anyone's life at home, and it will not restore hope and opportunity that this country so desperately needs today.

I thank my colleagues, and I yield the floor.

Mr. LEAHY. Mr. President, it is regrettable, and it is frustrating, that once again we find ourselves having to speak out on the shortfalls in the budget resolution for key community and economic development programs. The budget before us slashes Federal assistance to distressed and underserved communities. These cuts are shortsighted, they are ill-advised, and they represent a significant retreat from our longstanding commitment to invest in our Nation's communities.

In just a few weeks, the Senate will again be asked to appropriate tens of billions more to help Iraq. Though the President's request for Iraq funds is once again off the budget so that it avoids our normal budget rules, the Iraq supplemental funding request once again is for real taxpayers' dollars—no less real than the domestic cuts that the Bush-Cheney budget proposes for the priorities of the American people here at home.

That is why I am proud to join Senators MURRAY and SARBANES, as well as 14 more of our colleagues—17 of us in all—in offering an amendment to the fiscal year 07 budget resolution to provide for an increase of $1.3 billion to restore the community development block grants, or CDBG, to the fiscal year 04 level of $4.3 billion. We fully pay for the increase in funds by closing egregious tax loopholes that more than 90 Members of this Chamber have already gone on record in support of closing.

Our amendment is supported by those who know best how effective and important this program is to America's communities. The list of endorsements includes the National Association of Counties, the National League of Cities, the National Conference of Black Mayors, the National Association of Local Housing Finance Agencies, the National Association for County Community and Economic Development, the National Association of Housing and Redevelopment Officials, the Council of State Community Development Agencies, and the Local Initiatives Support Corporation. I ask unanimous consent that a letter from these groups in support of our amendment be printed in the RECORD.

The CDBG Program is the centerpiece of the Federal Government's efforts to help States and localities meet the needs of low-income communities. CDBG funds vital housing rehabilitation, supportive services, public improvements, and economic development projects in communities across the Nation. It serves more than 1,100 entitlement communities, urban counties and States, and more than 3,000 rural communities. These investments help change the face of our communities for the better and help improve the standards of living of Americans across the Nation, right where they live, in their communities.

CDBG is one of the most effective Federal domestic programs helping to revitalize neighborhoods, and it has a proven record of results. For example, in 2005, Vermont used CDBG grants to rehabilitate 771 units of affordable housing and to help create or preserve more than 500 jobs, directly helping to raise the standard of in Vermont's communities. There are hundreds of similar stories across the Nation, but in each of them the message is the same: CDBG funds are critical building blocks for improving our communities, our neighborhoods, and our economy.

The CDBG formula allocation was $4.41 billion in 2001. Since then it has decreased by $670 million, or 15.2 percent, with a 5-percent cut in fiscal year 05 and a 10-percent cut in fiscal year 06. The budget resolution for the coming year would further reduce the formula funding by 25 percent, cutting the formula allocation by over a third in just 3 years. Communities that benefit from CDBG will be devastated if further cuts in funding are made to this program.

I recently led a bipartisan letter with Senator COLEMAN to the Budget Committee attesting to the effectiveness of CDBG and urging that it be funded at $4.3 billion in the coming fiscal year. Fifty-three Members of the Senate from both sides of the aisle joined me in this letter, which I ask to have printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1)

Mr. LEAHY. I wish to take a moment to explain the differences between the Murray-Sarbanes-Leahy CDBG amendment and the amendment offered by Senators SANTORUM and COLEMAN. The amendment we offer facilitates restoring these CDBG funds by increasing the budget cap by closing tax loopholes that the Senate has already supported closing, in previous votes. This, in turn, makes real money available to the Appropriations Committee to be able to spend for next year.

Increasing the cap is important because the budget resolution we are considering assumes domestic spending will be capped at the same level as the President's request. Simply put, the budget resolution assumes that funding for CDBG will be reduced by the same amount as the president has proposed, which would be a cut of $1 billion from fiscal year 06 levels.

A separate amendment offered by our colleagues, Senator SANTORUM and Senator COLEMAN, also supports an increase of funding for CDBG, but it would do so by asking the Appropriations Committee to impose across-the-board cuts on all other domestic programs.

Speaking as an appropriator, I can tell you that all their amendment will do if it passes is to tell the Appropriations Committee that the Senate supports CDBG. But that will not be enough to guarantee that the committee will hear and provide the Transportation-Treasury-HUD, TTHUD, Appropriations Subcommittee with a higher allocation to increase funding for CDBG.

My colleagues should note that the Santorum-Coleman amendment is the same as the CDBG amendment that passed last year. However, because it provided no additional funding to the Appropriations Committee, the TTHUD Subcommittee received an allocation

that was inadequate to fund all of the programs within its jurisdiction. CDBG was the program that was on the chopping block, suffering cuts of more than $400 million.

So if my colleagues want to simply signal their support for CDBG funding to the Appropriations Committee, then they should vote for the Santorum-Coleman message amendment. Unfortunately, if they choose to do that and that amendment passes at the expense of our amendment, they will find that when it comes time to write the TTHUD appropriations bill, they will have failed to protect this important program from further cuts.

The choice is clear. Those who want to vaguely express support for the CDBG Program can support the other amendment, which is a nice sentiment, like a Candygram. But for those who also really want to get the job done, I urge support of our amendment.

I challenge each Member to go back to their States and to take stock of the benefits that communities have reaped through CDBG investments. I challenge each Member to visit with their local community action groups and hear how they use the community services block grant to support the neediest in their communities. These programs fill a real need and have proven results.

A cut of $1 billion in Federal funds, which is proposed in this budget resolution, will result in the loss of at least $9 billion in matching funds from local and State governments and nonprofit and private sector investments. I fail to see the wisdom in dismantling programs that are so vital to our communities.

I encourage my colleagues to join me in support of the Murray-Sarbanes-Leahy amendment and express their real support for these important programs.

EXHIBIT 1

MARCH 14, 2006.

DEAR SENATOR: The undersigned organizations thank you for joining 52 of your colleagues in signing a letter (attached) to the Budget Committee leadership in support of a budget allocation sufficient to fund the Community Development Block Grant (CDBG) program at $4.3 billion for FY 2007. The resolution approved by the Senate Budget Committee last Friday would not allow for such a funding level. In fact it adopts the funding level proposed in the President's FY 2007 budget, which cuts CDBG formula grants by an additional $1 billion over this year's $3.71 billion. Today the Senate will consider alternative amendments to the budget resolution to increase CDBG funding. We support a Murray/Leahy/Sarbanes amendment to increase funding for the CDBG program by increasing the overall discretionary cap. It is offset by closing corporate tax loopholes, an approach that has had overwhelming support by a bipartisan group of Senators. This is the only way that the Appropriations Committee can increase CDBG funding because it means additional dollars. Reluctantly, we cannot support an amendment by Senators Santorum and Coleman that increases funding for CDBG paid for by an across-the-board cut in other domestic programs (Function 920). This amendment is similar to an amendment offered by Senator Coleman last year that passed the Senate. In spite of this, the final FY 2006 appropriations bill cut CDBG formula grants by 10 percent.

We strongly urge you to vote for the Murray/Sarbanes/Leahy amendment that would allow appropriators to restore the CDBG formula amount to the FY 2004 funding level. Thank you for your continued support of the CDBG program and the good work it does in our nation's urban, suburban and rural areas.

Sincerely,

National Association of Counties.
National League of Cities.
National Conference of Black Mayors.
National Association of Local Housing Finance Agencies.
National Association for County Community and Economic Development.
National Association of Housing and Redevelopment Officials.
Council of State Community Development Agencies.
Enterprise.
Local Initiatives Support Corporation.

U.S. SENATE,
Washington, DC, March 8, 2006.

Hon. JUDD GREGG,
Chairman, Committee on the Budget, U.S. Senate.
Hon. KENT CONRAD,
Ranking Member, Committee on the Budget, U.S. Senate.

DEAR CHAIRMAN GREGG AND RANKING MEMBER CONRAD: As you near consideration of the FY 2007 Budget Resolution, we urge the Budget Committee to oppose the budget proposal to cut funding for the Community Development Block Grants (CDBG) Program by nearly $1 billion, or 25 percent. Instead, we urge the Budget Committee to maintain the Federal government's commitment to community development programs at the Department of Housing and Urban Development (HUD) and support a budget allocation of $4.3 billion in Function 450 for CDBG.

The communities that have benefited from CDBG will be devastated if the HUD proposal to cut funding is enacted. CDBG serves more than 1,100 entitlement communities, urban counties and states, and more than 3,000 rural communities nationwide. It is the centerpiece of the Federal government's efforts to help states and localities meet the needs of low-income communities. The Program funds vital homeownership, housing rehabilitation, public improvements, public services and economic development projects in communities nationwide. It also supports community-based organizations and the crucial work they do to deliver human services and rebuild neighborhoods.

CDBG is one of the most effective Federal domestic programs to revitalize neighborhoods with proven results. Over 95 percent of the FY 2005 CDBG funding went to activities principally benefiting low- and moderate-income persons. Twenty-eight percent of CDBG funds supported housing activities in distressed communities, 24 percent supported public improvements, 15 percent went to the provision of public services, and 7 percent supported economic development activities. In FY 2005, CDBG housing projects assisted over 166,000 households, including financial assistance to new homeowners and rehabilitation assistance to the elderly and other existing homeowners. Economic development programs benefiting from CDBG last year created or retained over 91,000 full-time jobs. CDBG also has a strong record in business retention: CDBG has ensured that over 80 percent of the businesses assisted through the program were still in operation after three years.

The CDBG formula allocation was funded at $4.41 billion in FY 2001. Since then, the formula allocation has decreased by $670 million, or 15.2 percent, with a five percent cut in FY 2005 and a 10 percent cut in FY 2006. The FY 2007 HUD budget would reduce the formula funding by an additional 25 percent, cutting the formula allocation by over a third in just three years.

In light of these drastic cuts, communities have struggled to continue their programs and have discontinued critical projects for low- and moderate-income persons. We therefore ask you to reject the proposed cut and ask you to support $4.3 billion in funding for the CDBG Program.

Thank you for your consideration. We look forward to working with you to ensure that communities across the country can provide good jobs, affordable housing, and public services to meet the needs of all Americans.

Sincerely,

Norm Coleman; Tim Johnson; Mel Martinez; Byron L. Dorgan; Dianne Feinstein; Barbara A. Mikulski; Patrick Leahy; Deborah Ann Stabenow; Daniel K. Akaka; Frank Lautenberg; Paul S. Sarbanes; Robert Menendez; John D. Rockefeller IV; Thomas R. Carper; Russell D. Feingold; Mary L. Landrieu; Joe Lieberman; Tom Harkin; Barack Obama; Susan Collins; Richard Durbin; Conrad Burns; David Vitter; Max Baucus; George V. Voinovich; Maria Cantwell; Jeff Bingaman; Bill Nelson; James M. Jeffords; Blanche L. Lincoln; Mark Pryor; Barbara Boxer; Jack Reed; Mark Dayton; Lincoln D. Chafee; Patty Murray; Carl Levin; Saxby Chambliss; Hillary Rodham Clinton; Charles E. Schumer; Ron Wyden; Arlen Specter; Johnny Isakson; Mike DeWine; Olympia J. Snowe; Joseph R. Biden; John F. Kerry; Christopher J. Dodd; James M. Talent; Christopher S. Bond; Edward M. Kennedy; Herb Kohl; Rick Santorum.

• Mr. COLEMAN. Mr. President, I rise to express my strong support for Senator SANTORUM's amendment to restore budget cuts to the Community Development Block Grant Program, or CDBG. I was proud to sponsor a similar amendment during last year's budget, and today I am pleased to work with my good friend from Pennsylvania to restore CDBG funding in this year's budget.

I am also pleased to have worked with the Senator from Vermont, Senator LEAHY, in leading a bipartisan coalition of 53 Senators this year in sending a message to the Senate Budget Committee expressing our strong commitment to CDBG and reminding folks that cities from Montpelier to Minneapolis need CDBG to create economic opportunity and to grow jobs.

When we consider the budget, there are always a lot of tough choices to be made. We need to be fiscally responsible, and this is a fiscally responsible budget. We need to look at the myriad of Federal programs and ask ourselves, does the program work? Is it cost-effective? Is it achieving its goals?

In the case of CDBG, the answer is yes, yes, and yes. CDBG was enacted in 1974 and has been assisting America's communities for 30 years. It is a public-private partnership that helps State and local government address community development challenges, including infrastructure and housing. Over the first 25 years, it has created 2 million

jobs and contributed in excess of $129 billion to the Nation's gross domestic product. Dollar for dollar there is no better initiative to help States and localities undertake important economic development activities than the Community Development Block Grant Program.

CDBG is not some abstract community and economic development program but rather one that provides practical and long-lasting individual and community wide benefits.

CDBG success stories abound in every State—just ask all the local mayors who are visiting our offices this week. They will tell you that CDBG is the lifeblood of community development.

As a former mayor, I know first hand the importance of the CDBG program. While mayor of St. Paul, CDBG provided funding that helped make the Main Street Program—a downtown economic revitalization program—a success.

However my city of St. Paul is just one of many small and large examples of CDBG's success in Minnesota.

In the city of Moorhead, CDBG has provided critical affordable housing and rehabilitation assistance to the city's low and moderate income families. By way of example, CDBG funding has enabled Moorhead to provide energy, electrical and structural repairs to John and Avis Pearson both senior citizens with a combined income of $25,000. CDBG funding has also helped to revitalize Romkey Park, a formerly blighted area of the city, through the rehabilitation of run down apartments.

In Anoka County, a major suburb of the twin cities, CDBG has provided funding for the replacement of dilapidated mobile homes and the redevelopment of the city of Centerville. These are the sorts of projects that improve the quality of life not just for those least well-off but for the entire community by making it a more attractive place to live and do business in.

Then there is the small town of Brewster which was awarded a one-time CDBG grant a few years ago. Thanks to that grant, Brewster was able to revitalize a run down part of the town and in turn attract the Minnesota Soybean Processor, which led to the creation of 40 jobs. The company has now also opened a biodiesel division, which now employs additional workers.

Despite the longstanding Federal, State and local bipartisan support for this program and its long record of achievement, the future of CDBG is in serious jeopardy given the President's budget proposal to reduce funding by $1 billion to $2.7 billion. Since fiscal year 2001, the program has endured a 15.2 percent reduction. In my home State, funding has steadily declined during the past several years with funding decreasing from $68.4 million in fiscal year 2004 to $58.5 million for the current fiscal year. At the President's proposed funding level, Minnesota would receive approximately $43.7 million for fiscal year 2007 or a 36 percent reduction from the fiscal year 2004 level.

I came to the Senate promising to be Minnesota's mayor in Washington. As a mayor, I know that CDBG works, and as a Senator, I am proud to support this program and urge my colleagues to support the Santorum amendment, which would provide the funding necessary for the program to effectively assist States and localities.●

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 10 seconds.

Mr. CONRAD. I yield it. I thank the President.

Mr. GREGG. Mr. President, I ask unanimous consent that at 1 o'clock today the Senate proceed to vote in relation to the Murray amendment No. 3363, to be followed by 2 minutes of debate and a vote in relation to the Santorum amendment No. 3050; provided further that following the vote on the Santorum amendment, the Senate recess until 3 p.m. in order for the Senate to proceed to the House for the joint meeting.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Mr. President, reserving the right to object, and I have no intention of objecting, I want to clarify what the distinguished chairman and ranking member said—and they have been very helpful. My understanding is that we go to the Conrad amendment after that, the avian flu amendment. It is my understanding per the agreement between the chairman and ranking minority member that after the Conrad amendment has been discussed, we would next go to the Snowe-Wyden amendment.

Is that the understanding of the chairman and the ranking minority member?

Mr. GREGG. Mr. President, actually there will be another amendment dealing with the avian flu by Senator BURR, and then we would to go to the Wyden-Snowe amendment.

Mr. WYDEN. Mr. President, is there a time limit for these amendments?

Mr. GREGG. They are all 15 minutes.

Mr. WYDEN. That would mean that somewhere in the vicinity of a half hour or 40 minutes or so we would deal with it.

Mr. GREGG. The Wyden-Snowe amendment would be up sometime around 11:25.

Mr. WYDEN. Without being argumentative, it is the Snowe-Wyden amendment, but we are talking about the same thing.

I thank both the chairman and the ranking minority member.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GREGG. Mr. President, I wish to claim the remainder of the time on the Santorum amendment.

The PRESIDING OFFICER. There is 9½ minutes remaining.

Mr. GREGG. I thank the Chair.

This discussion which recently occurred between the Senator from Washington and the Senator from North Dakota——

Mr. CONRAD. Mr. President, will the Senator yield for a moment? It has been brought to my attention that these amendments which we have in train, while we have an agreement they would be 15-minute amendments, that has not been agreed to in a unanimous consent agreement.

Mr. GREGG. Mr. President, I ask unanimous consent that the amendments we have outlined so far—the Conrad amendment, the Burr amendment, the Wyden-Snowe, and if there is an agreement from our side in response to Wyden-Snowe, they will all be 15 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, without second degrees.

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

The Senator from New Hampshire is recognized.

Mr. GREGG. I understand I have 9 minutes. Good.

The discussion which just occurred between the Senator from North Dakota and the Senator from Washington is a discussion which reflects the difference between our views and how you should budget. Essentially what the Senator from North Dakota and the Senator from Washington said is we should break the cap, we should spend additional money, and we should raise taxes. Their approach to budgeting is to tax and spend. Our approach, on the other hand, has been to say if there is a priority which the Senate feels is a high priority, whether it is veterans' benefits or CDBG—and there will be other amendments like these—that the Senate should declare there is a priority and set up a process where other programs will have to be reduced in order to pay for that program within the cap. The Senator from North Dakota correctly referred to it as an across-the-board cut.

Section 920 is a technical event. It does not have money in it, and it never has. But when you identify a 920 expenditure, it creates a mechanism where another program activity would be cut across the board.

That is the philosophical difference between our parties.

This budget increases the size of Government from last year to next year by over $100 billion. That is the growth in this budget—over $100 billion. The growth in the discretionary account will be about $30 billion under this budget. Those are huge numbers of growth. That is expanding the Government in a very dramatic way and a very significant way, much more so than I would personally wish to do. I wish to see us control, for example, entitlement spending a little more aggressively around here, which is the

majority of growth. But the fact is that is the growth.

What the Democratic proposals are saying—there have been innumerable ones—is we should grow Government even more, we should expand Government even more, and then we should raise taxes to pay for that. The traditional Democratic approach to Government is basically no end to the size of Government. There is no end to the amount of taxes they are willing to raise.

And this argument that they are going to use loopholes, I have to say, is a little shallow. There was this loophole around here called Customs fees which would be used to pay for new spending around here 45 different times. People said we are going to take it out of Customs fees, and then they offset it because they didn't get a budget point of order against it.

This building in the Caymans is the new Customs fee. The simple fact is if you eliminated all the loopholes which they are talking about—they may or may not be loopholes; I certainly think some of them sound legitimate—that would be $11 billion you would raise over 5 years, all of them. They have proposed $133 billion in new taxes. So they are $121 billion short.

Where is that going to come from? That is going to come from increasing maybe the death tax, increasing rates, and increasing taxes on working families, on small businesses, so they can expand Government. That is the difference of opinion which we have.

We don't believe that is the way you control the size of Government, to grow it and then raise more taxes to pay for it. We believe the way to control the size of Government is to set a hard spending level, which we have done, $873 billion, and hold that, and then within that spending level set priorities.

A lot of amendments come through here saying what the priorities should be. I think they are fairly reasonable; some aren't. The fact is they will all have to be shoehorned under that hard spending cap as long as we maintain that spending cap, as we have done so far in this budget process.

But every amendment offered so far from the other side of the aisle has been a spending amendment which has broken that spending cap—increase the size of Government; grow the Government; then raise taxes to pay for it, representing that it is a corporate loophole closing, which it can't be because they have already gone well beyond the estimates that are reflected in those loopholes which they allege exist.

There is a difference of opinion here. We happen to think we are doing it the right way by setting the priorities under the cap. They think they are doing it the right way by growing the size of Government beyond the spending cap and then paying for it with tax increases on working Americans. It is a difference of opinion.

I yield the remainder of our time on the Santorum amendment and we can move on to the Conrad amendment.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for the Conrad amendment.

Mr. CONRAD. Mr. President, before I go to the Conrad amendment, I will take 5 minutes off the resolution.

The Senator is correct; we are now talking about the fundamental differences between us. We believe you ought to pay for your spending. We believe we ought to pay the bills we are generating. We believe on the Democratic side that you ought to match your spending with your revenue so you are not increasing the debt.

Our friends on the other side of the aisle have taken a distinctly different position. Their position is you increase spending. The Senator has identified the increased spending in his own budget, but he will not raise the revenue to cover his spending. He won't make the hard choices. He won't cut his spending to match the revenue he is willing to raise, and he will not raise revenue to cover his increases in spending.

The result is the debt is mounting dramatically because our friends on the other side of the aisle refuse to pay the bill. They want to spend the money, but they do not want to pay for it.

When I grew up, common sense told you, responsibility told you, that you pay your bills. You pay your bills. If you don't have the money, you don't spend the money. That is the way I was raised.

Here is what is happening.

Mr. GREGG. Mr. President, will the Senator yield?

Mr. CONRAD. No, I will not. I had a chance to listen and now I will have a chance to answer.

Mr. GREGG. Do we know how long we are going with this little aside?

Mr. CONRAD. I don't know until I have completed my thought.

Here is what is happening with our colleagues on the other side of the aisle. Here is what is happening to the budget. The debt is going up, up, and away. Every year under this budget plan they are going to add to the debt. Here it is. We have a 5-year budget plan out here and they are going to add to the debt $680 billion in 2007; $656 billion in 2008; $635 billion in 2009; $622 billion in 2010; $662 billion in 2011, because they won't pay the bills.

They are running up the debt of this country in a way that is unprecedented, which risks our economic security, which risks our national security, and it is utterly reckless and it is irresponsible. This budget is going to lead to interest rate increases. It will hurt the economy. It is going to endanger our national security.

The Senator is entirely right. We have a fundamental difference in view about how to handle the fiscal affairs of our country. We believe on our side if you want to spend the money, pay for it. That is what we have done with our amendments. When we have sought to increase funding or eliminate the cuts that the President's budget proposes—for example, the President's budget proposes cutting education $2 billion. We do not believe it is right to cut the budget of education $2 billion. However, we also do not believe it is right just to put it on the charge card, run the debt up—we paid for it.

The Senator talked about the amendments we offered in committee. He said we spent $126 billion. Yes, we did. And we raised the money, more than enough money, to pay for it. We raised $133 billion. The Senator says over and over that we increased the taxes to do it. No, we did not. We paid for it by, No. 1, closing the tax gap—the difference between what is owed and what is being paid. That gap now is $350 billion a year. That is no tax increase, to insist that people pay what they owe.

Now the other side says there is not the money in the tax gap to pay for that. Yes, there is. The Revenue Commissioner testified we could recover $50 billion to $100 billion a year by getting companies and individuals to pay what they legitimately owe. That is just a fraction of the tax gap.

I yield myself an additional 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator has used 5 minutes and gives himself an additional 5 minutes.

Mr. GREGG. What is the regular order?

Mr. CONRAD. The Senator is recognized and the Senator continues to hold the floor, and I have an additional 5 minutes I have granted myself.

The PRESIDING OFFICER. The consent order to go to amendments does not preclude yielding time off the resolution. That is what is occurring now—time off of the resolution from the Senator's time.

Mr. CONRAD. Mr. President, we also paid for our amendments by closing corporate loopholes.

The Senator says there wasn't the money in corporate loopholes to cover the spending we have provided. That is not true. In fact, we have taken a corporate loophole closing this body has previously passed and used it to fund high priorities such as money for education, such as money for veterans.

How has the other side done it? They have offered a series of amendments to add more spending, but they have taken it out of a function that does not have any money in it. They have raised money for defense, but they took it out of function 920, which does not have a dime in it. They said they raised spending on defense $3 billion. There is no money in the fund from which they say they are taking the money.

It is right here in the budget book, page 29. Go to function 920. Here it is. It says function 920 is $500 million in the hole. That is before they increased defense spending by $3 billion and supposedly took it from function 920. That is before this morning, when they took $2 billion to supposedly strengthen our

borders. They took it out of function 920, where there is no money. It was $500 million in the hole.

The Senator is exactly right. This does define the differences between our parties. We think we ought to pay for the spending; the other side just wants to put it on the charge card, run up the debt. They have become a party of borrow and spend, borrow and spend, spend and borrow, run up the debt. That is exactly what they are doing today. They are running up the debt of this country in a way that is reckless, that is radical and should be stopped. That is why we are going to urge our colleagues to vote against this budget when the opportunity comes.

Let me go back to exactly what is happening. This chart shows graphically the dramatic runup in debt in this country. When this President came to office, the debt of the country was $5.8 trillion; that was the end of his first year. Today, the end of this year, it will be $8.6 trillion. If this budget is agreed to, it will be $11.8 trillion. They will have doubled the debt with this policy of borrow and spend.

That does define the differences. I am glad we have had a chance to have this discussion.

I understand the Senator from Maryland has an inquiry?

Mr. SARBANES. Will the Senator yield?

Mr. CONRAD. I yield an additional 5 minutes to myself off of the resolution.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. This borrow-and-spend policy which the other side of the aisle is pursuing is the direct cause of the runup in the national debt, is it not? This chart which shows the incredible expansion of the national debt is the consequence of pursuing this policy. We are running record budget deficits, is that correct, I ask the Senator?

Mr. CONRAD. This has been the largest deficit in dollar terms in our country's history. But of course the size of the deficit does not equal the increase in the debt; the increases in the debt that these budgets are providing are much more than the deficit. For example, the year we are in now, they say the deficit will be $371 billion, but the debt is going to go up by about $650 billion.

Our friends on the other side do not want to pay the bills. They want to spend the money, but they do not want to raise the revenue to cover their spending. That is what is really going on. They are unwilling to cut the spending to match the revenue they are willing to raise, and they are unwilling to raise the revenue to meet their spending. Either way, they will not cut the spending to match the revenue, and they will not raise the revenue to match their spending. The result is they tack it on the debt. Borrow, borrow, borrow.

They say things are getting better. Really? Things are getting better? Here it is. Here is what will happen if this budget passes. They will add to the debt every year for the next 5 years more than $600 billion a year until we get to a point of over $11.8 trillion in debt.

The proof is in the pudding. Later today, they will come before the Senate and ask to raise the debt limit in one fell swoop by $781 billion—a further confirmation of the policy of this administration and our colleagues, which is a policy of borrow and spend, spend and borrow, borrow, borrow, borrow, run up the debt. That is where we are.

Mr. SARBANES. Will the Senator yield?

Mr. CONRAD. I am happy to yield.

Mr. SARBANES. This also reflects or demonstrates a sense of priorities.

To take the amendment we were just considering, the Murray amendment, and then the Santorum amendment, the Murray amendment sought to avoid increasing the deficit by adding money for the community development block grant. All of the State and local governments are petitioning Congress for this. It is desperation time for them. She was prepared to pay for it by closing some corporate tax loopholes, all of which have previously been approved by the Senate, as I understand it.

So in terms of priorities, in effect, we are saying: Support the Community Development Block Grant Program, but pay for it by closing these corporate tax loopholes; that is a higher priority. You do not raise the deficit, and you do not increase the debt by that amount. Is that correct, I ask the Senator?

Mr. CONRAD. The Senator is entirely correct. That does define the differences here.

The Senator from Pennsylvania, on the Republican side, offered an amendment to add $1.3 billion for community development block grants. But his amendment seeks to fund that amount how? By taking it out of function 920, just as we have had one amendment after another from the other side seeking to fund things out of function 920, where there is no money. They were $500 million in the hole when we started this process, and they have increased defense $3 billion. How did they pay for it? By function 920, where there is no money. And then this morning, $2 billion to strengthen our borders. How did they pay for it? Function 920, where there is no money. They say that is responsible budgeting, that this is the difference which defines our parties. They are exactly right—this is the difference which defines our parties.

When Democrats were in control, we paid down the deficit. We actually were in surplus and, in fact, we were able to stop taking Social Security money to pay other bills. Now, with them taking over, we have reversed course, going from record surpluses to record deficits and even higher running up of the debt.

What they propose with this budget is more of the same—borrow and spend, spend and borrow, put it off, put it on the charge card, do not worry about it, tell the American people: You can have every tax cut and every spending increase, and you do not have to pay for anything.

I yield myself another 5 minutes off the resolution.

Does the Senator inquire further?

Mr. SARBANES. I inquire of the Senator, when the Bush administration came in in 2001, wasn't the Federal budget in surplus?

Mr. CONRAD. Yes. The Federal budget was in surplus by $128 billion. In fact, we had a string of surpluses as the Clinton administration during those 8 years brought spending down and revenue up. So we paid our bills. We stopped raiding Social Security. Now it has all been reversed, and we have record deficits with bigger amounts adding to the deficit, and they are taking the Social Security surplus to pay other bills. Under this budget plan, they will take almost $180 billion of Social Security surplus—money that is not really in surplus; it will all be needed, it will all have to be paid back—and they are taking every dime to pay other bills. Just more of the same—run up the debt, and we will worry about it tomorrow.

At some point, we better start worrying about it today. The result of these policies is that foreign holdings of American debt have exploded, absolutely exploded. It took 224 years to run up $1 trillion of external debt. That is U.S. debt held by foreigners. This President has more than doubled that amount in just 5 years. It is stunning, but that is what is happening.

The Dubai Ports deal, what is that about? I suggest that part of it is a result of our fiscal policy which is running up these massive debts, increasingly funded by foreigners, so foreigners are holding all these dollars. What are they going to do with them? In part, they are going to buy U.S. assets. They might as well put up a for-sale sign on the country because what is happening is all this money we are borrowing because our friends will not pay the bills, they just want to borrow the money, and the result is we owe Japan $668 billion and we owe China over $263 billion. And guess what. They are sitting on all this money. We owe the Caribbean bank centers almost $100 billion. They take that money. They have to do something with it. What are they doing? They are buying American assets.

So if you like the idea of shipping American jobs overseas, if you like the idea of running up the debt, if you like the idea of going deeper and deeper into the ditch, this budget is the one you ought to vote for because it continues this policy. At some point, this is going to have to come to a screeching halt because the bill is going to come due.

Mr. SARBANES. Will the Senator yield for a question? Isn't more and more of this debt we are running into being held overseas rather than here at

home? Hasn't there been a shift in who holds the debt, so we are becoming increasingly dependent upon strangers to finance this deficit and this debt? Is that correct?

Mr. CONRAD. The Senator is exactly correct. Of the publicly held debt, now almost 50 percent of it is held by foreigners. Isn't that stunning?

Mr. SARBANES. Absolutely stunning.

Mr. CONRAD. It used to be we borrowed the money from ourselves.

Mr. SARBANES. Yes.

Mr. CONRAD. Not anymore. Now we are borrowing from Japan primarily. China is next. Great Britain is third. The Caribbean banking centers are fourth. We owe them $98 billion. We even owe the South Koreans $60 billion.

As to our colleagues on the other side, it is fine with them: Keep borrowing the money. Spend the money. Borrow the money. This is the defining difference. I am glad our colleague, the chairman of the committee, made the point that this defines the difference. It certainly does. We do not believe the appropriate policy is to keep running up the debt of the country, to keep borrowing the money, but that is what this budget does.

Mr. SARBANES. Furthermore, doesn't this budget make it clear their prime priority on the other side is to provide these tax cuts, which overwhelmingly benefit the wealthy? The consequence of that is either we run up the deficit and debt or we cut programs that are badly needed across the country, particularly for working people.

So the priority that is being established is tax cuts first and foremost, which upon analysis are seen to benefit—I understand the tax breaks for millionaires that have passed under the Bush administration, the people with more than $1 million of income each year, amount to $41 billion in the coming year—$41 billion. The community development block grant proposal was for $984 million, one-fortieth of the amount going out in the tax cuts.

So those are the priorities that are being established here—the tax cut first and foremost—and the consequence is, you run up the deficit and cut programs which are badly needed by ordinary citizens all across America.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator's 5 minutes has expired.

Mr. CONRAD. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I yield myself—the Senator from North Dakota and the Senator from Maryland took about a half an hour. I took about 5 minutes. So I am going to yield myself 25 minutes to discuss this issue in some depth because it is an important issue. I do believe the characterizations here are interesting but inconsistent with the facts.

The Senator from North Dakota says we are running up the debt. I suppose you can argue that is true, yes, because we are operating the Government. But the second question would be, Who is running up the size of the Government? That would be probably a more appropriate question. If you look at the Democratic proposals, as they have hit the floor of the Senate, they are running up the size of the Government. That is their goal.

They proposed amendments in committee that increase the size of the Federal Government by $127 billion. That is a huge expansion of the Federal Government. I give them credit, they pay for it with taxes on the American people, raising them $133 billion. And they are not tax-loophole closers.

The Senator from North Dakota has claimed: Well, if you just collected taxes that are owed, you might get up to $100 billion. That may or may not be true, and we are going to try to do something to accomplish that. But as he well knows, CBO will not score that. They score that as zero. So in order to get that $133 billion, they are going to have to raise taxes on working Americans because loophole closers simply do not generate anything like that. The maximum amount you can score for loophole closers is about $11 billion. So they are going to have to raise taxes at least $121 billion on working Americans.

And then the Senator from Maryland says there is $41 billion out there that you can just take from high-income Americans. If you grab that, well, that is clearly a rate increase and a tax increase. But it is an inaccurate statement. Actually, the high-income Americans today are paying more—paying more—than they have paid at any time in history as a relative burden of taxes. Their number has gone up significantly. In fact, the time when they got the best deal, ironically, was during the Clinton administration.

During the Clinton administration, high-income Americans actually paid less as a percentage of the gross tax burden, total tax burden in America, than at any other time. It is only in the last few years that their percentage of the burden has gone up.

Why is that? Well, it is something called economic activity. When people go out and they work hard and they are being productive, they end up paying more taxes. When tax rates are high, people seek tax shelters, and they hide income, and they invest it in things that give them avoidance of taxes. Some of the things the Senator from North Dakota would like to eliminate I would like to eliminate, too, that are inappropriate. But they also do things that are appropriate to avoid taxes so they do not have to pay that high tax rate.

When you have a capital gains rate of 30 percent, people do not sell their assets. They hold on to them because they do not want to pay all that money to the Federal Government, especially high-income people. So what we have seen is when we cut rates, high-income people started doing things that generated revenue for the Federal Government, and it also generated a tax burden on them that was higher. They were willing to take that because they were making more money. And it is shown definitively by the revenues we have received as a Federal Government as a result of the cut in the capital gains rate.

Now, the other side of the aisle considers the cut in the capital gains rate to be poison. They think it just benefits the rich and it should not have occurred. They want to repeal it. They tried to put in place pay-go to force the repeal of it, and they have all sorts of ideas for how you eliminate it because this is the rate they see as the problem in America, the capital gains rate being 15 percent instead of what it was. It used to be 30 percent.

What was the effect of cutting capital gains rates? It actually generated huge revenue to the Federal Government. Why? Because people went out and started to undertake economic activity. They went out and sold stock. They went out and sold small businesses. They went out and sold real estate. That generated economic activity, which generated taxes to the Federal Government, taxes which we did not expect to get of $81 billion. Then they took the money they generated as a result of selling those assets and reinvested it in more productive activity and created more jobs, took more risks. As a result, the economy is growing.

We have had month after month after month of growth in this economy. We created 5 million jobs. We have had, I think, 30 months of growth in this economy. And the 5 million new jobs we have created actually exceeds the combined jobs created in Japan and Europe during that same period of time. That is good economic policy.

Just last month, we created 234,000 jobs. Why? Because we created an atmosphere where people are willing to go out and take a risk, where they are willing to go out, invest their money, take a risk, and create a job as part of taking that risk, and create revenue for the Federal Government because they create income. As a result, the revenues have gone up in this country.

So another chart is pretty dramatic. These are the revenue growths—the yellow lines—in the last few years and what we project out into the future—a 14-percent jump in revenue last year. Now, the other side will say: But that is from a historic low. Yes, it is a historic low, which was driven in large part by the Internet bubble of the late 1990s, the largest bubble in the history of this country or in the world. It was a bigger bubble than the tulip bubble or the South Seas bubble. When the Internet bubble collapsed, we went into recession, and that dropped revenues dramatically. Then we were attacked on 9/11, and that dropped revenues even more.

So the President, with considerable foresight, I would say, decided to cut

taxes before we got deep into the recession. As a result, there was economic activity generated, and that has produced a significant upturn in revenues—one of the most significant upturns in revenue in history.

Now, here is the bottom line of this whole argument: We are reaching a point where we are back to a historic level of what taxes have been in this country. Historically, taxes in this country have represented about 18.4 percent of gross national product. And yes, they dipped well below that because of the Internet bubble and because of the attack on 9/11 and the economic slowdown that occurred. But now they are headed back up because of the economic policies this President has put in place, including creating more incentive for people to go out and be more productive.

So within a year, or maybe a year and a half, we are going to be back to a tax burden in this country which is generating essentially what has been the historic norm, which is about 18.4 percent—18.4 percent—of gross national product, with a Tax Code that does it by saying to people: Go out and take a risk. Create a job. As a result of doing that, give us some more revenue—because there will be more people paying taxes.

But if you look at the Democratic proposals which have come forward under this budget, what they are suggesting is that this tax burden, this historic tax burden of 18.4 percent, is not high enough. The American people are fundamentally undertaxed, they are saying. They have to be taxed more. And Government has to grow more. Government has to grow a lot more. We have to grow Government by $127 billion more, and then we have to hit people with another $133 billion in taxes. We will get that tax burden up around 19 or 20 percent of gross national product, maybe get it up to 21 percent, 22 percent. Who knows how high it is going to go. It is going to go as high as they want to spend money. That is the difference between our parties. They believe in expanding the Government and expanding taxes to pay for it.

When our members have come to this floor and suggested there is a priority for CDBGs or there is a priority for veterans, what they have said is they want that money to be spent there, but they are willing to do it under a cap. They are going to control spending on the discretionary side of the ledger.

When the members from the other side have come to the floor and said there is a priority for veterans or there is a priority for CDBG, they have said: We don't want to have to be limited to any spending regime around here. We want to blow that cap. We want to add another $127 billion to the cost of Government, grow the Federal Government, and we will raise taxes to pay for it.

At least they have integrity on that point. I agree with that. They are saying: Grow Government, grow taxes, take that tax burden over the norm of 18.4 percent. Take it up to 20 percent. Take it up to 19 percent of gross national product. And then take the size of Government and drive it up, too, over 20 percent, 21 percent, 22 percent.

What our people are saying—

Mr. DORGAN. Will the Senator yield for a question?

Mr. GREGG. No, I am not going to yield. Your side did not yield to me when you were talking.

What our people are saying is we have priorities, too. We recognize that some things need more money than other things. We are willing to do it within a controlled atmosphere of a spending cap that is $873 billion. Within that cap, we are going to offer amendments to spend money on this item or that item, and in exchange for that we are going to cut across the board under 920. That is what it does. That is the difference. We are willing to set priorities and limit spending. They are willing to set priorities, increase spending, and raise taxes to pay for it.

This argument that these taxes are going to come out of some nonpenal event to the American people, that it is not going to affect the American people's income, that it is going to come from some corporate loophole or that it is going the come from some Cayman Islands place, is just—well, it is like the Customs fees. Forty-five times we used Customs fees around here to claim we could raise spending. Finally, we actually did use the Customs fees, so we don't here about them anymore around here. Hopefully, someday we will wipe out the Cayman Islands building so we won't hear about that anymore, either. But in the process, you cannot generate enough revenue from doing that to address the $133 billion of taxes that are being raised here. The maximum you can generate out of those items is $11 billion.

So this has been an interesting aside, well discussed, well presented. But I would like to suggest to the Senator from North Dakota that we get on to the amendment process.

Mr. CONRAD. Does the Senator yield?

Mr. GREGG. I am not yielding the floor. I am asking the Senator from North Dakota if he would like to get on with the amendment process. I have not yielded the floor.

Mr. CONRAD. Momentarily——

Mr. GREGG. I yield for a question.

Mr. CONRAD. I am not going to ask a question. I will respond to your question and just say, I think this is a healthy thing. Debate has broken out here, which is a rare occurrence. You have done an excellent job of presenting your view. I have tried to represent our view. I would like to respond briefly to some of the points you have made. Perhaps you would then like to respond briefly to some of mine.

Mr. GREGG. I would suggest, then, that we spend another 6 minutes on this. You take 3; I take 3. Then we move on to your amendment.

Mr. CONRAD. I wouldn't be prepared in 3 minutes to respond to your very excellent presentation over the last 15. It will take me a little bit of time to respond to these things. I do think it is a healthy debate. It will actually, perhaps, save us time because maybe we can then reduce our wrap-up time at the end of the debate.

Mr. GREGG. I will yield the floor, recognizing that I will probably reclaim it for the amount of time that the Senator from North Dakota uses.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I say to my colleague, for whom I have great respect, the chairman of the committee, we have a very real difference. We are highlighting that difference. That is a healthy thing. It is a debate.

Let me respond to something the Senator said. I have the same chart, a little different colors, that looks at the spending and revenue lines of the Federal Government going back to 1980. The red line is the spending line. The green line is the revenue line. This is as a percentage of GDP. What you see is that during the Clinton years, the spending came down as a share of GDP each and every year. The revenue went up. The result was, we stopped deficit spending. We stopped running up the debt. In fact, we were paying down the debt. Then President Bush came into office. The spending went up.

They make the assertion that we are the big spenders, but the fact is, during the Clinton years, spending went down each and every year as a share of gross domestic product. During the Bush years, spending has gone up virtually every year.

On the revenue side of the equation, when President Bush came in, the revenue side of the equation collapsed. The Senator says it collapsed because of economic slowdown, because of the Internet bubble. Yes, in part it did. But he never mentions the tax cuts. Hello? The tax cuts accounted for half of this drop. The result was discretionary spending went up. Why did discretionary spending go up? For defense, homeland security, and rebuilding New York. All of us agreed with that. On a bipartisan basis we agreed to spend more money to respond to the attacks on our country. So spending went up, but the revenue went way down. The result is, more and more deficit, more and more debt.

Here is our fundamental difference. Our Republican friends want to spend the money, but they don't want to pay for it. They don't want to raise the revenue to meet their spending line, and they don't want to reduce their spending to match their revenue line. The result is the debt is skyrocketing.

Here it is. This is the result of their policies. This is what the debt was at the end of President Bush's first year, $5.8 trillion. We don't hold him responsible for the first year because he was

still under the Clinton budget. But look what has happened since. The President told us he was going to have maximum paydown of the debt. At the end of this year the debt will be $8.6 trillion. It has gone up, up, and away. And if this budget is approved that our colleagues on the other side have put before us, and the President has put before us, the debt is going to go to $11.8 trillion. They will have almost doubled the debt.

Our colleagues on the other side have a mistaken notion on the issue of taxes. I would love to cut taxes 50 percent across the board. I would be a huge beneficiary myself if we did that. But what would happen? The debt would go up even more. Since we are borrowing almost half of this debt from abroad, we would be even more in debt to foreigners, the Japanese, the Chinese. Is that what we want to do for our future? I don't think so. I think that weakens us.

Our colleague keeps saying: If you cut taxes, you get more revenue. The only evidence my colleague presents is in one type of tax, capital gains. He doesn't want you to look at the whole revenue picture because he knows what I know: Revenue has not gone up with all these tax cuts.

Here is what has happened to total revenue. Remember, he has just talked about a small part of the revenue base, capital gains. But here is total revenue. In the year 2000, total revenue for our country was just over $2 trillion. The next year it went down. And in that next year, 2001, we had massive tax cuts. What happened to revenue the next year? Did it go up or did it go down? It went down to $1.85 trillion. How about the next year; did the revenue go up or did it go down? It went down again, to $1.78 trillion. How about 2004; did the revenue at that point exceed what it was in 2000? No. It was still far below what we got in 2000. It was $1.88 trillion. We didn't get back to the revenue base of the year 2000 until 2005. Those are the facts. Their idea didn't work. But they can't admit they were wrong. The result is they keep on spending the money, but they won't raise the money to pay for their spending. So what happens? The debt goes up, up, up.

Our colleague said the economy is really humming under their plan. We are seeing modest growth. But let's look in comparison to other times in our history when we were going through an economic recovery. First, median household income has declined for 4 straight years. That is not a good sign. When we look at economic growth and we compare this recovery to previous recoveries and we look at the nine recoveries since World War II, nine periods when we were coming out of a recession, on average in those nine other recoveries, economic growth averaged 3.2 percent. This time it is only 2.8 percent.

In addition, we looked at business investment. We went back and looked at the nine previous business cycles, the nine recoveries since World War II. That is the dotted red line in terms of business investment. If at this stage in the cycle, we compare it to this recovery, which is the black line, do you know what we find? Business investment is running 62 percent behind the average of the nine previous recoveries. And job creation? They are bragging about job creation. Let me just say, there were 22 million jobs created during the Clinton years. When we compare this recovery to the nine previous recoveries since World War II, again, the dotted red line is the average of the nine previous recoveries—job creation in this recovery is the black line—we are 6.6 million private sector jobs short of the average recovery since World War II.

Again, I go back to the fundamental difference that we have. Our Republican friends have a budget before us that is going to increase the debt over the next 5 years by $3.5 trillion. That is their plan. Is that what we want to do? Half of it is funded by foreigners. So the bizarre thing they are doing—because this budget increases spending. This is their budget. It increases spending. The chairman has described that. And it cuts taxes, even though we can't pay our bills now. So guess what. We get more debt funded by foreigners, more vulnerability to the country, more money we owe the Japanese, more money we owe the Chinese. And then we wonder why the Dubai Ports deal occurred. There are going to be a lot more Dubai Ports deals under this fiscal plan because, under this fiscal plan, we are going to owe a boatload more of money.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, for the sake of figuring out where we are going, I can never remember who is the junior or senior Senator any longer because the Senator from North Dakota came, went, and came back. How much time do you think Senator DORGAN would like?

Mr. DORGAN. I would like 5 minutes.

Mr. GREGG. Why don't we give 5 minutes to Senator DORGAN, and then I will respond.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 5 minutes.

Mr. DORGAN. Mr. President, this has been fascinating. I came in at Senator GREGG's presentation, nearly at a fever pitch, depending on what appears to be the indefensible. But it reminded me of how one argues in court. You take the best you have and then go at it with volume—if possible, as much volume as is possible—and hope some of it sticks. It reminded me a little bit, too, of the message that Gen. George Armstrong Custer received just before they actually got to Harden, MT, with the 7th Calvary. His scouts came back and said: Things look pretty good up ahead. Things look pretty good.

General Custer got that message. It is the message I heard this morning as I walked onto the floor of the Senate from our colleague, Senator GREGG: Things look pretty good up ahead.

Let's look up ahead for a moment. On page 28 of the resolution that sits on the desks of Members of the Senate, let's look up ahead, see if things look pretty good up ahead. It doesn't matter how many trees you cut down to produce the charts, how much ink you use to create your bar graphs. That doesn't mean a thing. Let's look up ahead just a bit.

In 2011, what is going to happen to this country under the best of circumstances, under the most optimistic circumstances offered by the majority party in their resolution? In 2011, we will be required as a country to borrow over one-half of a trillion dollars. That is how much the debt will increase in 2011. So somebody brings this to the floor of the Senate and says: We have a plan. Our plan is to put our fiscal house in order, and 5 years from now we are going to borrow over half a trillion dollars and we call that order.

I said yesterday, I yearn for the old Republican Party. Both political parties provide grand opportunities for this country, and have for two centuries. They both contribute to the well-being of America and to the building of this great Nation. But there was one thing you could always count on the Republican Party to do, and that is they wore gray suits. They were conservative. They would wear wire rim glasses, and they would look like they just swallowed a lemon. They were very serious. You could always trust them to stand for fiscal responsibility—always. Pay your bills, they would say. Balance your budget. That is what you would count on them for.

That has changed a lot because the new majority party here says this is paying our bills and balancing our budget, page 29. Five years from now, they say, their plan will have us borrow over one-half trillion dollars in that year alone. During the entire 5 years, as my colleague has said, we will borrow over $3.5 trillion. And that is putting our country back on track? I don't think so.

It is time that even when we look in the mirror we be honest. It is time this Congress be honest with itself. It doesn't take charts, doesn't take the ink on charts. It reminds me of that old western movie line: What are you going to believe, me or your own eyes?

Let me choose to believe my own eyes. Let me choose to believe what is in the most optimistic assessment in this fiscal policy. This country is deep in debt, going deeper in debt. And, by the way, we are going to borrow about $600 billion this year, and that doesn't include the $700-plus billion of trade deficit. So we are going to borrow about $1.3 trillion this year alone, just in this year alone, and we are told: Gee, things are good. Things are good. Just like General Custer's scouts,

things are really good up ahead. They are not. This country deserves the seriousness of purpose on the part of Republicans and Democrats who are willing to stare truth in the eye. The truth is on page 28.

This country is off course, off track, and it is unsustainable. Yes, in trade it is off track. We are shipping jobs overseas at a wholesale rate, we are closing American plants, and we are up to our neck in debt. We are selling America piece by piece, $2 billion a day, 7 days a week, all year long.

In fiscal policy, we are borrowing and borrowing. My colleague from New Hampshire talks about taxes. I understand the issue of taxation. I especially understand the issue of those who don't want to tax but want to borrow and spend and say let the kids pay for it. That is not conservative. That is a new conservatism that, in my judgment, doesn't do well by this country's future.

Mr. GREGG. Mr. President, the Senator from North Dakota makes my case. The seriousness of purpose would require that they present a budget, and if they did, they would be presenting a budget that had dramatic tax increases in it and dramatic expansion of the Federal Government, as has been shown by the amendments they have brought to the floor—over $127 billion of expansion of the Federal Government, over $133 billion in tax increases.

That is just the start. The senior Senator from North Dakota basically questioned this recovery. I suppose you can always walk around with a dark cloud over your head and claim there is no sunlight when the sun is shining on you. The fact is, this recovery has been pretty good, especially in the context of the fact that we are fighting a war and we have had basically the entire Gulf States wiped out as a result of catastrophic natural events, Hurricane Katrina and Hurricane Rita. If we look at some of the issues that affect people the most in this recovery, let's look at the price of homes. They have gone up; there have been historic increases. When that happens, everyone's net worth in America jumps. All homeowners' net worth jumps when the price of homes goes up. So everybody who is a homeowner has a little more of a cushion to their life.

Dividend income has jumped dramatically as a result of the cut in dividends. Why? Because corporations, instead of borrowing and instead of using mechanisms where they reinvest maybe overseas—which seems to upset our colleagues on the other side—have decided to pay out dividends. So people who own stock in this country—the vast majority of Americans, by the way, either directly or through pension funds—are benefiting from the fact that dividend income has jumped radically under this administration.

Unemployment, during a period of fairly significant recession at the beginning of this administration, and a period of war that has been going on throughout this administration, and a period where the gulf coast has been overwhelmingly hit by an economic downturn as a result of the impact of the catastrophic events of Katrina and Rita, unemployment continues to drop.

In fact, I remember a couple years ago, under this administration, when the other side of the aisle was claiming we weren't creating enough jobs. We don't hear that routine anymore. Jobs are being created at a significantly faster rate than historic norms, and we are seeing a lot of people being employed—5 million jobs added, which is more than the combined increase of Japan and Europe—which, by the way, has a population of about half again as large as ours—over the same period of time.

Productivity growth. This is an important one because it is a function of the tax laws that we put in place. Productivity growth is higher than almost all prior business cycles. We have maintained extremely high productivity growth as a result of the fact that we have created a tax climate where people are having incentive to invest and create jobs, which we have talked about earlier. That is a hugely important factor, something that if you listen to former Chairman Greenspan, who I think is a fair arbiter of economics in this country, he will tell you productivity growth is probably the most important thing. If you can keep that ahead of inflation, you are going to have a robust economy, and we have certainly done that as a result of the policies of this administration.

We have had 17 consecutive quarters of economic growth, economic expansion. That is a very robust recovery under any definition of recovery—17 consecutive months. It may not be as strong as other recoveries, but it is certainly a very strong recovery and something we as a nation should be taking a fair amount of pride in.

That brings us back to the issue of tax policy because if you listen to the other side of the aisle, you would think that revenues were still down as a result of Katrina, as a result of the attack of 9/11, and as a result of the burst of the Internet bubble, and they claim it is as a result of tax cuts. Revenues are not down; they are proceeding to go up. They continue to grow. At least their chart shows they are back to a historic level. That level that they are at is essentially the level they should be at, which is the historic level that we pay taxes as a percentage of gross domestic product. The Federal Government should not be taking more than 18.4 percent of GDP out of the economy for tax purposes. We are growing at a dramatic rate. These bars go up significantly, and they are going to continue to go up significantly because of the fact that we have in place tax policy that encourages economic activity, risk taking, and job creating, which is so critical to the generation of revenue to the Federal Government. So we get back to what is the essence of the debate because I think it needs to be restated.

The essence is this chart—they have their chart, and it is basically the same chart, but we look at them differently. We agree that the chart is the same. The point is this: Revenues are coming back to their historic levels, 18.4 percent of gross national product. Spending, however, is not coming down as much as it should, and it is not coming down not because we have not made a commitment to try to control spending—we have done that. Last year, we passed the first deficit reduction attempt on entitlements in 8 years. We got two votes from the other side of the aisle. There was no attempt to control entitlements from the other side of the aisle last year. There was opposition to spending control there. Then we put into place a cap on spending, and again we didn't get any votes from the other side of the aisle.

What their proposal is, is shown in their amendment, which essentially says we are going to grow the size of Government, grow it above that line where it is now, which is 20 percent; and we are going to raise taxes and grow the revenues well above the 18.4 percent, which is the historic norm. So they are basically saying they are willing to take much more out of this economy to grow the Government, make the Government bigger than what has historically been the case, and they are also willing to take much more in taxes.

We don't think we should go that way. We think we should put into place spending restraint. We would love it if the other side of the aisle would support this. But there is no attempt to support the caps from any amendment offered on the other side of the aisle. Every amendment that has come forward from them has raised the caps, raised the size of Government.

There was no support for entitlement control on the other side of the aisle—none. Well, there were two votes, I am sorry. I respect those votes and I thank them. But the vast majority of the other side of the aisle didn't want to do any entitlement restraint. To the extent we have seen spending go up, it has only gone up in two categories—entitlements and national defense. National defense is something you have to do when you are at war. So when the Senator from the other side of the aisle points to the spending chart going up, he knows and I know that the extent that is discretionary spending, it is 95 percent national defense because that is what we have to do when we are at war.

So if you are going to control the rate of growth of Government, you have to control the discretionary side and the entitlement side. There is no attempt to do that on the other side. There is an attempt to expand it. Yes, the debt goes up. Their argument is that we are expanding debt. Well, that is true because we are fighting a war that we have to pay for and because we

cannot get any support in a bipartisan way to address what is driving the debt most, which is entitlement spending.

The President comes forward with a proposal on Social Security and says everything is on the table. The other side says we won't accept anything. He comes forward with a Medicare proposal. Immediately, the leader on the other side of the aisle said the proposal was inexcusable, even though it was put forward by MEDPAC, an independent organization of health professionals, which suggested you can restrain the rate of growth nominally with a couple of changes.

The same is true of Medicaid. What a battle we had last year to save $5 billion in Medicaid spending, with over a $1.2 trillion base, so we took the rate of growth from 40 percent to 40 percent. We didn't even change it. There was opposition every step of the way from the other side.

So it is very hard to give a lot of credibility to the idea that there is a desire to control spending on the other side of the aisle. What this is on the other side of the aisle is shown by this chart, which is to increase spending, increase the size of Government, increase taxes and, as a result, we refer to that as tax and spend, a term which I believe is reasonably accurate in this context.

At this point, I will yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I yield 5 minutes to myself off the resolution. We have heard from the other side that we have proposed additional spending in the committee. Yes, we did. The difference between our spending and the spending the other side offered—and they have offered, repeatedly, amendments to increase spending—is that we paid for ours. We paid for it.

The Senator has a list that shows we offered in committee amendments that have increased spending $126 billion. Let me explain where almost all of that spending was. One amendment. One amendment to say that veterans of our country should have their spending considered mandatory rather than discretionary—mandatory rather than discretionary. I think most Americans would say spending on veterans is not a discretionary matter.

We asked them to go to war, asked them to put their lives on the line. In many cases, they have come back wounded, injured, and in need of care. Is it discretionary to fund those accounts, to take care of their medical needs? We don't think so. We think it should be on the mandatory side of the ledger. That is scored as $104 billion of our $126 billion of spending.

Now, yes, I will look anybody in the eye and say that was spending that was responsible, to keep the promise made to our Nation's veterans. And we paid for it. We didn't just run up the debt the way our colleagues do. Over and over, they have voted for spending. We have shown the lines. Spending has gone up under this administration. But revenue has gone down. They voted for all the spending, and they voted for all the tax cuts, and the result is the debt is going up, up and away. So they are the party of borrow and spend. Borrow and borrow, spend and spend. They don't want to reduce any spending.

I don't see any amendments that they have offered to cut spending. They offered amendment after amendment to increase spending, but they don't want to pay for it.

The Comptroller General has told us that "continuing on this unsustainable fiscal path will gradually erode, if not suddenly damage, our economy, our standard of living, and ultimately our national security." He is talking about this runup of debt.

I want to conclude. My colleague said they had a deficit reduction plan and they didn't get a single vote from our side for it. He is right. They didn't have any deficit reduction. There is no deficit reduction in their plan. The deficit went up. They passed their plan and the deficit went up. In 2005, the deficit was $319 billion. They passed their deficit reduction plan without a single Democratic vote. In fact, some on their side voted against it. And now the deficit is going to be $371 billion.

So the Senator is absolutely correct. We didn't vote for their so-called deficit reduction plan that didn't reduce the deficit; it increased the deficit. And we are not going to vote for this plan that runs up the debt $600 billion a year each and every year for the next 5 years, taking us to a debt of $11.8 trillion before the baby boomers ever retire. So that is the difference between the parties.

In terms of economic performance, I say to my colleague, he says that the productivity numbers are a result of the Tax Code. I don't think so. I think the productivity numbers are the result of the hard work of the American people, the ingenuity of the American people, not as a result of the Tax Code. The productivity numbers were going up dramatically when we had the previous Tax Code. So the notion that the Tax Code is the reason for the productivity gains is just imaginary.

If we want to talk about economic performance, in the Clinton administration we got twice as much increase in real average hourly earnings. We got 50 percent more increase in real disposable personal income. And we got 10 times as much job creation. That is with the previous Tax Code.

So it is not the Tax Code that is producing those results. It is the hard work and ingenuity of the American people.

Mr. WYDEN. Will the Senator yield?

Mr. CONRAD. I will be happy to yield. I say to my colleague, would this be an appropriate time to go to Senator WYDEN's amendment?

Mr. GREGG. Mr. President, I understand Senator GRASSLEY wishes to respond to Senator WYDEN. That may be the appropriate time. Let Senator WYDEN make his presentation.

Mr. WYDEN. I appreciate that. What Senator SNOWE and I want to do is not spend any taxpayers' money; we want to save some taxpayers' money. I appreciate that. I was here about 45 minutes ago thinking that was the point where we would be in the queue. When Chairman GRASSLEY gets here, we would appreciate the chance to discuss our bipartisan amendment.

Mr. CONRAD. Mr. President, I say to the Senator, this would be the appropriate time for him to make his presentation, and we can go forward with the amendments.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Oregon is recognized.

AMENDMENT NO. 3004

Mr. WYDEN. Madam President, with the consent of both sides, I call up amendment No. 3004, the Snowe-Wyden amendment.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for Ms. SNOWE, for herself and Mr. WYDEN, proposes an amendment numbered 3004.

Mr. WYDEN. Madam 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 ensure that any savings associated with legislation that authorizes the Secretary of Health and Human Services to use the collective purchasing power of 40,000,000 Medicare beneficiaries to negotiate the best possible prices for prescription drugs provided through part D of title XVIII of the Social Security Act in fallback plans, by private drug plans (if asked) and in other circumstances, but not permitting a uniform formulary or price setting, is reserved for deficit reduction or to improve the Medicare drug benefit)

At the end of title III, insert the following:

SEC. _____. RESERVE FUND FOR THE NEGOTIATION OF THE BEST POSSIBLE PRICE FOR PRESCRIPTION DRUGS THROUGH MEDICARE PART D.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that allows the Secretary of Health and Human Services to use the collective purchasing power of 40,000,000 Medicare beneficiaries to negotiate the best possible prices for prescription drugs provided through part D of title XVIII of the Social Security Act in fallback plans and, if asked, by private drug plans, and in other circumstances, but not permitting price setting or a uniform formulary, by the amount of savings in that legislation, to ensure that those savings are reserved for deficit reduction or to improve the Medicare part D drug benefit.

Mr. WYDEN. Madam President, we all have seen the frustrations and the heartache that senior citizens have experienced over these last few months as the prescription drug legislation has gone into effect. Certainly, some folks are being helped, and we are glad to see it. But in order to really make a prescription drug benefit work, we have to contain the costs of medicine. That is

what Senator SNOWE and I are trying to do. We are trying to do it by using marketplace forces, not Government but marketplace forces to hold down the cost of medicine.

A majority of the Senate is now on record as favoring this proposal. A majority of the Senate voted for it last fall before all the headaches and the frustrations that seniors have experienced. So in my view, the case is a lot stronger today than it even was last fall when a majority of the Senate voted for it.

I think that is the reason the American Association of Retired Persons has written to the Senate saying they are in support of the bipartisan Snowe-Wyden legislation. They have something they call their Rx Watchdog group. It is an effort by AARP—a very laudable effort—to monitor the cost of medicine. They report that the cost of medicine is going up twice the rate of inflation.

Of course, we know older people use more medicines than the rest of the population. It would be one thing if people were trying to go about doing this in an arbitrary kind of fashion, using a one-size-fits-all Government approach or price controls. That is not what the bipartisan Snowe-Wyden legislation does.

We want to be very clear, as we offer this legislation, that at line 13 and line 14 of this amendment, there is a statutory prohibition on price controls as an effort to hold down the cost of medicine.

Let me repeat that to the Senate. The bipartisan Snowe-Wyden legislation at line 13 and line 14 includes a bipartisan statutory ban on price setting as an effort to control the cost of medicine. This is about using marketplace forces to hold down the cost of these drugs that are clobbering our older people.

I don't see how anyone can oppose this amendment and, in fact, Secretary Tommy Thompson, the former Secretary of Health and Human Services, said in his last press conference that he just wished he had this authority. He wished he had the kind of authority that is in this amendment. It doesn't mean it is going to be used all the time, but it means it is a tool, an opportunity like we have every single day in the private sector of our economy to hold down the cost of medicine.

The way Medicare is going to go out and buy these prescription drugs reminds me of somebody going to COSTCO and buying one role of toilet paper at a time. Nobody would go shopping that way. Everybody who is in a position to do so exercises their marketplace clout, the opportunity to be a savvy shopper, the opportunity to say I am going to purchase a lot of something. I want to get my money's worth.

I just hope the Senate this time, when we have seen all the frustrations older people are having, uses this chance to do something about it.

We know lots of lobbyists are against this amendment. Last week we had a discussion on lobbying reform. I can tell colleagues in the Senate that probably the biggest trophy on a lobbyist's wall is to defeat the bipartisan Snowe-Wyden amendment, but that doesn't make it right. What we need to do is what is right for older people and at a time when millions of seniors are walking on an economic tightrope, balancing their food costs against their fuel costs, and their fuel costs against their medical bills, this is a chance to use marketplace forces to hold down the cost of medicine.

For older people, there are no costs going up like prescription drugs. Some are saying: We can get these cost savings without the Snowe-Wyden amendment. A lot of those people are the same ones who said that the rollout of the prescription drug program would go perfectly. We say that certainly has not been the case.

Now there is a chance to go home at this break and say you actually moved to do something important that older people are talking about at their kitchen table every single day, and that is the cost of medicine.

I don't know of any special interest group in this country that got the kind of sweetheart arrangement in this legislation that the pharmaceutical sector has. There is no other group in this country, no other group that got a specific carve-out so we couldn't use marketplace forces to hold down the cost of medicine. It is really staggering that one group was singled out to be immune from the forces of the marketplace.

Secretary Thompson thought it made no sense. It certainly makes no sense right now when older people are being clobbered by the cost of medicine and finding it hard to secure the benefits of this program. In fact, my sense is one of the reasons a lot of older people have been reluctant to sign up is they can't see any cost savings in the program.

Here is a chance to generate some real cost savings. That is why AARP indicated its support for the amendment. That is why Secretary Thompson said he wished he had the authority. That is why every timber company, steel company, and auto company in the country uses its marketplace clout to hold down the cost of medicine. Fifty-one Senators voted for it last fall before we saw all the older people have the problems they have had over the last couple of months.

I hope colleagues, on a bipartisan basis, will support this amendment. Senator SNOWE and I have worked on this now for 3 years. We said we were going to work on it at the time the original legislation was voted on. AARP, like Senator SNOWE, like myself, like Chairman GRASSLEY, for whom I have enormous respect—we are all in support of the original legislation. I still have the welts on my back to show for my support for the legislation. But as AARP says, don't miss the opportunity to improve on this legislation which we can do by using marketplace forces.

I urge colleagues, particularly in light of some of what has been written, to take a look at line 13 and line 14 of the amendment which specifically prohibits the use of price controls under this amendment as a tool to hold down the cost of medicine.

Madam President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Iowa.

Mr. GRASSLEY. Madam President, here we are again. Today's discussion, as the famous words go, is déjà vu all over again.

First of all, we heard the words ''sweetheart deal'' for drug companies. If drug companies had their way, they would want no formularies, which is what the Wyden amendment would require. These drug companies would want all drugs covered regardless of cost. So don't tell me this is a sweetheart deal. If we didn't have formularies like we would have if the Wyden amendment is adopted, then all drugs would be covered regardless of cost. Then they would not have to compete. But this legislation requires competition building upon the practices that we have used for the Federal employee health plan for 40 years. We patterned this legislation after that because that is what saves money.

I am beginning to lose count of the number of times that this issue has come before us. So I have to keep repeating—but it doesn't seem to sink in—that the Medicare Modernization Act does not prohibit negotiations with drug companies. Nothing could be further from the truth. But hearing the last speech, one couldn't come to that conclusion. In fact, the law requires Medicare plans to negotiate with drugmakers for better prices. These negotiations are at the heart of the Medicare drug program.

It is an absurd claim that the Government will not be negotiating with drugmakers comes from the noninterference clause in the Medicare law. The noninterference clause does not prohibit Medicare from negotiating with drugmakers. What it does is it prohibits the Center for Medicare Services from interfering with these negotiations.

To be clear, the noninterference clause is at the heart of the bill's structure for delivering prescription drug coverage. This clause ensures those savings will result from market competition rather than through Government price fixing. The average beneficiary premium is $25. That is $12 less than the $37 that was estimated less than 12 months ago, going back to July of last year. That clearly demonstrates that the law's structure is accomplishing that objective and then some; otherwise, we would have $37-a-month premiums or more instead of the average $25 premiums that we have.

This year's cost to the Government then is $8 billion less than what we thought it would be last July. The 10-

year cost has dropped by $180 billion, as we tried to estimate ahead what programs might cost 10 years into the future.

The Center for Medicare Services and the Consumers Union have reported that beneficiaries are getting substantial savings under this drug benefit. These plain and simple facts ought to take the wind out of the sails of the argument that private companies can't deliver an affordable benefit for our beneficiaries and even for the taxpayers. These plans can deliver, and they are delivering. That is competition, not something that they set out to do. That is the market forces bringing down prices.

Some might say: Well, if the plans can do that, imagine what the big bureaucracy of the Federal Government can do. To those folks, I urge a word of caution. First, the Government doesn't have such a great track record when it comes to price negotiation. When we considered the Medicare Modernization Act, the Center for Medicare Services' actuary reported that drugs in Part B:

> Were reimbursed at rates that, in many instances, were substantially greater than the prevailing price levels.

Even The Washington Post editorial of February 17, 2004, said:

> Governments are notoriously bad at setting prices, and the U.S. Government is notoriously bad at setting prices in the medical realm.

My second point is beneficiaries don't have one-size-fits-all prescription drug needs. They need choices. Forty-four million different Americans have 44 million different solutions—or you can't have one plan fits all, I guess is what I should say. The companies offering the drug benefit must offer coverage for a wide array of brand and generic drugs. The companies also are offering plans with lower or even no deductible. Many are offering additional coverage so that there is no doughnut hole.

The bottom line is the approach taken in the Medicare Modernization Act has resulted in affordable choices for beneficiaries while saving the taxpayers money.

When we crafted this act, the Congressional Budget Office concluded that the market-based approach would result in better prescription drug cost management for Medicare than any other approach that was being considered at that time by the Congress. Here is what the Congressional Budget Office said about eliminating the noninterference clause in a letter last year:

> The Secretary would not be able to negotiate prices that further reduce Federal spending to a significant degree.

The Congressional Budget Office went on to say:

> CBO estimates that substantial savings will be obtained by the private plans.

That estimate is now a reality.

We also had an analysis from the chief actuary for the Medicare program.

The chief actuary for the Medicare program, who is required by law to provide independent actuarial analysis on issues facing Medicare, concluded that he does not:

> believe that the current Administration or future ones would be willing and able to impose price concessions that significantly exceed those that can be achieved in a competitive market.

In fact, more astonishingly, the chief actuary pointed out that if Medicare establishes drug price levels it will reduce competition not increase it.

The report stated that the

> establishment of drug price levels for Medicare by the Federal government would eliminate the largest factor that prescription drug plans could otherwise use to compete against each other.

So let's be clear, direct Government negotiation is not the answer. The Government does not negotiate drug prices. The Government sets prices and it does not do a very good job at it.

The law's entire approach is to get beneficiaries the best deal through vigorous market competition, not price controls.

The new Medicare drug benefit creates consumer choices among competing, at-risk private plans.

It is abundantly clear that Medicare plans have leveraged the buying power of millions of beneficiaries to lower drug prices.

I urge my colleagues to oppose efforts to change the law and oppose efforts to get the Government involved in setting drug prices.

It is a prescription for higher costs and fewer choices for beneficiaries.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. Madam President, I yield 3 minutes to the Senator from North Dakota and then 3 minutes to the Senator from Oregon.

Mr. DORGAN. Madam President, I am proud to be a cosponsor of the amendment that has been offered. I was thinking that people listening to this debate must surely think this is a foreign language: noninterference clauses and doughnut holes, and so on and so forth. This is very simple. Let me try and do it in English, if I can.

When Congress passed the prescription drug benefit to provide benefits to senior citizens, a little clause was put in there. My colleague calls it a sweetheart deal. It is even sweeter than that. A clause was put in that says: By the way, the Federal Government cannot negotiate with the drug companies for lower prices. Cannot do it. The Defense Department does it. The VA does it. The evidence is that those negotiations produce about 50 percent of the savings that is reducing the drug prices by 50 percent, but the Medicare prescription drug plan cannot have that happen. The Government cannot negotiate for lower prices.

My colleague describes this as a noninterference clause. About the time you think you get a handle on something here and have an aggressive debate, they change the titles and change the subject. This is not about noninterference. There is no noninterference involved. The question is, Should the Federal Government be able to negotiate for lower prescription drug prices in this plan, as we do in the VA and as we do in the Defense Department? The answer is yes.

My colleague talks about 10-year savings, 10 years out. Look, economists who can't remember their home phone numbers are telling us what they think is going to happen in 10 years. I know what is going to happen. We are going to break the back of this Government financially if we don't negotiate lower prices. This is similar to hooking a hose up to the tank and sucking the tank dry. Let the pharmaceutical companies decide to tell us what they are going to charge us and, by the way, we can't negotiate better prices as we do in the VA system for veterans. That doesn't make any sense to me.

The toughest job in the Senate is to come to the floor and justify or defend a proposal that we can't negotiate for lower prices. The second toughest job is for those who vote against this amendment to go home and explain to their constituents how they defied common sense.

It makes common sense for us to say: Let's get the best price we can from these pharmaceutical companies. How do you do that? You do that by the power of the purse, having the Federal Government negotiate for lower prices. We have done it in the VA, we have done it in the Defense Department. We saved 50 percent of the cost by doing it. My colleague is dead right. Yes, this is a sweetheart deal. This is not about noninterference; it is about whether we can negotiate with the pharmaceutical industry for lower prices. The answer ought to be, of course, we ought to do that. We ought to do it aggressively in order to save the taxpayers money; otherwise, we are going to break the bank. I thought fiscal conservatism was about trying to save the taxpayers money.

This amendment will do more to save the taxpayers money in the next 10 years than almost anything else we can do.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Oregon.

Mr. WYDEN. Madam President, Senator SNOWE will close this afternoon for our bipartisan amendment, but I want to highlight a couple of points. There is a reason that AARP strongly supports the Snowe-Wyden amendment. There is a reason that Secretary Thompson, before he left the Health and Human Services Department, said he wanted this authority, and that is this is just plain common sense.

Everybody else in the marketplace who is in a position to use their clout does it but not Medicare.

I want to set the record straight on a couple of comments that were made by my friend, the chairman of the Finance

Committee. Again, at lines 13 and 14 of the bipartisan Snowe-Wyden amendment, in addition to the prohibition against price controls, there is a prohibition against a uniform formulary. So we are using all of the same forces in the marketplace of the private sector under this amendment that go on all across the land today. There are no price controls. There is no uniform formulary. For colleagues who want to see the language, it is at line 13 and line 14 of the Snowe-Wyden amendment.

Let us have some practical, smart shopping with respect to this program, where the costs are going into the stratosphere. I don't know of anybody in the United States who would shop the way Medicare is shopping today for prescription drugs. It would be one thing if it was working.

AARP supports this amendment because the cost of medicine is rising twice the rate of inflation. So if you want to say to the seniors when you go home next week that you took some practical steps to control the costs of medicine, you will support the Snowe-Wyden amendment. If you think everything is working fine right now—and we don't—then I guess you oppose us. But I hope colleagues will, as they did last November, a majority of them, support us because now they can make a difference. They can make a difference for older people. They can make a difference for taxpayers. I hope my colleagues, when Senator SNOWE wraps up for our side this afternoon, will support this bipartisan amendment because it is just plain shopping smart at a crucial time when older people need that approach to hold down the cost of health care.

I yield the floor.

Mr. BYRD. Madam President, the Snowe-Wyden amendment purports to create a reserve fund within the budget that could be used to allow the Federal Government to improve its negotiating position with respect to lowering the price of prescription drugs. I will vote in favor of this amendment because much more needs to be done to insure that Americans will not be forced to give up their medications because of rising prices.

However, I know that a number of veterans in West Virginia are concerned about what a Governmentwide prescription drug negotiation program would mean to the prices of medicines dispensed through hospitals in the Department of Veterans Affairs. There are concerns that veterans would lose access to the medications they need at advantageous prices.

It is important for West Virginians to understand that the Snowe-Wyden amendment does not have the force of law, and, even if it should be adopted today, the amendment would have no impact on the VA's ability to negotiate favorable drug prices for our veterans. Additional legislation would have to be passed by Congress and signed into law before any changes to the VA's prescription drug negotiating power could be made. I will continue to keep the concerns of West Virginia's veterans in mind should the Senate take up a debate on legislation that relates to the price of prescription drugs.

Mr. BROWNBACK. Madam President, today I rise to speak on the amendment offered by Senator SNOWE to S. Con. Res. 83. This amendment addresses the question of whether the Federal Government should play a role in negotiating the prices of Medicare prescription drug plans. In the past, I have supported similar measures that would allow the Federal Government to negotiate prescription drug plan prices, based on the idea that there was a need to contain rising prescription drug costs and that negotiation would have the effect of driving down costs.

However, we are now seeing dramatically lower costs than we had anticipated. Specifically, CMS recently announced that the average premium of a Medicare prescription drug plan is $25; this is thirty two-percent reduction from the premium estimates of 1 year ago. Also, CMS has reported almost doubling of discounts and rebates of drugs under the Medicare prescription drug program from original projections. These effects are a result of the fact that under the Medicare prescription drug program, similar to the Federal Employees Health Benefits Program, numerous plans are in competition to offer consumers the lowest possible prices.

In view of this, today, I am voting not to support this amendment, and instead, am lending my support to offering America's seniors the lowest and most affordable prices on their prescription drugs. We now have evidence that the lowest prices are offered through what makes this nation's economy one of the most robust in the world—healthy competition.

Mr. CRAPO. Madam President, I yield off of our time 2 minutes to the Senator from Iowa to respond.

Before I do that, however, I understand that there is an order in place that the next amendment will be the Conrad amendment, followed by the Byrd amendment. We would like to ask unanimous consent to reverse that order, so that following the Snowe-Wyden amendment, we would move to the Byrd amendment next, rather than the Conrad amendment. So I ask unanimous consent for that change in the order of the amendment process.

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

Mr. GRASSLEY. Madam President, two speakers ago, the Senate heard the Senator from North Dakota say that the drug bill says that the Secretary cannot negotiate. It doesn't say that anywhere in the law. It doesn't say it anyplace. They made that up. I don't know what sort of political points they want to make, but keeping the speeches to what the law says, and not what somebody thinks it says, seems to be very important to intellectually honest debate.

To the Senator from Oregon, drug companies want cash-paying customers with no coverage because those people, as we all know, pay the highest prices. The drug companies don't have to negotiate with anyone when seniors don't have any drug coverage, such as they didn't have before this law went into effect. Part D provides that drug coverage, and now the drug companies have to compete to offer lower prices and to get plans to put their drugs on their preferred drug list. It is very necessary. They would like to have the environment that you want: No formulary. Then they have everything the way they want it. That is how negotiations work, to drive down prices, to get your plan approved, and that is how competition works to reduce prices, and that is what we see after 2½ months of the operation of this legislation. Don't give the drug companies what they want: no formulary.

Mr. CONRAD. Madam President, at this point, the Byrd amendment is in order; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CONRAD. Madam President, I want to thank Senator BYRD for graciously coming to the floor as we sought to accommodate other Senators so they could make quorums in other committees. It was very gracious of him to come on short notice so that this time would not be lost.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 3086

Mr. BYRD. Madam President, I thank my distinguished colleague for his kind remarks. At this time, I offer an amendment cosponsored by myself and Senators LAUTENBERG, CLINTON, DORGAN, LIEBERMAN, KERRY, BIDEN, DURBIN, MENENDEZ, and JEFFORDS.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. LAUTENBERG, Mrs. CLINTON, Mr. DORGAN, Mr. LIEBERMAN, Mr. KERRY, Mr. BIDEN, Mr. DURBIN, Mr. MENENDEZ, and Mr. JEFFORDS, proposes an amendment numbered 3086.

The amendment is as follows:

(Purpose: To preserve a national intercity passenger rail system by providing adequate funding of $1.45 billion for Amtrak in Fiscal Year 2007 and to fully offset this additional funding by closing corporate tax loopholes)

On page 3, line 13, increase the amount by $550,000,000.

On page 4, line 1, increase the amount by $550,000,000.

On page 4, line 13, increase the amount by $550,000,000.

On page 5, line 4, increase the amount by $550,000,000.

On page 16, line 21, increase the amount by $550,000,000.

On page 16, line 22, increase the amount by $550,000,000.

On page 53, line 1, increase the amount by $550,000,000.

On page 53, line 2, increase the amount by $550,000,000.

Mr. BYRD. Madam President, this amendment adds $550 million to the fiscal year 2007 budget for Amtrak. All aboard for Amtrak. Amtrak.

The Bush administration's budget for the coming year assumes that Amtrak will be handed a funding cut of almost $400 million—a whopping cut of more than 30 percent. As in past years, there is absolutely no inherent logic underlying this budget request. Every observer who has testified before the Congress regarding Amtrak's financial needs has concluded that dramatic cuts—dramatic cuts—of this kind would result in Amtrak being thrown into bankruptcy, endangering rail service in every region of the Nation, including the Northeast corridor.

Amtrak is not just a high-speed train service for the residents of Boston, MA, New York City, and Washington, DC. Amtrak is also a network that links cities such as Portland, ME, and Wells, ME, with that Northeast corridor. It also links communities such as Prince, in Raleigh County, WV, with cities such as Cincinnati, OH. It connects White Fish, MT, with St. Cloud, MN. It connects rural America with the central transportation and economic networks of our country.

This amendment would restore Amtrak's funding to the level of $1.45 billion. This funding level stands some $150 million higher than the current funding level. However, it also is $150 million below the level that has been requested by Amtrak's board of directors. I should point out that every member of Amtrak's board of directors was appointed by President George Bush and this slate of Bush appointees is telling us they need $1.6 billion to invest adequately in the railroad, guarantee quality service, and restore this increasingly aging infrastructure of the Amtrak system.

This amendment would provide $1.45 billion. That is the precise funding level that 97 Senators across the political spectrum, Republican and Democrat alike, voted for when we passed the Transportation-Treasury Appropriations bill less than 5 months ago. I hope today, with the passage of this amendment, we can make the same affirmative bipartisan statement to our States and communities that their Amtrak service will be secure for yet another year.

Amtrak recently reported that it had achieved a record year for ridership for the third year in a row. The number of citizens using the Amtrak network grew to 24.5 million last year. Amtrak is growing in popularity in all regions of the country. For example, on Amtrak's Empire Builder—which serves Illinois, Wisconsin, Minnesota, North Dakota, Montana, Idaho, and Washington—ridership has grown by more than 14 percent over the last year. The Downeaster service in Maine grew by 10 percent, while the Heartland Flier service between Oklahoma City and Ft. Worth, TX, grew by a healthy 23 percent.

For those of my colleagues who like to complain that Amtrak is a bloated, excessively costly railroad, I point out that just as Amtrak has achieved record ridership in each of the last 3 years, so has it reduced its employment levels over each of these years. Between 2001 and 2005, Amtrak has reduced its workforce by over 22 percent.

If the Senate adopts this amendment this afternoon, we can make an affirmative statement to these millions of Amtrak riders across the entire country that we will not allow them to be left standing at the platform next year because of the White House's budgetary shenanigans.

I understand the junior Senator from Pennsylvania is expected to offer an amendment concerning Amtrak. The amendment by the Senator from Pennsylvania would do nothing to help Amtrak or the millions of riders who rely on Amtrak. The amendment purports to help Amtrak but it does no such thing. The amendment does not increase the allocation to the Appropriations Committee. Instead, the amendment pretends to pay for increased Amtrak funding by cutting something called function 920 allowances. When it comes to the real work of passing appropriations bills, the Senate has to cut real programs. We cannot cut something called ''allowances.'' This amendment is a magic asterisk. It is not fiscal discipline.

My amendment is paid for by eliminating loopholes in the Tax Code, loophole closures that have been voted on by a majority in this body on several occasions. In reality, what the distinguished Senator from Pennsylvania would be asking the Senate to do is pass an amendment that will force cuts in critical programs. What programs would the Senator have us cut? Funds for the troops? Funds for medical care for our veterans? Funds for educating our children? Would the Senator have the Senate cut border or port security? Would he have the Senate cut grants for Low Income Home Energy Assistance?

The budget resolution that is before the Senate provides discretionary funding that is so limited for domestic programs that cuts in such critical programs are just not likely, they are inevitable. The amendment by the Senator from Pennsylvania would precipitate even deeper cuts.

I urge Senators to vote for this amendment, the Byrd amendment, cosponsored by myself and the other Senators listed. I send the list to the desk.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time? The Senator from Idaho.

Mr. CRAPO. I yield the time we have in opposition on this amendment to the Senator from Iowa.

Mr. GRASSLEY. I don't think I am going to use more time than has been allotted on this amendment, but just in case, I hope the manager would give me a minute or two off the bill.

Madam President, I wish to speak through the Chair to the Senator from West Virginia. I am going to speak not specifically against your amendment, but you have identified closing corporate tax loopholes as one way of raising revenue to offset yours. I am going to take advantage of my time against your amendment to speak because Members on your side of the aisle have used this approach in the past, and I want to say how there are some problems doing that.

Virtually all Democratic Members had a common theme in their amendments—raising taxes for more spending. The purported offset for each of these amendments—several yesterday and more today—would close tax loopholes to pay for whatever popular spending program is proposed. The Senate tax relief reconciliation bill that is now in conference between the House and Senate—and that is a reconciliation bill left over from last year's budget resolution, some of the unfinished business of last year that we have to get worked out this spring—this conference's bills already include $20 to $30 billion of loophole closers. Ironically, many of the proponents of these amendments that have been offered on the other side of the aisle, using tax loophole closers, were among the small minority of Members who opposed the tax relief reconciliation bill that contained offsets. In some cases, the proponents have acknowledged that the Finance Committee, which I chair, has already used these loophole closers. The Finance Committee will be responsible, then, if these amendments are adopted, for creating new loophole closers.

That is not a problem. I don't consider that a problem because I am looking to close abusive uses of the Tax Code. My Finance Committee staff has proven itself quite effective in the past in identifying offsets. Just in the period of time since 2001, our committee has raised around $200 billion in new revenues by shutting down tax shelters, by closing inversions, and other abusive tax schemes.

In the year 2004 alone, the Finance Committee fully offset a $137 billion tax bill at no expense to the American taxpayers. This was what was known at that time as the FSC–ETI repeal bill. So I think the Finance Committee, since 2001—or using the year 2004 alone—has a pretty good handle on what is possible in the ''raisers'' category. So, implied, do the Democrats who are proposing closing tax loopholes know it is not necessarily an easy job, a job we have been working on, a job we have been successful at, but the more of this you do, the less there is to take care of what they are trying to bring us to do, closing tax loopholes?

I might imply that maybe they are taking the easy way out because of using the term ''loophole closers.'' That may not be such an easy way out for those of us who have to do it.

This brings me then to the amendments that have been proposed. The sponsors say they have offset the costs of the amendments by closing tax loopholes. I wish to know what loopholes they have in mind. If we use the inventory of Senate-acceptable offsets, we can raise about $11 billion over 5 years. But that $11 billion, even if we accomplish it, is a far cry from the cumulative demands of the amendments that have already been offered from the other side and probably will be offered yet today and tomorrow. We are probably going to have to find more revenue raisers just to cover the items that Members say they support in the tax relief agenda that is out there that everybody wants me to get passed.

The Finance Committee staff hopes to use the full $30 billion that is already in conference in the Senate tax relief reconciliation bill. Some have referred to the recent ''tax gap'' report of the Joint Committee. But this is also going to be a heavy lift. When Members try to use some unidentified loophole closers—and these have all been unidentified—to pay for their amendments, what they are saying is that we should use something out of the $30 billion that has been set by the Finance Committee staff that we are considering in conference committee right now. So, in fact, the proponents' amendment is going to displace something covered by the resolution. That point has to be made crystal clear, because this is the crux of the problem. If you use a loophole closer that is already called for in the tax relief package that is in conference, it means that something in the tax cut package will have to be taken out.

What do my colleagues, who are using loophole closers, suggest that we take out that most of them think ought to be law because they voted for it in the first place? The tax relief reconciliation bill covers a number of items that Members on the other side do support. For example, it covers, through the year 2010, provisions that they support such as tuition deduction, such as low-income savers credit, small business expensing. These are sunsetted. They have to be reenacted to keep existing tax policy. You have to have offsets for them.

Also covered are 1-year provisions that they say they support, such as business extenders like research and development. Several States have sales taxes that will not be deductible anymore if we don't pass this bill. The alternative minimum tax hold harmless——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRASSLEY. Could I have 1 more minute?

Mr. CRAPO. I yield the Senator 2 minutes.

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

Mr. GRASSLEY. There is the alternative minimum tax hold harmless, so that 22 million more Americans do not get hit by the alternative minimum income tax. Middle-income people who were never intended to pay it will if we don't get this bill out of conference with these offsets in it. Everybody on the other side of the aisle doesn't want an alternative minimum tax to hit middle-income people, so they are going to take those revenue raisers, those tax loophole closers that we are using for this to use for something such as Amtrak, now before us, as an example.

There are other provisions.

The reconciliation number covers these items. Yet this amendment would tear away the revenue offsets needed to pay for these items.

You can't say you are for these items and not provide room for the tax cut that is in the reconciliation bill in conference. You can't use the offsets for something else without providing for those items. You can't have it both ways, in other words.

What is the loophole closer you would use, I ask them. There are none of them identified. Will it be taken from the $30 billion reconciliation already accounted for in that bill or is there a new issue we haven't seen? If you have a secret revenue loophole closer out there, I want to know about it. A loophole closer actually has to raise money. Members need to know that some of the leftover items from last year may not raise any money in the current year when they want to spend it. You can't rely on raisers that were done in the past.

We also need to remember that many of these leftover offsets were rejected by the House.

It is not enough to call for ''more loophole closers.'' The amendment's sponsor needs to tell us where the money is coming from; otherwise the call for offsets is just a call for ''funny money,'' in a sense.

Members need to know that the till is empty. A fictitious offset will not suffice. We have a lot of heavy lifting to do under this resolution as written. If you want to add more weight to the problem, you need to tell us where the money is going to come from.

I ask you to vote against these amendments because they are not identifying loophole closers.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Madam President, I rise to talk about the Amtrak issue. This is a very important issue to me, to my State, to Philadelphia, and the 30th Street station. It is the second busiest train station nationally, with over 3.7 million boarding a year. Amtrak and the health of Amtrak is important. In addition, we have about 3,000 employees based in Pennsylvania who are employed by Amtrak. It not only makes a difference for us from the standpoint of our communities in southeastern Pennsylvania but the employment picture as well.

The continued health of Amtrak is important. That is why over the years you have supported efforts on the floor of the Senate to increase funding for Amtrak. I voted for appropriations bills as well as budget proposals.

I rise in opposition to the Byrd amendment. The chairman of the Finance Committee articulated it well—that in essence what Senator BYRD wants to do is increase taxes to pay for this amendment. I cannot support hurting the economy of this country by supporting something that is important from an appropriations standpoint. I think we need to set priorities in appropriations. We have done that in the past.

Amtrak has fared very well here in the Senate, and we have had support in the House to be able to get funding for this program. In fact, over the years we have increased funding. Last year the Senate version had $1.45 billion, which is obviously more than the $900 million in the current budget proposal. I will be offering an amendment to increase that funding from the $900 million which is in the bill right now to the $1.45 billion level and adding $550 million. I will do so through the section 920 account. I anticipate my colleague from North Dakota coming up and saying again that there is no money in the 920 account. He is correct; there is not money there, but there will be a very strong message sent by passing this amendment, if it is successful, to the appropriators of the importance of this program.

Again, I think we have seen that without raising the cap or without raising taxes, the Senate has been able to come up with a robust number for Amtrak which I will support within the context of a responsible budget. We have done it year after year, and we will continue to do that.

AMENDMENT NO. 3015

I call up my amendment No. 3015.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM], for himself and Mr. SPECTER, proposes an amendment numbered 3015.

Mr. SANTORUM. Madam 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 an additional $550,000,000 for Amtrak for fiscal year 2007)

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''.

Mr. SANTORUM. Madam President, Senator SPECTER is an original cosponsor of this amendment. Obviously there is no greater supporter of Amtrak out there than Senator SPECTER. We hope this amendment will be passed and the Byrd amendment will be defeated. But understand that the commitment of

Senator SPECTER and my commitment is that we will work through the appropriations process to make sure Amtrak is adequately funded in the appropriations process.

I think I have said all I need to say on the Amtrak issue.

I ask unanimous consent to add Senator VITTER and Senator TALENT as cosponsors to my amendment No. 3050, which is increasing funding for the CDBG Program.

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

Mr. CONRAD. Madam President, the Senator from Pennsylvania correctly anticipated my concern about his amendment, not the additional funding for Amtrak. I completely agree with the Senator from Pennsylvania, and I agree with the Senator from West Virginia on the desirability of providing that additional $550 million.

There are two very different ways to do it. One is the approach of Senator BYRD, which is to close additional tax loopholes. I commend the Finance Committee. They have done an exceptionally good job over the last several years of working to shut down some of these very abusive tax loopholes. I salute the chairman of the Finance Committee for his interest in doing that. I salute his very professional staff for the work in that regard. We all know there is more to be done. I have offered just two that would easily cover this expenditure—in fact, cover it many times over.

One is what is going on in the Cayman Islands with this incredible scam of companies saying they are doing business there when they are not. They are doing business there, or claiming they are doing business, in order to escape income taxes in this country. Why are they in the Cayman Islands? Because the Cayman Islands is a well-known tax haven. There are 12,700 companies headquartered in a five-story little office building in the Cayman Islands. That is a scam. It ought to be shut down. It would save tens of billions of dollars if it were. That is what Senator BYRD says should be done to finance this additional money for Amtrak.

The Senator from Pennsylvania says take money out of function 920. The problem with that is there is no money in function 920. I refer my colleagues to page 29 of the concurrent resolution on the budget. If you go to page 29, what you see going down to function 920—it is called allowance—there is no money there. In fact, it is $500 million under water before we ever started. We have had a whole series of amendments offered on the other side today to take money out of that account to pay for things. There is no money.

If we want to talk about ''funny money'' financing, as the chairman of the Finance Committee did, that is it. That is it—taking money from an account that has no money. That is the whole problem with this budget. This whole budget takes money we don't have. The result is we keep running up the debt.

I am told that Senator LAUTENBERG is on his way to the Chamber to address this issue. I inquire how much time is left on this amendment.

The PRESIDING OFFICER. The opposition has 4 minutes; the proponents have 3½ minutes.

Mr. MENENDEZ. Madam President, I rise in strong support of the Byrd-Lautenberg amendment to provide additional funding for Amtrak, and I do so to protect the 25 million people who ride Amtrak each year, as well as the one hundred thousand New Jersey commuters who depend on Amtrak's infrastructure every day.

The current level of funding in this budget for Amtrak does not recognize the tremendous benefits generated by intercity rail in this country. Not the billions of dollars generated in commerce, nor the thousands of businesses along the Northeast Corridor whose employees are dependent on Amtrak, nor the national security value of having an additional mode of transportation, nor the benefits to our environment by taking cars off the road.

Every year, we hear complaints that Amtrak has already received too much money from the Federal Government, but the fact is that we have spent less money on Amtrak in the last 35 years than we will on highways in this year alone. And highways don't pay for themselves, even with the gas tax. Neither does mass transit, either in this country or anywhere else in the world. But we subsidize them because they improve the quality of our lives. And that is what transportation is about. It is not just getting from one place to another. It is about creating jobs, revitalizing neighborhoods, stimulating commerce, redeveloping underutilized land, and making us more secure.

We have never provided the kind of commitment to Amtrak that we have for other modes of transportation, and this amendment will be an important step to getting Amtrak off the starvation budgets that it has subsisted on for far too long. A vote for the Byrd-Lautenberg amendment is a vote for a strong Amtrak, and a stable national network of intercity rail, and I urge my colleagues to support it.

Another issue that I would like to bring up regarding the Amtrak budget is the misconception that New Jersey and other States along the Northeast Corridor are not paying their fair share. I believe that misconception may have led to the insertion of a provision in the fiscal year 2006 transportation appropriations bill that directed the Department of Transportation to assess additional fees to commuter railroads on the Northeast Corridor.

New Jersey currently pays over $100 million a year to Amtrak, and has invested roughly $1.8 billion in the Northeast Corridor since 1991. New Jersey Transit also maintains and operates the stations along the corridor in New Jersey, all at no cost to Amtrak. It pays no operating subsidy because the Northeast Corridor turns an operating profit. But this new provision in the appropriations bill could cost New Jersey tens of millions of additional dollars, a cost which would eventually be borne by New Jersey commuters.

As we continue this debate throughout the year, I hope that my colleagues will recognize the investment that New Jersey already makes for intercity passenger rail, and I look forward to working with them to come to a resolution that ensures equitability for all States.

Mr. CONRAD. Madam President, we have votes scheduled to start at 1 o'clock. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CONRAD. Madam President, maybe the Senator from Idaho wishes to take some of the remaining time, and perhaps we would have a chance to hear Senator LAUTENBERG before we vote.

Mr. CRAPO. Madam President, I wish to take a couple of moments to do a little housekeeping business and then we can be set up for the vote while we wait on Senator LAUTENBERG.

First, I ask unanimous consent on behalf of Senator GREGG, Senator CONRAD, and Senator BYRD to withdraw the Byrd amendment No. 3062, reserving the right of the Senator from West Virginia or his designee to offer an amendment in relation to amendment No. 3062 prior to final action on this resolution.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CRAPO. Madam President, secondly, I ask unanimous consent that at 3 o'clock today the Senate proceed to the votes in relation to the following amendments: Senator STABENOW, amendment No. 3056; Senator MCCONNELL, No. 3061; Senator MENENDEZ, No. 3054; Senator CHAMBLISS, No. 3018; Senator GRASSLEY, No. 3073; Senator NELSON, No. 3009; the Snowe-Wyden amendment, No. 3004; the Byrd amendment, No. 3086; and Senator SANTORUM, No. 3015.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Madam President, reserving the right to object, I have slightly different numbers on two of the amendments. Maybe we could get that straightened out. I have Chambliss No. 3018.

Mr. CRAPO. That is the number I have.

Mr. CONRAD. Grassley is 3073?

Mr. CRAPO. Yes.

Mr. CONRAD. Perhaps I heard that incorrectly.

There is no objection on this side.

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

Mr. CONRAD. Madam President, the Senator from New Jersey is here.

How much time do we have remaining?

The PRESIDING OFFICER. There is 3 minutes 15 seconds.

Mr. CONRAD. I yield that time to the very able Senator from New Jersey.

Mr. LAUTENBERG. Madam President, I rise to talk about an amendment Senator BYRD and I are offering to adequately fund Amtrak. I understand there is an alternative that has been offered by the Senator from Pennsylvania which, very frankly, I think amounts to an empty gesture. It is an amendment that looks as though it has funding for the continuation of Amtrak's operations but in fact it doesn't because it doesn't have a source of funding that has any reliability to it.

The bottom line is if we want to fund Amtrak, if we want to keep it going, a vote has to be made for the Byrd-Lautenberg amendment.

President Bush proposed to initially bankrupt Amtrak in last year's budget. The American people and the Democrats and Republicans in Congress stood up and said no. So this year, instead of trying to kill Amtrak outright, President Bush wants to put it on a starvation diet.

This is no time for us to be looking at trying to kill Amtrak because Amtrak in many cases is our only alternative to the crowded skies, to the crowded highways, to be able to move people in the event of emergencies, and as a way to get to work and take care of people's needs. Amtrak and transit in general offers one of the few options.

When we look back at what happened on 9/11, the only transit transportation facility that was available on that terrible day was Amtrak. We never thought it could happen, but we shut down aviation completely. Here we are, and some of our friends on the other side of the aisle think that eliminating Amtrak might be a good idea.

What was proposed by our colleague from Pennsylvania, the junior Senator, was that we find a funding source somewhere in magic land. The money is not there. It is something called 920, which is to hide behind the facts and not tell the truth. But when I look at what is happening in the State of Pennsylvania in terms of Amtrak, I frankly cannot figure out what the mission is here. Pennsylvania has over 4.9 million riders a year on Amtrak.

It is not just Philadelphia and New York; it is not just Philadelphia and Washington; it is places such as Harrisburg and other communities within the State of Pennsylvania that require service. Instead, what they are getting here today is a sleight of hand, saying, Well, we want to put more money in Amtrak, more money than has been proposed in the budget by some $500 million. The fact is there is no money there. There is a colloquialism that has developed in America which says "show me the money." There is no "show" and there is no "dough." That is where we are.

Our amendment accounts for the funding necessary by taking it from corporate loopholes and tax shelters.

I hope people here will understand how valuable Amtrak is to our country, how necessary it is, and vote for the Byrd-Lautenberg amendment and not the alternative that has been proposed.

AMENDMENT NO. 3063

The PRESIDING OFFICER (Mr. THUNE). There is now 2 minutes of debate equally divided on the Murray amendment.

Mr. LAUTENBERG. I ask unanimous consent to add Senator CARPER from Delaware as a cosponsor.

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

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, the Senate is about to vote on the Murray amendment which is the only amendment before this Senate that will restore actual dollars to the $1 billion cut to the Community Development Block Grant Program. We will see another amendment that is paid for by a 920 account that is now $10.5 billion in the hole—not real money.

When our Committee on Appropriations gets that next fall, all of the Senators will be asking: Why are we cutting CDBG? We did not put real money in to restore that cut, unless we pass the Murray amendment that is paid for by closing tax loopholes.

Real dollars are the difference between this and next fall when our Senators are asking us about CDBG money and why it is being cut. We will relate it directly back to this vote on this amendment.

Let everyone know where the real vote is. If no one believes me, read the Wall Street Journal article, "Republican Budget Plan Advances as Challenges By Democrats Fail," outlining that Republicans in tighter reelection races are offering amendments that are not paid for.

I ask unanimous consent to have this article printed in the RECORD.

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

[From the Wall Street Journal, Mar. 15, 2006]

REPUBLICAN BUDGET PLAN ADVANCES AS CHALLENGES BY DEMOCRATS FAIL

(By David Rogers)

WASHINGTON—A Republican budget plan advanced in the Senate, after Democrats narrowly failed to lift proposed spending caps and impose tighter antideficit rules that would make it harder to extend expiring tax cuts.

Senate Budget Committee Chairman Judd Gregg (R., N.H.) predicted passage of the resolution this week. But a succession of 50–50 roll-call votes underscored the fragile support for the plan, which projects higher deficits than the White House's budget for the fiscal year that begins Oct. 1.

Adding to the tension is that senators must temporarily set aside the resolution today to address a companion bill that would raise the nation's debt ceiling by $781 billion. The new $8.965 trillion ceiling represents an estimated 50% increase since Mr. Bush took office, and Sen. Kent Conrad (D., N.D.) complained that the nation's debt is rising like a "scalded cat."

Meanwhile, top House Republicans reached agreement last evening on a set of lobbying and ethics-rules changes in response to recent scandals. Elements include a moratorium on privately funded trips for the remainder of this Congress, a ban on lobbyists accompanying lawmakers on corporate aircraft, and improved audits of disclosure reports filed by lobbyists.

"I think we have a good package here," said House Rules Committee Chairman David Dreier (R., Cal.). Majority Leader John Boehner (R., Ohio) hopes to begin moving major pieces—such as the travel moratorium—through the House early next month.

In the budget debate, Republicans admit they are more cautious this election year in trying to use the budget process to effect change in spending or tax policy. Mr. Gregg has largely abandoned any attempt to use his power to order Senate committees to come up with savings to slow the growth of government benefits like Medicare. And the five-year savings from such programs in his resolution is a fraction of the $39 billion deficit-reduction bill signed by the president last month.

This leaves the proposed $872.5 billion cap on discretionary appropriations as a last symbol of fiscal discipline, and Republicans have clung to the provisions for fear of opening the door to unchecked spending.

Mr. Gregg would transfer more money to health and education programs to win support from moderate Republicans. But domestic cuts would be required, and by the chairman's account, his adjustments are largely "illusory."

Republicans in tight re-election races are offering amendments endorsing more spending for causes such as veterans health care and education for the disabled, but these are for show since no money has been added above the cap. For example, $3 billion was restored for defense by Sen. James Talent (R., Mo.) who said the "highly skilled people" in today's military result in higher personnel costs.

"There's no such thing as a grunt anymore in America's military." Mr. Talent said. The most serious challenge came from Sen. Edward Kennedy (D., Mass.) who proposed to raise the cap by $6.3 billion to make room for education priorities. But he failed 50–50 for lack of support from Sen. Arlen Specter (R., Pa.), who is pursuing a less-direct challenge to his leadership.

Mr. Specter is proposing that lawmakers get around the $872.5 billion ceiling by allowing an extra $7 billion in "advanced appropriations," a category of spending often used to fund education programs ahead of a school year. Mr. Conrad appeared cool to this approach, but if Mr. Specter could win over supporters of Mr. Kennedy's amendment, he could prevail in a roll-call vote today.

* * * crucial to the nation's competitiveness. They are also vital to U.S. defense industries, with many of the most-advanced components and electronics made at newer facilities.

Economists point to growing import competition and an exodus of U.S. production work to low-cost countries as reasons for the birthrate slump. One indication is the ballooning U.S. trade deficit, which hit another record in January.

La-Z-Boy Inc., Monroe, Mich., a maker of recliners and other furniture, felt the imports' bite in 2001, when inexpensive wooden furniture from China began pouring into the U.S. market. In response, the company closed 20 U.S. factories and outsourced most of its own wood-furniture production to China.

To be sure, some manufacturers are adding bricks and mortar. Last year, computer maker Dell Inc. of Round Rock, Texas, opened a $100 million assembly plant in North Carolina, while Owens-Illinois Inc. of

Toledo, Ohio, poured $120 million into a Colorado factory that now churns out one billion beer bottles a year.

But most of this growth is concentrated in a relatively narrow array of sectors, such as food, rail equipment and building materials, according to Commerce Department data. The cement industry, for instance, is planning to add 18 new plants at a total cost of $3.6 billion over the next four years.

One measure of new factory construction—investment in industrial structures—rose last year to $18.7 billion, up more than 15% from 2004. ''But this spending is still just a shadow of what it used to be,'' says Tom Runiewicz, an industrial economist at Global Insight, a Lexington, Mass., economic consulting firm. In 1998, this type of investment was about $43.7 billion, he said. It has become far more common for companies to pour money into upgrading existing plants to make them more productive. This helps explain how, although U.S. industrial production has recovered, the urge to build big new factories remains relatively weak, he says. ''Our existing plants are just far more efficient.''

USG Corp., for instance, is rebuilding one plant in Virginia and putting up a new one in Pennsylvania. The Chicago maker of wallboard says the new plants will use machinery that allows them to make wallboard far faster. ''What we make is big, heavy, and relatively inexpensive,'' says Robert Williams, a USG spokesman, ''so usually, you make it close to where you want to sell it.'' Indeed, USG has 40 plants scattered around the U.S. and has no plans to reduce its manufacturing footprint.

One factor that gets lost is the size of individual plants. Mr. Meckstroth believes many of the operations that are dying off are smaller companies that have had trouble adapting to the rise of import competition and other competitive forces. ''But the bigger companies are surviving, because they have the size and scale,'' he says. ''They can afford to put in the new lines or move operations overseas themselves if necessary.''

Mr. GREGG. Mr. President, this is a classic liberal amendment that increases the size of Government, increases taxes on the American people. A much more appropriate way to do this, if we believe CDBG is important, is vote for the Santorum amendment which makes that a priority but does so within the caps. So it has to compete with other programs that we as a Congress can declare as a priority by using the Santorum amendment.

To follow the Murray proposal is to increase spending by $1.3 billion and increase taxes by $1.3 billion; grow the Government, grow the taxpayer. For the American people, that is not the right way to do this.

I yield back my remaining time.

Mrs. MURRAY. I ask for the yeas and nays.

Mr. GREGG. I ask unanimous consent the yeas and nays be deemed in order for all the amendments that will be called up in this group.

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

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 3063.

The clerk will call the roll.

The assistant journal clerk proceeded to call the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

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

The result was announced—yeas 45, nays 53, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—45

Akaka	Feinstein	Mikulski
Baucus	Harkin	Murray
Bayh	Inouye	Nelson (FL)
Biden	Jeffords	Nelson (NE)
Bingaman	Johnson	Obama
Boxer	Kennedy	Pryor
Byrd	Kerry	Reed
Cantwell	Kohl	Reid
Carper	Landrieu	Rockefeller
Clinton	Lautenberg	Salazar
Conrad	Leahy	Sarbanes
Dodd	Levin	Schumer
Dorgan	Lieberman	Stabenow
Durbin	Lincoln	Voinovich
Feingold	Menendez	Wyden

NAYS—53

Alexander	DeWine	McCain
Allard	Dole	McConnell
Allen	Domenici	Murkowski
Bennett	Ensign	Roberts
Bond	Enzi	Santorum
Brownback	Frist	Sessions
Bunning	Graham	Shelby
Burns	Grassley	Smith
Burr	Gregg	Snowe
Chafee	Hagel	Specter
Chambliss	Hatch	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Talent
Collins	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Vitter
Crapo	Lugar	Warner
DeMint	Martinez	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3063) was rejected.

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

The motion to lay on the table was agreed to.

APPOINTMENT OF COMMITTEE TO ESCORT THE PRESIDENT OF LIBERIA

Mr. GREGG. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort Her Excellency Ellen Johnson-Sirleaf, the President of Liberia, into the House Chamber for a joint meeting today.

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

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2007—Continued

AMENDMENT NO. 3050

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on the Santorum amendment.

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, the amendment that was just offered by Senator MURRAY was defeated. I hope my colleagues will support this amendment which does not raise the cap but, in fact, expresses a strong sentiment, a strong bipartisan sentiment that the CDBG Program should be funded more robustly. It is at $1.3 billion. It is offset by the 920 account. But it does express a very important sentiment that this is a high-priority program and that the appropriators should allocate more resources than the President did in his budget recommendation.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it is unfortunate the Senate just defeated the amendment that would actually add real money to CDBG and allow our communities across the Nation to invest in the critical infrastructure to bring hope and opportunity back.

The amendment we are now going to vote on is a sham, and I refuse to be part of a continuing sham that says to all of us that we are going to have CDBG money. Our recipients deserve a lot more. This amendment is for show, as I quote from the Wall Street Journal of today: '' . . . for show since no money has been added above the cap''—leaving us, next October, November, in the appropriations bill to either fund CDBG or cut transit and Amtrak, which I know is important to many Senators, and many other critical housing programs.

I urge my colleagues to say no and to put a stop to this continuing sham of amendments that do nothing for our communities that deserve a lot better.

Mr. SANTORUM. Mr. President, do I have any time left on my amendment?

The PRESIDING OFFICER. All 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 legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''nay.''

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

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—60

Alexander	Dole	Murkowski
Allard	Domenici	Nelson (FL)
Allen	Enzi	Nelson (NE)
Bennett	Frist	Pryor
Bond	Graham	Roberts
Brownback	Grassley	Rockefeller
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Burr	Hatch	Shelby
Byrd	Hutchison	Smith
Chafee	Isakson	Snowe
Chambliss	Johnson	Specter
Clinton	Kyl	Stevens
Cochran	Landrieu	Sununu
Collins	Lieberman	Talent
Cornyn	Lincoln	Thomas
Craig	Lugar	Thune
Crapo	Martinez	Vitter
DeMint	McCain	Voinovich
DeWine	McConnell	Warner

NAYS—38

Akaka	Ensign	Lott
Baucus	Feingold	Menendez
Bayh	Feinstein	Mikulski
Biden	Harkin	Murray
Bingaman	Inhofe	Obama
Boxer	Inouye	Reed
Cantwell	Jeffords	Reid
Carper	Kennedy	Salazar
Coburn	Kerry	Sarbanes
Conrad	Kohl	Schumer
Dodd	Lautenberg	Stabenow
Dorgan	Leahy	Wyden
Durbin	Levin	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3050) was agreed to.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF LIBERIA

The PRESIDING OFFICER. Without objection, in accordance with the previous order, the Senate will now stand in recess for the purpose of attending a joint meeting with the House of Representatives to hear the very distinguished President of Liberia, Ellen Johnson-Sirleaf.

Thereupon, the Senate, at 1:50 p.m., took a recess, and the Senate, preceded by its Secretary, Emily J. Reynolds, and its Assistant Sergeant at Arms, Lynne Halbrooks, proceeded to the Hall of the House of Representatives to hear an address delivered by Her Excellency, Ellen Johnson-Sirleaf, President of Liberia.

(For the address delivered by the President of Liberia, see today's proceedings in the House of Representatives.)

At 2:59 p.m., the Senate, reassembled and was called to order by the Presiding Officer (Mr. MARTINEZ).

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2007—Continued

AMENDMENT NO. 3056

The PRESIDING OFFICER. The next amendment is the Stabenow amendment No. 3056. There is 2 minutes of debate equally divided on the amendment.

The Senator from Michigan.

Ms. STABENOW. Mr. President, I hope my colleagues will join me in beginning to fix the issue of connecting our radios, radio interoperability. Last December, the 9/11 Commission gave us failing grades in this area, as well as other areas. Back in November of 2003, the White House Office of Management and Budget said there were insufficient funds to do what needs to be done in terms of communications interoperability. They said it would take at least $16 billion to do this right.

My amendment would provide $5 billion to jump-start what is happening now. Our esteemed chairman of the Budget Committee has spoken about the fact that there is $1 billion or $2 billion available now, but that simply is not enough. That is not enough to do it as quickly as we need to do this.

Right now, homeland security grants also in this budget are being cut. We are seeing fewer police officers on the streets. We have not done what we need to do regarding radios and communications, and this simply is not good enough.

My amendment says we can do better, and it will provide a jump-start to do so.

Mr. KOHL. Mr. President, I rise to express my appreciation to the Senate for accepting the Kohl-Snowe-Stabenow-DeWine-Lieberman amendment fully funding the Manufacturing Extension Partnership, MEP, for fiscal year 2007 at $106 million. I am a longtime supporter of the MEP program and believe manufacturing is crucial to the U.S. economy. American manufacturers are a cornerstone of the American economy and embody the best in American values. A healthy manufacturing sector is key to better jobs, rising productivity, and higher standards of living in the United States.

Small and medium-sized manufacturers face unprecedented challenges in today's global economy. If it isn't China pirating our technologies and promising a low-wage workforce, it is soaring heath care and energy costs that cut into profits. Manufacturers today are seeking ways to level the playing field.

One way to do that is through the MEP program. MEP offers resources such as organized workshops and consulting projects to manufacturers; these allow the manufacturers to streamline operations, integrate new technologies, shorten production times and lower costs. In Wisconsin, three of our largest corporations—John Deere, Harley-Davidson, and Oshkosh Truck—are working with Wisconsin MEP centers to develop domestic supply chains. I am proud to say that, thanks to MEP, these companies found it more profitable to work with small and medium sized Wisconsin firms than to look overseas for cheap labor.

You would be hard pressed to find another program that has produced the results that MEP has. In fiscal year 2004, MEP clients reported 43,624 new or retained workers, sales of $4.532 billion, cost savings of $721 million, and plant and equipment investments of $941 million.

The Senate, in accepting this amendment, clearly recognizes the importance of manufacturing and the role it plays in our everyday lives. Unfortunately, the same can not be said for the current administration. The President's fiscal year 2007 budget request for MEP was $46.3 million, a 56 percent decrease from the $106 million appropriated for fiscal year 2006. Once again, it will be up to my colleagues and I in Congress to see to it that MEP is fully funded for fiscal year 2007. In an effort to invest in the future of manufacturing, I worked with Senator SMITH and Senator DEWINE to introduce the Manufacturing Technology Competitiveness Act of 2005 which would fund manufacturing related programs including MEP and the Advanced Technology Program—for 3 years.

Manufacturing is an integral part of a web of inter-industry relationships that create a stronger economy. Manufacturing sells goods to other sectors in the economy and, in turn, buys products and services from them. Manufacturing spurs demand for everything from raw materials to intermediate components to software to financial, legal, health, accounting, transportation, and other services in the course of doing business.

The future of manufacturing in the United States will be largely determined by how well small and medium-sized manufacturers cope with the changes in today's global economy. To be successful, manufacturers need state-of-the- art technologies to craft products more efficiently, a skilled workforce to operate those technologies, and a commitment from the government to provide the resources to allow manufacturers to remain competitive.

At a time when economic recovery, supply chain reliability for consumer and defense goods, and global competitiveness are national priorities, I believe MEP continues to be a wise investment. I want to thank the chairman and ranking member of the Budget Committee for accepting this amendment and recognizing the importance of the MEP program.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Stabenow amendment would pencil in $5 billion for interoperable radio equipment into the budget resolution but provides no money for the first responders. But when the junior Senator from Michigan has been given opportunity to vote for real money for police and firefighters, she has repeatedly voted no. Not only has she voted no, she actively worked to kill funding for the first responders.

The Senate budget reconciliation bill last year included $1 billion in hard dollars for grants to States and local governments for new interoperable radio equipment. Michigan would have received a portion of that money for its police and firefighters, but the Senator

from Michigan voted no. The conference report on the budget reconciliation measure dedicated $1 billion for spectrum auction proceeds for interoperable equipment for first responders. Again, the Senator from Michigan voted no.

Fortunately, she lost that vote. The bill with $1 billion was signed into law, and money is now being made available for important grants.

When the Defense appropriations conference report was considered last December, I added another $1 billion for interoperable communications equipment. That was long after Hurricane Katrina had revealed to all of us the importance of communications equipment in a disaster. The measure included another $1 billion for grants to high-risk cities, such as Detroit. The Senator from Michigan helped filibuster that bill, and then she supported efforts to strip money out of the measure and led the charge against those funds and was successful in deleting the money. You can't have it both ways. I oppose the Stabenow amendment.

Ms. STABENOW. Mr. President, I ask for the yeas and nays and also simply indicate it is unfortunate to hear that kind of personal inaccurate attack.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 3056. The clerk will call the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

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

The result was announced—yeas 43, nays 55, as follows:

[Rollcall Vote No. 45 Leg.]

YEAS—43

Akaka	Harkin	Murray
Baucus	Inouye	Nelson (FL)
Bayh	Jeffords	Nelson (NE)
Biden	Johnson	Obama
Bingaman	Kennedy	Pryor
Boxer	Kerry	Reed
Byrd	Kohl	Reid
Cantwell	Landrieu	Rockefeller
Clinton	Lautenberg	Salazar
Conrad	Leahy	Sarbanes
Dodd	Levin	Schumer
Dorgan	Lieberman	Stabenow
Durbin	Lincoln	Wyden
Feingold	Menendez	
Feinstein	Mikulski	

NAYS—55

Alexander	Bunning	Coburn
Allard	Burns	Cochran
Allen	Burr	Collins
Bennett	Carper	Cornyn
Bond	Chafee	Craig
Brownback	Chambliss	Crapo
DeMint	Inhofe	Smith
DeWine	Isakson	Snowe
Dole	Kyl	Specter
Domenici	Lott	Stevens
Ensign	Lugar	Sununu
Enzi	Martinez	Talent
Frist	McCain	Thomas
Graham	McConnell	Thune
Grassley	Murkowski	Vitter
Gregg	Roberts	Voinovich
Hagel	Santorum	Warner
Hatch	Sessions	
Hutchison	Shelby	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3056) 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, at this point I ask unanimous consent that after we have completed the final vote in this group, which has been ordered, which is the Santorum vote, we will then turn to an amendment by Senator CONRAD about avian flu and an amendment by Senator BURR on avian flu. Prior to those two amendments, there will be 5 minutes for Senator CONRAD and 5 minutes for Senator BURR to speak before we go to those votes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask, as we proceed forward, that we deem the yeas and nays to have been ordered on all the amendments that have been pending.

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

Mr. GREGG. And all votes be 10 minutes in length.

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

Mr. CONRAD. Mr. President, might I urge our colleagues to try to help us move through this. If we don't get cooperation, we are going to be here until Saturday morning. If you lay out the number of amendments that are pending here, we are going to be here until Saturday morning. We urge colleagues, let's get these amendments done in 10 minutes. Please, colleagues who have amendments that don't have to be offered here, please withhold; otherwise, literally we are here until Saturday morning.

AMENDMENT NO. 3061

The PRESIDING OFFICER. We have 2 minutes evenly divided prior to the vote on the McConnell amendment.

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask you notify me at 30 seconds, so I can turn the microphone over to Senator MCCONNELL.

The PRESIDING OFFICER. The Senate will be in order.

Mrs. HUTCHISON. Mr. President, since 9/11, Congress and the administration have done so much to secure our homeland, but the area that we still must work on is port security. We have vulnerabilities because we don't have enough coverage overseas with customs and border agents. They need to be able to inspect the containers that will come to America. Our officers working with the host governments need to certify the contents of these containers at the point of origin.

The PRESIDING OFFICER. Thirty seconds.

Mrs. HUTCHISON. This will reduce our reliance on the foreign governments' information that we may or may not be able to verify.

Mr. MCCONNELL. Mr. President, we have had a lot of talk about the security of our ports over the last few weeks, a lot of talk about where the containers originate, what boats are to get here, and who manages the ports but very little talk about who unloads the cargo. What this amendment would also do is provide for background checks on people working in our ports who are unloading the cargo. It makes no sense to ignore the personnel and the quality of personnel in our ports in the United States.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time? The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I would like to speak for a minute in opposition.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MENENDEZ. I am pleased my Republican colleagues have joined my call to strengthen security at our ports by offering this amendment to increase port security funding by $978 million. Last week our colleagues voted down in the Budget Committee, on party lines, my amendment to increase port security funding by $965 million. So I am glad our colleagues are about to vote for port security funding right after they voted against it last week.

We know our ports are one of the weakest links in our Nation's homeland security system, and it is crucial that this Nation act to make them more secure before a terrorist attack, not after.

I applaud the increased funding for the Coast Guard in this amendment. I would like this body to continue to work on how we allocate the money this amendment provides, so we can increase the number of containers that are actually scanned or inspected before they enter the country. I hope we will have the opportunity to do so in conference.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

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

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—90

Alexander	Durbin	McConnell
Allard	Ensign	Menendez
Allen	Enzi	Mikulski
Bayh	Feingold	Murkowski
Bennett	Feinstein	Nelson (FL)
Biden	Frist	Nelson (NE)
Bingaman	Graham	Obama
Bond	Grassley	Pryor
Boxer	Gregg	Reed
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	Kennedy	Smith
Clinton	Kerry	Snowe
Coburn	Kohl	Specter
Cochran	Kyl	Stabenow
Collins	Landrieu	Stevens
Cornyn	Lautenberg	Sununu
Craig	Levin	Talent
Crapo	Lieberman	Thomas
DeMint	Lincoln	Thune
DeWine	Lott	Vitter
Dole	Lugar	Voinovich
Domenici	Martinez	Warner
Dorgan	McCain	Wyden

NAYS—8

Akaka	Dodd	Murray
Baucus	Johnson	Reid
Conrad	Leahy	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3061) was agreed to.

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, will the Chair advise us as to how much time that vote took?

The PRESIDING OFFICER. Sixteen minutes.

Mr. GREGG. We are going to be here a long time if we keep doing 10-minute votes for 16 minutes. I have spoken with Senator CONRAD. It is my sense that we should start cutting these votes off. We have a whole series of votes. The next one will take 10 minutes. We are going to start to enforce that timeframe.

Mr. CONRAD. Mr. President, perhaps I can help put this in perspective. We have 110 amendments pending, with more amendments coming in every hour. We have just been called and asked to draft six more amendments in the last hour.

I hope people understand where this is headed. If we are going to have 16-minute votes and we are going to vote on another 110 amendments, we are going to be here until noon on Saturday. That is where this is all headed.

If we don't start getting cooperation from Members here to not offer amendments which they could offer somewhere else, and if we don't get some cooperation from Members on having votes that really last 10 minutes, I assure you we are going to be here all day Friday—first of all, late tomorrow night, we are going to be here all day Friday, we are going to be here late Friday night, and we are going to be here at noon on Saturday. Colleagues can choose. It is out of our control. We don't control this. Colleagues can decide whether we are going to have some reasonable outcome here or whether we will be here until Saturday noon.

AMENDMENT NO. 3054

The PRESIDING OFFICER. There is 2 minutes equally divided prior to the vote on the Menendez amendment.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to add Senators KOHL, BIDEN, SARBANES, and MIKULSKI as cosponsors.

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

Mr. MENENDEZ. Mr. President, I am pleased that the Senate just voted to concur with me that we need to spend about $1 billion on port security. The difference between this amendment which we just passed and the amendment we are about to vote on is that this is real money that we paid for, and we direct the money in a more comprehensive way to fund security operations at our ports.

This amendment puts us on the road to 100 percent scanning of containers entering into this country by increasing the number of inspectors abroad and funding the latest technology in our own ports.

I strongly believe we need to strengthen security. This will put us on the road to increasing scanning, inspections, funding for port security grants, and creating real security here at home.

I urge adoption of the amendment.

Mr. KOHL. Mr. President, I rise in support of the Menendez amendment that increases funding for port security by $965 million. The amendment is fully offset by closing $965 million in corporate tax loopholes and would reduce the debt by an additional $965 million.

What the recent Dubai Ports World deal certainly has revealed is the importance of port security and our apparent vulnerability. Each year, 10 million cargo containers enter our ports, and we inspect roughly 6 percent of them. That means only about 600,000 are seen by our security officials, while the other 9.4 million are being handled exclusively by the shippers, port operators, and others. When we consider the fact that just one of the six ports whose operations would have taken over by DP World is equipped with a working radiation-detection system, we can begin to appreciate how crucial it is to address this issue.

In 2003, Admiral Collins of the U.S. Coast Guard testified that it will cost $7 billion over the next 10 years to fully secure our ports. We have not even come close to funding port security at that pace. Though $7 billion may seem a daunting figure, suffering a catastrophic terrorist attack at one of our major ports would cost exponentially more. A recent war game conducted by Federal security agencies imagined all 360 major ports shut down for 9 days—which would not be an inconceivable step to take following a major terrorist attack upon a U.S. port. Such a shutdown would cost our country $58 billion and that doesn't even consider the direct physical costs of the attack itself. Compared to this grim scenario, investing $7 billion now to secure our ports is wise.

The Menendez amendment moves us closer towards achieving the goal of 100-percent scanning of all cargo containers which pass through our ports. With $600 million dedicated to the port security grant program administered by the Department of Homeland Security, $100 million for new inspectors and security personnel, $100 million for research and development to create better scanning technology, $105 million for better radiation detection equipment, $10 million for deploying better scanning technology abroad, and $50 million to assist developing countries with cargo scanning, we will significantly improve port security.

We can prevent a terrorist attack on our ports, but it will take Federal resources and determination to do so. We all hope we are not left in the wake of a terrorist attack that could have been prevented had we only made the necessary investments to better fund port security. Therefore, I urge my colleagues to support the Menendez amendment which will reinvigorate and finance our commitment to secure our ports.

Mr. INOUYE. Mr. President, I rise today in support of Senators MENENDEZ and LAUTENBERG's amendment to increase funding for port security. As the cochairman of the Commerce Committee and a Senator representing an island State, I place a particularly high priority on port security, and I know first hand that it is not receiving the resources that are necessary. Budgets are a reflection of priorities, and our budget must place far greater emphasis on this critical component of our national and economic security.

I feel compelled to remind this body that, since 2002, it has been given a litany of opportunities to bolster port security resources, and it has routinely rejected them.

As we consider this year's budget, I would like to recall the discussion we had around this time in 2003. During the budget debate, this body unanimously supported an amendment to provide $2 billion to port security. Yet 3 weeks later, when the Senate considered the supplemental appropriations legislation to address funding for the war in Iraq and homeland security, the Senate rejected the amendment that would have provided immediately the actual money for port security funding.

It was a lesson in cynicism that I have not forgotten.

Given the recent attention to the Nation's lingering, significant port security inadequacies, it is my hope that the Senate will have the wisdom to choose a different course this time around.

If there is one silver lining to the Dubai Ports World debacle, it is that the country is now paying close attention to port and cargo security. The heartland is learning what the coasts have known for many years: our national economy and physical security depend on strong port security. They are now familiar with the statistic that 95 percent of the Nation's cargo comes through the ports, and that very little of that cargo is inspected. The American public now knows that more needs to be done.

Maritime commerce is essential to the American economy. Many of our Nation's manufacturers and retailers depend on on-time delivery, and any disruption to the flow of commerce could have disastrous consequences for American businesses and the economy as a whole.

Despite this fact, the administration still fails to make port security a top priority. It has consistently submitted inadequate funding requests and has routinely missed critical security deadlines that were required by law. In fact, the Department of Homeland Security, DHS, only recently submitted its National Maritime Transportation Security Plan. The report was due in April 2005.

Given the administration's poor record on port security and its poor judgment on the Dubai Ports World deal, I am left wondering what it will take for this administration to take port security seriously.

It was Congress that put a halt to the Dubai Ports World takeover, and it will have to be Congress that provides the port security funding that the administration's budget lacks. The amendment put forward by Senators MENENDEZ and LAUTENBERG calls for a funding level that is a far better reflection of port security's importance to the country. While it will not solve all of the current inadequacies, it will bring us far closer to what will be required.

Several other Members will be introducing amendments that enhance resources for transportation security, and while I would prefer specific offsets, I applaud their focus on port security and strongly support them. Our committee has held numerous oversight hearings in the area of transportation security, and we recognize that much more needs to be done. The latest Department of Homeland Security inspector general's report indicated that the DHS has made considerable improvements in the administration of the port security grant program. It is beginning to deliver the funding the way Congress intended, consistent with the Maritime Transportation Security Act, MTSA. Now, we must dedicate more substantial resources to this effort.

While increased funding is a critical step, we must not lose sight of the long-term security improvements that will be necessary for port security. In November, the Senate Commerce Committee unanimously approved the Transportation Security Improvement Act, S. 1052, which addresses a litany of security shortcomings across all modes of transportation. Specifically, title V of our bill tackles port and cargo security inadequacies. It improves the examination of cargo before it reaches our shores, ensures the resumption of commerce in the event of an attack, and takes greater advantage of coordinated, interagency port security efforts.

Of course, I would like to see passage of our full bill, but at a minimum, I urge the Senate to take up title V of our bill and pass it as soon as possible. Our approach has broad bipartisan support, and it will improve security while maintaining the jurisdiction and transportation expertise of the Commerce Committee. The time is right to pass these needed security improvements, and I am hopeful that the Senate will take up our measure as soon as possible.

In the meantime, I urge my colleagues to support this important and timely amendment.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I hope our colleagues will not vote for the amendment.

The Senate just voted overwhelmingly to put almost $1 billion into port security. That is the right thing to do, but the right way to pay for it is out of the 920 account. To make this a priority, let us do it right. The Menendez amendment would increase taxes to pay for port security. We do not need to do that. What we should do is the right thing—provide more inspectors and make sure our ports are secure, and do it the right way with real money that is already there.

The PRESIDING OFFICER (Mr. COBURN). The question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Minnesota (Mr. DAYTON) are necessarily absent.

I further announce that if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

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

The result was announced—yeas 43, nays 53, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—43

Akaka	Harkin	Murray
Baucus	Inouye	Nelson (FL)
Bayh	Jeffords	Nelson (NE)
Bingaman	Johnson	Obama
Boxer	Kennedy	Pryor
Byrd	Kerry	Reed
Cantwell	Kohl	Reid
Carper	Landrieu	Rockefeller
Clinton	Lautenberg	Salazar
Conrad	Leahy	Sarbanes
Dodd	Levin	Schumer
Dorgan	Lieberman	Stabenow
Durbin	Lincoln	Wyden
Feingold	Menendez	
Feinstein	Mikulski	

NAYS—53

Alexander	DeWine	McCain
Allard	Dole	McConnell
Allen	Domenici	Murkowski
Bennett	Ensign	Roberts
Bond	Enzi	Santorum
Brownback	Frist	Sessions
Bunning	Graham	Shelby
Burns	Grassley	Smith
Burr	Gregg	Snowe
Chafee	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Talent
Cochran	Inhofe	Thomas
Collins	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	

NOT VOTING—4

Biden	Dayton
Coleman	Specter

The amendment (No. 3054) was rejected.

Mr. GREGG. I move to reconsider the vote.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3018

Mr. GREGG. I ask unanimous consent the yeas and nays be vitiated on the Chambliss amendment numbered 3018.

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

Mr. GREGG. I ask unanimous consent the amendment be agreed to.

Mr. CONRAD. We have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 3018.

The amendment (No. 3018) was agreed to.

AMENDMENT NO. 3073

Mr. GREGG. The next amendment is the amendment of Senator GRASSLEY.

The PRESIDING OFFICER. There is 2 minutes equally divided.

Mr. CONRAD. Senator GRASSLEY's amendment is the next order in the queue.

Mr. GREGG. I will speak to Senator GRASSLEY's amendment.

What Senator GRASSLEY is suggesting is we give the Secretary of Health and Human Services the authority to extend the signup time for senior citizens, and if we extend such signup times, there will be no penalty against the senior citizens.

It is an excellent amendment. I hope it will be supported.

The PRESIDING OFFICER. Who yields time to speak in opposition?

Mr. CONRAD. I yield time to the Senator from Florida.

Mr. NELSON of Florida. Mr. President, the question is, do you want to help the program or do you want to help the people? Members have all heard from their senior citizens. They are confused, they are bewildered, and in some cases frightened about this deadline coming up. They want some additional time. They are confused with this multiplicity of plans.

Senator GRASSLEY's amendment would only give discretion to the Secretary of HHS. They have already testified they do not want to extend the program.

Members are going to have an opportunity to vote on the amendment that follows that will actually extend the deadline for the rest of the year, 2006.

Mr. GRASSLEY. Mr. President, is there any time left on my side?

The PRESIDING OFFICER. Twenty-three seconds.

The Senator from Iowa is recognized for 23 seconds.

Mr. GRASSLEY. Mr. President, what the Secretary said was that this was a decision by the Congress. We are involved in that decision, a decision today to give the Secretary authority to do it if it needs to be done, and do it not until it needs to be done, rather than sending a signal that you can procrastinate again for another 6 months.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment. The yeas and nays have been previously ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''nay.''

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

The result was announced—yeas 76, nays 22, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—76

Alexander	Cornyn	Inouye
Allard	Craig	Isakson
Allen	Crapo	Johnson
Bayh	DeMint	Kerry
Bennett	Dodd	Kohl
Biden	Dole	Kyl
Bingaman	Domenici	Levin
Bond	Dorgan	Lieberman
Boxer	Durbin	Lott
Brownback	Enzi	Lugar
Bunning	Feinstein	Martinez
Burns	Frist	McConnell
Burr	Graham	Menendez
Byrd	Grassley	Mikulski
Cantwell	Gregg	Murkowski
Carper	Hagel	Murray
Chambliss	Hatch	Nelson (NE)
Coburn	Hutchison	Pryor
Cochran	Inhofe	Roberts
Rockefeller	Smith	Thune
Salazar	Specter	Vitter
Santorum	Stabenow	Voinovich
Sarbanes	Stevens	Warner
Schumer	Sununu	Wyden
Sessions	Talent	
Shelby	Thomas	

NAYS—22

Akaka	Feingold	McCain
Baucus	Harkin	Nelson (FL)
Chafee	Jeffords	Obama
Clinton	Kennedy	Reed
Collins	Landrieu	Reid
Conrad	Lautenberg	Snowe
DeWine	Leahy	
Ensign	Lincoln	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3073) was agreed to.

Mr. GREGG. 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. 3009

The PRESIDING OFFICER. The Nelson amendment No. 3009 is now under consideration with 2 minutes equally divided.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, this amendment is what Senators have been hearing from their senior citizens. They want to extend the deadline. My amendment would put it in law that the deadline is extended. Why be for a program instead of being for the people? They are confused. They need more time. They are bewildered and, in some cases, knowing that that 1 percent-a-month penalty is hanging over their heads, they are frightened. They are also frightened if they choose the wrong program, then find out they can't get the prescription drugs they need for their quality of life. I urge Members to vote for the amendment.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. GRASSLEY. The Nelson amendment is the wrong idea at the wrong time. The amendment doesn't even provide the resources for enrolling people afterwards. We did in the amendment just adopted. How are we going to get people to enroll if the administration doesn't have the resources to do it? It is too early to make a decision, when we don't have final enrollment numbers yet. Right now enrollment is going very well. A quarter of a million people sign up every week. Many who are calling for delay in the enrollment deadline didn't support the legislation 2 or 3 years ago. They have admitted that. They have been encouraging citizens not to enroll. Extending the deadline until the end of the year is a cynical attempt to tell seniors not to enroll this year. The other side says May 15 is an arbitrary deadline. Americans live with deadlines every day.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3009.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

The result was announced—yeas 49, nays 49, as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—49

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Harkin	Nelson (NE)
Biden	Inouye	Obama
Bingaman	Jeffords	Pryor
Boxer	Johnson	Reed
Byrd	Kennedy	Reid
Cantwell	Kerry	Rockefeller
Carper	Kohl	Salazar
Chafee	Landrieu	Sarbanes
Clinton	Lautenberg	Schumer
Collins	Leahy	Snowe
Conrad	Levin	Specter
DeWine	Lieberman	Stabenow
Dodd	Lincoln	Wyden
Dorgan	Menendez	
Durbin	Mikulski	

NAYS—49

Alexander	Domenici	McConnell
Allard	Ensign	Murkowski
Allen	Enzi	Roberts
Bennett	Frist	Santorum
Bond	Graham	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Smith
Burns	Hagel	Stevens
Burr	Hatch	Sununu
Chambliss	Hutchison	Talent
Coburn	Inhofe	Thomas
Cochran	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	
Dole	McCain	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3009) was rejected.

Mr. FRIST. Mr. President, I move to reconsider the vote.

Mr. GRASSLEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I simply note that the way this is working, these are 10-minute votes. We have been reasonably generous by letting them go to 12 minutes, but we are not letting them go past 12 minutes. I believe I speak for Senator CONRAD. We are going to insist on getting these votes done. We are on to the next amendment.

AMENDMENT NO. 3004

The PRESIDING OFFICER. The Senate will now consider the Snowe-Wyden amendment.

Ms. SNOWE. Mr. President, the amendment which Senator WYDEN and I are offering will address the high cost

of our Medicare prescription drug benefit. It does this not by price setting or mandating a drug formulary, but by providing our drug plans with the resource of the HHS Secretary. Since Medicare is paying 75 percent of a beneficiary's drug costs from $250 up to $2,250 in spending, and the cost of this benefit over the next ten years is estimated to exceed $700 billion, it is simply common sense that the Secretary should be able to assist when the plans need help.

Our amendment states two circumstances in which the Secretary must participate in drug price negotiation. If the Secretary needs to provide a drug plan due to lack of competition, he must negotiate competitive prices for his own ''fallback'' plan. And just as reasonable, if a drug plan requests his assistance in negotiations, then he should be responsive to that need.

The Congressional Budget Office has told us that when a drug lacks competition, a manufacturer may not negotiate in good faith. So when a plan calls for help in this circumstance, the Secretary shouldn't be forced to be unresponsive. As CBO has described, the savings could be substantial. For example, if 29 million beneficiaries enroll in Part D, and 1 in 4 used a single source ''blockbuster'' drug such as a lipid-lowering drug costing $250 per month, the annual cost for that single product would exceed $21 billion. If the Secretary could help plans raise the discount on such a drug by just 10 percent, the annual savings would amount to $2.18 billion. This illustrates how in this special situation, the role of the Secretary could be vital.

Let me be clear—this amendment does not allow price-setting. The language is clear: ''the Secretary may not require a particular formulary or institute a price structure for the reimbursement of Part D drugs.''

The AMA, the AARP, and many other are advocating for this authority, because they want to protect our seniors access to drugs as much as we do. I urge my colleagues to join us in assuring we keep our promise to our seniors.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, one of the things on this issue that is so misleading is the impression that this legislation does not allow Medicare to negotiate. The opposite is true.

This legislation requires negotiation. That is what the plans are doing all the time to drive down the price of drugs—what it does to drive down the price of the premium way below what we thought it would be. Again, everything is backward when they talk about this. In the real world, there are choices. Wherever you want to go for any consumer products, those stores negotiate prices to get good prices. It is just a way to get the job done. Statistics that have come in on this show that competition is driving down the price of drugs—the 25 leading drugs—by 35 percent on average this ought to show that this process is working.

The PRESIDING OFFICER. All time has expired. The yeas and nays have been ordered.

The question is on agreeing to the amendment of the Senator from Maine.

The clerk will call the roll.

The assistant morning business clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''no.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—54

Akaka	Graham	Murkowski
Bayh	Harkin	Murray
Biden	Hutchison	Nelson (FL)
Bingaman	Inouye	Obama
Boxer	Jeffords	Pryor
Byrd	Johnson	Reed
Cantwell	Kennedy	Reid
Carper	Kerry	Rockefeller
Chafee	Kohl	Salazar
Clinton	Landrieu	Sarbanes
Collins	Lautenberg	Schumer
Conrad	Leahy	Shelby
DeWine	Levin	Smith
Dodd	Lieberman	Snowe
Dorgan	Lincoln	Specter
Durbin	McCain	Stabenow
Feingold	Menendez	Stevens
Feinstein	Mikulski	Wyden

NAYS—44

Alexander	Crapo	Lugar
Allard	DeMint	Martinez
Allen	Dole	McConnell
Baucus	Domenici	Nelson (NE)
Bennett	Ensign	Roberts
Bond	Enzi	Santorum
Brownback	Frist	Sessions
Bunning	Grassley	Sununu
Burns	Gregg	Talent
Burr	Hagel	Thomas
Chambliss	Hatch	Thune
Coburn	Inhofe	Vitter
Cochran	Isakson	Voinovich
Cornyn	Kyl	Warner
Craig	Lott	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3004) was agreed to.

Mr. OBAMA. 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.

AMENDMENT NO. 3086

The PRESIDING OFFICER. Under the previous order, the Byrd amendment will be considered next, with 2 minutes equally divided for debate.

The Senator from West Virginia is recognized.

Mr. BYRD. I thank the Chair. Mr. President, I ask unanimous consent that Senator SCHUMER be added as a cosponsor to my amendment.

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

Mr. BYRD. Mr. President, once again the White House has proposed a level of funding for Amtrak that will result in bankruptcy for the company, endangering rail service in every region of the Nation.

Two amendments have been offered to increase Amtrak's funding to a level of $1.45 billion. My amendment, which is fully paid for, would provide the additional funds necessary for the Appropriations Committee to approve $1.45 billion for Amtrak.

The amendment offered by the distinguished Senator from Pennsylvania pretends to pay for the increase by cutting something called function 920 allowances. It assumes deeper cuts for education, for low-income home energy assistance, for border and port security, and for our troops.

I urge Members to show support—real support—for Amtrak by voting for my amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Who seeks time? The Senator from New Hampshire.

Mr. GREGG. Mr. President, I must rise in opposition to this amendment as it would exceed the caps and would end up raising taxes. We are going to have an amendment that follows this amendment which makes a commitment to Amtrak, which does it under the caps, therefore, sets the priorities correctly, and that is the proper way to do this.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3086. Under the previous order, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''no.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''yea.''

The result was announced—yeas 44, nays 53, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—44

Akaka	Dorgan	Leahy
Baucus	Durbin	Levin
Bayh	Feingold	Lieberman
Biden	Feinstein	Lincoln
Bingaman	Harkin	Menendez
Boxer	Inouye	Murray
Byrd	Jeffords	Nelson (FL)
Cantwell	Johnson	Nelson (NE)
Carper	Kennedy	Obama
Chafee	Kerry	Pryor
Clinton	Kohl	Reed
Conrad	Landrieu	Reid
Dodd	Lautenberg	

Rockefeller	Sarbanes	Stabenow
Salazar	Schumer	Wyden

NAYS—53

Alexander	Dole	McConnell
Allard	Domenici	Murkowski
Allen	Ensign	Roberts
Bennett	Enzi	Santorum
Bond	Frist	Sessions
Brownback	Graham	Shelby
Bunning	Grassley	Smith
Burns	Gregg	Snowe
Burr	Hagel	Specter
Chambliss	Hatch	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Talent
Collins	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner
DeWine	McCain	

NOT VOTING—3

Coleman	Dayton	Mikulski

The amendment (No. 3086) was rejected.

Mr. GREGG. Mr. President, I move to reconsider the vote.

Mr. SANTORUM. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3015

The PRESIDING OFFICER. Under the previous order, the Santorum amendment will now be considered with 2 minutes equally divided for debate on the amendment. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Mr. President, this amendment does what the Byrd amendment does, except it doesn't raises taxes. It offsets the money from the 920 account. I would encourage Members to let their voices be heard in support of Amtrak funding to make sure that the Appropriations Committee understands that this is a continuing priority for the United States, and I ask for a ''yea'' vote.

The PRESIDING OFFICER. Who rises in opposition?

Mr. LAUTENBERG. Mr. President, we are talking about a proposal that has no funding for it. You reach into the 920 barrel and there is nothing there, you can't come up with any money. But in the process, the Senator from Pennsylvania did acknowledge that the President's budget is way off line because now we are talking about $1.5 billion; whereas, otherwise, it is $500 million less. So while this bill is imperfect we do want to see Amtrak supported, and I hope that we will be able to resolve it in the appropriations process to get it to where it needs to be. But this amendment is not going to do it. It is half a loaf and, at this point, we have little choice.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to amendment No. 3015. Under the previous order, the yeas and nays have been ordered.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON) would vote ''nay.''

The result was announced—yeas 39, nays 59, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—39

Allen	Domenici	Lugar
Baucus	Dorgan	Mikulski
Bayh	Feingold	Murkowski
Bond	Frist	Nelson (NE)
Burns	Hagel	Rockefeller
Burr	Hatch	Santorum
Byrd	Hutchison	Sarbanes
Carper	Jeffords	Smith
Chafee	Johnson	Snowe
Cochran	Kohl	Specter
Collins	Landrieu	Stevens
DeWine	Lieberman	Talent
Dole	Lott	Warner

NAYS—59

Akaka	Ensign	Menendez
Alexander	Enzi	Murray
Allard	Feinstein	Nelson (FL)
Bennett	Graham	Obama
Biden	Grassley	Pryor
Bingaman	Gregg	Reed
Boxer	Harkin	Reid
Brownback	Inhofe	Roberts
Bunning	Inouye	Salazar
Cantwell	Isakson	Schumer
Chambliss	Kennedy	Sessions
Clinton	Kerry	Shelby
Coburn	Kyl	Stabenow
Conrad	Lautenberg	Sununu
Cornyn	Leahy	Thomas
Craig	Levin	Thune
Crapo	Lincoln	Vitter
DeMint	Martinez	Voinovich
Dodd	McCain	Wyden
Durbin	McConnell	

NOT VOTING—2

Coleman	Dayton

The amendment (No. 3015) was rejected.

Mr. FRIST. 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. FRIST. Mr. President, for the information of our colleagues, that was the last rollcall vote for today. We will begin voting tomorrow morning, most probably on the two avian flu amendments which we were discussing during the vote, at approximately 10:30.

The managers are here, and we will continue to discuss it in terms of the timing and the exact schedule for tomorrow.

There are no more rollcall votes tonight, and we will begin voting around 10:30 tomorrow.

The more formal vote-arama, which unfortunately has become institutionalized, would be tomorrow afternoon. We will have more announcements about that.

Mr. CONRAD. Mr. President, I hope colleagues understand that for this budget cycle we have lost time to a number of extraneous events which could not be helped. But it means we have less time than we have had in previous years.

I hope my colleagues understand that we have put the debt limit discussion in the middle of this.

We have had a number of other events, such as the joint session.

As a result, we have less time for amendments.

I beg the indulgence of colleagues in understanding that now the only way we can finish is if we have very tight time agreements tomorrow, and if we exercise discipline among ourselves in terms of the number of amendments that we offer. That is the only conceivable way we can finish by tomorrow night.

I urge colleagues to think very carefully about amendments which they might want to offer.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. CONRAD. Yes, I would be happy to yield.

Mr. SARBANES. Mr. President, would the Senator agree with me that it is very fitting that the debt limit discussion should be inserted right in the middle of discussion of the budget resolution since this budget resolution will add very substantially to the deficit and drive the debt up even further, requiring this vote that is going to come to raise the debt ceiling? What is the amount by which the debt ceiling will be raised?

Mr. CONRAD. The debt limit request will be to raise the debt by nearly $800 billion—$781 billion.

Mr. SARBANES. It underscores the deeper hole that these budgets are driving us to over the last 5 years, does it not?

Mr. CONRAD. The Senator makes a very good point. It is an indication that we keep adding debt on top of debt. Of course, this budget will add $3 trillion to the debt—more than $3 trillion over the next 5 years.

I think it is further confirmation that we are off track in terms of the fiscal policy of this country, and not a little off track—way off track.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to amendment No. 3018: Senators GRASSLEY, DEWINE, BURNS, COBURN, and VITTER.

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

The minority leader is recognized.

AMENDMENT NO. 3115

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mrs. CLINTON, proposes an amendment numbered 3115.

Mr. REID. 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 funding in FY 2007 by $347 million to restore funding or provide increased funding over FY 2006 for programs and policies that support the delivery of contraceptive services and medically accurate information in order to reduce the number of unintended pregnancies, including Title X of the Public Health Service Act, and to restore funding or provide increased funding over FY 2006 for programs that help women have healthy pregnancies and healthy children, including the Child Care Development Block Grant, Maternal and Child Health Block Grant, Healthy Start, and the Special Supplemental Nutrition Program for Women Infants and Children paid for by closing corporate tax loopholes)

On page 3, line 13, increase the amount by $225,000,000.

On page 3, line 15, increase the amount by $84,000,000.

On page 3, line 17, increase the amount by $23,000,000.

On page 3, line 19, increase the amount by $10,000,000.

On page 3, line 21, increase the amount by $2,000,000.

On page 4, line 1, increase the amount by $225,000,000.

On page 4, line 2, increase the amount by $84,000,000.

On page 4, line 3, increase the amount by $23,000,000.

On page 4, line 4, increase the amount by $10,000,000.

On page 4, line 6, increase the amount by $2,000,000.

On page 4, line 13, increase the amount by $347,000,000.

On page 5, line 4, increase the amount by $225,000,000.

On page 5, line 6, increase the amount by $84,000,000.

On page 5, line 8, increase the amount by $23,000,000.

On page 5, line 10, increase the amount by $10,000,000.

On page 5, line 12, increase the amount by $2,000,000.

On page 19, line 24, increase the amount by $124,000,000.

On page 19, line 25, increase the amount by $27,000,000.

On page 20, line 4, increase the amount by $61,000,000.

On page 20, line 8, increase the amount by $21,000,000.

On page 20, line 12, increase the amount by $10,000,000.

On page 20, line 16, increase the amount by $2,000,000.

On page 21, line 24, increase the amount by $223,000,000.

On page 21, line 25, increase the amount by $198,000,000.

On page 22, line 4, increase the amount by $ 23,000,000.

On page 22, line 8, increase the amount by $2,000,000.

On page 53, line 1, increase the amount by $347,000,000.

On page 53, line 2, increase the amount by $225,000,000.

Mr. REID. Mr. President, this amendment was offered on behalf of the Senator from Nevada and the Senator from New York, Senator CLINTON.

One of the most heated debates of recent years has been on the issue of abortion. People on both sides of the issue feel very strongly. They have argued, they have demonstrated, and they have protested with emotion and passion.

The approval last week of a South Dakota law banning virtually all abortions has only intensified the already strong feelings on both sides of this issue.

The issue is not going to go away very soon. And I doubt that one side will be able to suddenly convince the other to drop its deeply held beliefs.

But there is a need—and an opportunity—for us to find common ground.

Today, I am joining with Senator CLINTON to propose an amendment that offers not only common ground but common sense.

Whether you are pro-life or pro-choice, Democrat or Republican, our amendment advances two key goals which we should all share:

No. 1, reducing the number of unintended pregnancies and the resulting abortions,

No. 2, helping women have healthy pregnancies and healthy children.

Our amendment will make sure that there is money available in the budget to enact policy to support these important goals.

I repeat—reducing the number of unintended pregnancies and resulting abortions and helping women have healthy pregnancies and healthy children.

Specifically, our amendment would allow us to increase funding for the National Family Planning Program, title X. It would pass the Equity in Prescription Insurance and Contraceptive Coverage Act so that we may end insurance discrimination against women.

I might add that the distinguished Senator from Maine, Ms. SNOWE, has worked on this for many years.

Our amendment would improve awareness and understanding of emergency contraception, and our amendment would improve teen pregnancy prevention programs.

This amendment would also restore cuts and provide funding for crucial programs that support pregnant women and their children.

The United States has among the highest rates of unintended pregnancies of all industrialized nations. Half of all pregnancies in the United States are unintended.

And about half of those pregnancies end in abortions.

It doesn't have to be this way. Most of these unintended pregnancies—and the resulting abortions—can be prevented.

One of the most important steps we can take to prevent unintended pregnancies is ensuring that American women have access to affordable, effective contraception.

Our amendment helps make family planning service more accessible to low-income women. It improves awareness and understanding of emergency contraception, a poorly understood yet highly effective form of contraception. It promotes teen pregnancy prevention programs, and it would end insurance discrimination against women.

These are just some of the simple but necessary steps we can and should take to prevent unintended pregnancies and reduce abortions.

It is difficult for me to understand why many of the same people who support an outright ban on abortion also oppose making contraception more accessible—particularly for low-income women who are more likely to have unplanned pregnancies. For example, a recent analysis by the non-partisan Guttmacher Institute revealed that South Dakota is one of the most difficult states for low income women to obtain contraceptives.

Reducing the number of unintended pregnancies—and the resulting abortions—should be a goal we can all share.

In addition to supporting programs that will reduce the number of unintended pregnancies, our amendment will restore cuts and provide much needed funds for programs that provide critical support for pregnant women and their children.

Our amendment says that while we should do everything we can do to prevent unintended pregnancies in the first place, we should also fund programs that support women who choose to carry their pregnancies to term and raise healthy children.

This includes funding for programs that: provide health care for pregnant women and their children, reduce infant mortality, provide child care assistance for low-income families, and provide nutritional assistance for pregnant women and children.

Our amendment gives Americans on both sides of the abortion debate the opportunity to join in the common goals of preventing unintended pregnancies, reducing abortions and supporting pregnant women and their children.

I hope my colleagues will agree to this amendment. It is important. It is important for America, and it is important for the women in America.

I want to make sure that the Senator from New York has ample time. How much time do we have remaining?

The PRESIDING OFFICER. Five minutes.

Mr. REID. Mr. President, I ask unanimous consent that my statement be on leader time.

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

Mrs. CLINTON. Mr. President, I thank the Democratic leader, the Senator from Nevada, for his leadership on this issue. We have come together to present this Prevention First amendment because we believe deeply that we can do better than we are doing in our country when it comes to preventing unintended pregnancy and helping to support mothers and children.

The United States has one of the highest rates of unintended pregnancies in the industrialized world. Half of all pregnancies in our country are unintended. Nearly half of those end in abortion. In order to decrease the number of unintended pregnancies, and to decrease the number of abortions, we must make contraception

more accessible and more affordable. The Prevention First amendment ensures that we dedicate adequate funding for these programs, while at the same time the amendment provides for dedicating funding to mothers and children so children will be as healthy as possible.

This amendment sends a clear message: Women who need access to contraception to prevent unintended pregnancies will have that help. At the same time, women who are pregnant and want to have a healthy child will also have the support they need. Our amendment provides $100 million to programs that reduce unintended pregnancy and $247 million to programs that support and protect women and babies.

The $100 million prevention program does four basic things. First, it increases the funds for title X, the Nation's only program solely dedicated to family planning. Title X provides high quality preventive health care and contraception to low-income individuals who may otherwise lack access to supplement care. Every year, title X services prevent approximately 1 million unintended pregnancies. But despite its proven success, this administration has continuously cut its funding.

Second, this amendment ends the current practice where some insurance companies refuse to provide coverage for contraception even though they cover other prescription drugs. Lack of coverage for contraception results in women of reproductive age paying 68 percent more in out-of-pocket costs for health care services than men of the same age. Our amendment remedies this disparity by requiring private health care plans that cover prescription drugs to also cover FDA-approved prescription contraceptions and related medical services. In our own State of New York, contraceptive equity is already the law and it should provide a real role model for the Nation. If insurance companies can cover drugs such as Viagra, they can certainly cover prescription contraception.

Third, this amendment improves public awareness of emergency contraception. Emergency contraception, also known as Plan B, is one of the most misunderstood drugs around. Some have tried to deliberately mislead its purpose. Emergency contraception prevents pregnancy. It does not interrupt or end a pregnancy. The most recent research estimates that emergency contraception could have prevented 51,000 abortions per year. Further, a study from the Journal of the American Medical Association confirms that easier access to emergency contraception does not increase sexual risk taking or greater transmission of sexually transmitted diseases.

Fourth, our amendment provides funding for programs dedicated to decreasing the teen pregnancy rate. To date, 34 percent of young women become pregnant at least once before they reach the age of 20. That results in 820,000 teen pregnancies a year. Eight in 10, or 80 percent, of those pregnancies are unintended.

This amendment funds proven programs that will help reduce the rate of teen pregnancy by improving decision-making, improving access to education and information.

In addition to strengthening pregnancy prevention programs, our amendment also increases support for low-income mothers trying to raise healthy children. Our message in this amendment to the women of this country is clear: We will support you in your effort to prevent unintended pregnancy and we will support you in your decision to have a child.

Our amendment provides funding for programs such as the childcare and development block grant that help families afford safe quality day care; programs such as the maternal and child health block grant that ensure women have healthy pregnancies. Healthy Start and WIC Programs focus on providing nutrition for pregnant women and their infants.

I hope we could unite behind a common goal of preventing unintended pregnancies, reducing abortions, and supporting women and children's health. We hope our colleagues and the White House will work with us to put prevention first. A vote in support of this amendment is a vote to support healthy families.

I urge our colleagues to pass the Clinton-Reid amendment.

I yield the floor.

Mr. GRASSLEY. Mr. President, in a debate earlier today, the senior Senator from North Dakota responded to my challenge to point out a new corporate loophole closer that is not included in the tax relief reconciliation conference.

The ranking Democratic member of the Budget Committee discussed a proposal developed by the Finance Committee Democratic staff that would repeal ''deferral'' for controlled foreign corporations doing business in tax haven countries.

I share the senior Senator from North Dakota's concerns about the ability of large corporations to manipulate the Tax Code to shift large amounts of profits offshore. But this provision isn't the right way to address those concerns. It is both overbroad and inadequate.

It is overbroad because it would harm the competitiveness of U.S. multinationals by repealing deferral for holding company structures that allow them to efficiently allocate active foreign-generated resources among their foreign operations without incurring U.S. tax on entirely foreign transactions.

It is inadequate because it applies only to subsidiaries in black-listed countries. Companies that use tax havens for abusive purposes could easily avoid this rule by locating in a low-tax country that is not on the list, like Ireland, where we have read press reports that companies are shifting huge profits. Treasury would have authority to add countries to the list, but does anyone think Ireland, with whom we have a tax treaty, would be added to a black list?

The way to deal with those cases is through effective transfer pricing policy and enforcement, not by curtailing deferral.

This proposal was included in the Democratic alternative to the Finance Committee bipartisan tax relief plan. When we considered the House tax relief reconciliation bill, the Democratic alternative was defeated.

Even if the tax haven proposal were viable in the Senate, it would yield only a fraction of the revenue needed to offset the cumulative effect of the many Democratic amendments to increase spending.

The effect of using such proposals, which aren't viable in the Senate, even if successful, would be to drive down the tax relief number.

The result of a lower net tax relief number is that we would lack the necessary tax relief in the budget to accommodate tax relief proposals supported on both sides of the aisle.

Mr. KENNEDY. Mr. President, yesterday I offered an amendment to the budget resolution with the Senator from Maine and the Senator from New Jersey that would have increased funding for several education and training programs and raised the maximum Pell grant to $4,500. Regrettably, by a vote of 50-to-50, the amendment was not adopted. More than 100 educational organizations supported the Kennedy-Collins-Menendez amendment, and yesterday, I submitted to the RECORD several of the support letters we received from these organizations.

I ask unanimous consent to have printed in the RECORD additional letters from the American Association of Community Colleges, the National Council for Community and Education Partnerships, the National Association for College Admission Counseling, the National Association of State Directors of Career Technical Education Consortium, and the National Education Association.

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

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, March 14, 2006.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: As a follow-up to our letter this morning urging support for the critical Specter-Harkin amendment to the budget resolution, we would also like to encourage your support for the Kennedy-Collins-Menendez amendment, which would add $6.3 billion targeted to higher education programs.

Improving access to postsecondary education is essential to ensuring a well-educated workforce that is competitive for the 21st century. Unfortunately, too many lower-income families are finding higher education out of reach as costs become prohibitive.

The Kennedy-Collins-Menendez amendment will help open the doors of opportunity for students, workers, and families, including by securing resources for an increase in the maximum Pell Grant award and restoration of programs slated for elimination in the proposed budget such as Career and Technical Education, TRIO, and GEAR–UP.

The Specter-Harkin amendment will provide the foundation for restoring education funds cut in the past two years. The Kennedy-Collins-Menendez amendment builds on this foundation by targeting additional resources to expand postsecondary opportunities. We urge your support for both of these important amendments.

Sincerely,

DIANE SHUST,
Director of Government Relations.
RANDALL MOODY,
Manager of Federal Policy and Politics.

NATIONAL COUNCIL FOR COMMUNITY AND EDUCATION PARTNERSHIPS,
Washington, DC, March 13, 2006.

Hon. EDWARD KENNEDY,
U.S. Senate,
Washington, DC.
Hon. ROBERT MENENDEZ,
U.S. Senate,
Washington, DC.

DEAR SENATORS KENNEDY AND MENENDEZ: On behalf of the National Council for Community and Education Partnerships (NCCEP), a national nonprofit organization dedicated to increasing higher education opportunities for low-income students, our corporate and foundation partners, and the millions of students and families we serve, I write to enthusiastically support the Menendez-Kennedy Amendment.

One principal program we work with is the Gaining Early Awareness for Undergraduate Programs (GEAR UP), which is currently providing 1.5 million low-income students in 47 states. GEAR UP helps provide students with the tools necessary to set high academic aspirations, capitalize on higher education options, and become better academically prepared for the rigors of higher education.

While we are sympathetic to the fiscal challenges that accompany the upcoming FY 2007 appropriations cycle, our long-term economic vitality as a nation will depend on our ability to produce an increasing number of college graduates to remain competitive in business, science, technology and other fields that demand a high quality education. In the global marketplace, it is clear that if left unabated, the educational disparities between high-income and low-income families will have negative consequences that will resonate throughout the American economy for decades to come.

These challenges can be overcome if we continue to focus on increasing higher education opportunities for underserved students. One study suggests that if we can raise minority student participation in higher education to equal that of non-minority students, over $300 billion would be added in gross national product and tax revenues alone. The continued federal investment in GEAR UP can and will go a long way to ensuring the fiscal and social health of our nation, our communities, and our families.

While the recent focus on strengthening America's competitiveness is welcome in the national dialogue, our colleagues and constituents believe very strongly that funding new initiatives at the expense of proven programs such as GEAR UP, is at best counterproductive, and at worst, a broken commitment to low-income students and families nationwide.

Through the creation of GEAR UP partnerships between families, community-based organizations, businesses, schools, and institutions of higher education, we are able to have a far greater impact than working in isolation. By working together towards common goals, we are ensuring that students stay in school, raise their academic and career aspirations, succeed in challenging courses, and receive quality counseling as they prepare for higher education. Researchers at the Pennsylvania State University as well as the national program evaluation (administered by the U.S. Department of Education) have concluded that GEAR UP students are making significant academic gains in reading and math, two critical components for college success. In addition, GEAR UP students and families report that their academic ambitions and awareness of higher education options have improved significantly as a result of the program. All of this comes at a small investment of less than $300 per student annually. Simply stated, GEAR UP is a cost-effective solution to raising the academic skills and aspirations of an entire generation of students that may otherwise be left behind.

The Menendez-Kennedy Amendment recognizes that as a nation we have made a compact with our students that should not be broken. We promised students and families that if they set high educational goals, worked hard, and persevered through a challenging course of study, that our nation would provide them with the basic resources necessary to assist them along the pathway to a college degree. With the proposed cuts to GEAR UP and other critical programs that empower students and families to succeed, we will break this promise, risk turning our back on our students, and place the dream of a college degree out of the reach of low-income and working families.

Speaking for the students and families we serve, I thank you for the extraordinary leadership you have demonstrated through the Menendez-Kennedy Amendment. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,

HECTOR GARZA,
President.

NATIONAL ASSOCIATION FOR COLLEGE ADMISSION COUNSELING,
Alexandria, VA, March 14, 2006.

SENATOR,
U.S. Senate,
Washington, DC.

DEAR SENATOR: On behalf of more than 20,000 high school counselors and college admission officers that are members of the National Association for College Admission Counseling and its state/regional affiliates, I write to urge your support for two amendments that will save college access programs targeted for elimination in the fiscal 2007 budget proposal as drafted by the Senate Budget Committee and proposed by the Administration.

Specifically we ask you to support the Harkin-Specter amendment, which would restore cuts to education programs by increasing funding for functions 500, 550, and 600 by $7 billion.

In addition, we ask you to support the Kennedy-Collins-Menendez amendment, which would increase the Pell grant maximum award to $4,500. The Pell grant has been far outpaced by inflation, diminishing the purchasing power of Pell and leaving hundreds of thousands of students without sufficient financial resources to attend college.

We believe that the United States needs an investment in education and college access now. Your support of these two amendments is crucial to the education of our nation's youth.

Sincerely,

JOYCE SMITH,
Executive Director.

MARCH 14, 2006.

Hon. EDWARD KENNEDY,
Member, U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: On behalf of the National Association of State Directors of Career Technical Education Consortium, we support the $6.3 billion amendment being offered by Senators Kennedy, Menendez and Collins to restore funding to student aid programs, career technical education, and job training programs, as well as to increase the Pell Grant to $4,500.

Specifically, NASDCTEc strongly supports the restoration of funding for the Carl D. Perkins Vocational and Technical Education Act. The Perkins funds are essential in providing Americans the opportunity to gain the academic and technical skills necessary to succeed in the workplace and postsecondary education. This funding will ensure that we have a highly skilled and educated workforce, ready to meet the demands of an everchanging global economy.

A cut or elimination to the Perkins program would force schools, training programs, and community colleges to eliminate critical programs that are working well in communities throughout the country. Supporting the Kennedy/Menendez/Collins amendment will make certain that students are provided with rigorous and relevant academics as well as ensure the efforts to build a skilled and competitive American workforce are achieved.

Thank you for your time, and I hope that you will consider supporting this amendment. We believe this amendment will help open doors of opportunity for students, workers and families. If NASDCTEc can be of any assistance to you during the appropriations debate, please do not hesitate to contact Nichole Jackson, Director of Government Relations.

Sincerely,

KIMBERLY A. GREEN,
Executive Director.

AMERICAN ASSOCIATION OF COMMUNITY COLLEGES,
Washington, DC, March 13, 2006.

Hon. ROBERT MENENDEZ,
U.S. Senate,
Washington, DC.
Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATORS MENENDEZ AND KENNEDY: On behalf of the American Association of Community Colleges (AACC) and the 1,158 community colleges it represents, I would like to express our strong support for your student aid and job training amendment to the FY 2007 Budget Resolution. This amendment increases the federal investment in programs that enable millions of Americans to pursue postsecondary education and training.

As a strong proponent of federal student aid, AACC supports a $450 increase in the maximum Pell Grant. The centerpiece of federal student aid, the Pell Grant program is essential to providing access to higher education for low-income students. The program currently serves more than five million students annually, the vast majority of whom come from families with incomes below $20,000 per year. Pell Grants enable approximately two million community college students to enroll each year by helping with tuition, books and equipment, and living expenses. However, the power of the Pell Grant

is declining, since the maximum award has remained frozen while student expenses have risen. A $450 increase in the maximum Pell Grant would provide significant help to needy college students.

An increased federal investment in programs such as TRIO and GEAR UP that help prepare low-income, first-generation students for college is critical. Without additional resources thousands of middle school and high school students from disadvantaged backgrounds may never realize their postsecondary dreams. And with America's increasingly diverse population, this could have serious consequences for our economic future.

We also applaud your continued support for vocational education programs under the Carl D. Perkins Vocational and Technical Education Act. The Perkins Basic State Grant is essential for community college innovation in occupational education curricula. Funds support a wide range of activities, including integrating vocational and academic instruction; helping students meet challenging academic and vocational standards; training first responders; developing cutting edge curricula; and strengthening links between institutions and businesses.

Thank you for offering this critical amendment. We look forward to working with you as the FY 2007 budget process continues.

Sincerely,

GEORGE R. BOGGS,
President and CEO.

Mrs. LINCOLN. Mr. President, I rise today in support of amendment No. 3048 proposed by Senators SPECTER and HARKIN to restore funding for the Labor, Health and Human Services and Education appropriations bill to fiscal year 2005 levels.

This amendment would restore funding to many important programs, including one that is quite important to Arkansas as well as our Nation—the Geriatric Health Professions program. Title VII funding for geriatrics training is the only Federal program that specifically develops academic geriatricians at a time when more are needed. The fiscal year 2006 Labor-HHS bill eliminated several programs, including this program.

Geriatric health professions programs support geriatric education centers, faculty fellowships, and Academic Career Awards. The academic career award programs support the career development of geriatricians in junior faculty positions who are committed to teaching geriatrics in medical schools across the country. Geriatric Training programs train health professionals who plan to teach geriatric medicine, geriatric dentistry, or geriatric behavioral or mental health. Geriatric Education Centers train health professionals, faculty, students, and practitioners in diagnosis, treatment, disease prevention, disability, and other health problems of the aged.

In 2005, Geriatric Education Centers alone reported delivery of low-cost professional geriatric training interventions to over 50,000 health care providers who collectively reported over 8.6 million patient encounters and enhanced quality of care provided to older adults.

Since 2000, the Arkansas Geriatric Education Center has trained and educated 10,340 health professionals, most of whom practice in rural areas, and has awarded over 54,000 hours of continuing education. The center had been funded through a grant from the Bureau of Health Professions, Health Resources and Services Administration.

Yet at the end of 2005 all funding for title VII geriatric health professions programs was eliminated from the 2006 Federal budget. The elimination of this program runs counter to recommendations from the 1,200 delegates to the 2005 White House Conference on Aging where enhancing the geriatric workforce ranked as 2 of the top 10 list of recommendations. Furthermore, it ignores the well documented shortage of geriatricians and specialized care needs of the older portion of the baby boomer population. Congress must renew its commitment to geriatric health professions training if the nation is to avert a crisis in access to geriatric care for older Americans.

The elimination of title VII funding for geriatric health professions training programs is a grave threat to the health of geriatric medicine. As the number of new physicians going into geriatrics declines and those already in the field approach retirement age, incentives rather than cuts are needed in programs that enhance the training of health professionals in geriatrics. Eliminating these funds will result in decreased access for the growing number of older patients in our country in need of the specialized care provided by geriatric healthcare professionals.

I urge my colleagues to support this important amendment which would restore funding to the geriatric health professions program, among other programs critical to the health of our Nation.

VOTE EXPLANATION

Mr. BIDEN. Mr. President, during consideration of the Menendez amendment, No. 3054, I was unavoidably detained in a meeting off the Senate floor and missed the vote. As a cosponsor of the amendment to provide funding for port security, I would have voted ''aye.''

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I ask consent at 1:30 p.m. on Thursday, March 16, 2006, all time under the act expire.

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

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

Mr. FRIST. Mr. President, I ask unanimous consent the Committee on Finance be discharged from further consideration of H.J. Res. 47, the debt limit extension; provided further that the Senate immediately proceed to its consideration with 1 hour of general debate under the control of the chairman or his designee; 2 hours of general debate under the control of the ranking member or his designee; and the only amendment in order be the following: Baucus, study on foreign investment, 20 minutes equally divided.

I further ask consent that following the use or yielding back of time on the bill and amendment, the resolution be set aside; provided further on Thursday, prior to the first votes on the budget, the Senate proceed to a vote in relation to the Baucus amendment, and following the disposition of the amendment, the joint resolution be read the third time and the Senate proceed to the vote on passage of the joint resolution, with no intervening action or debate.

I also ask all time consumed during this bill count against the time limit under the budget resolution.

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

The committee is discharged from further consideration of H.J. Res. 47, which the clerk will now report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 47) increasing the statutory limit on the public debt.

Mr. GREGG. I ask unanimous consent the Senate resume consideration of the budget resolution at 9 a.m. tomorrow; provided further that the time from 9:30 to 10:30 be equally divided between the chairman and the ranking member; I further ask at 10:30 a.m. the Senate proceed to the votes in relationship to the following items: the Baucus amendment to the debt limit, the passage of the debt limit, the Conrad avian flu amendment, the Burr avian flu amendment.

I further ask consent that following these votes the Senate resume debate on the budget resolution until 1:30, with the time equally divided.

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

Mr. GREGG. The understanding here is that working with Senator CONRAD, we are going to line up a series of amendments which will be brought forward. We hope the Members will work with us. The time will be limited on these amendments for debate, but we will certainly try to accommodate the membership.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, it is important for colleagues to know what we are doing. We are going to go to vote-arama starting at 1:30 tomorrow afternoon. Prior to that time, we are going to have some time for additional amendments until the votes at 10:30. As the chairman has indicated, at 10:30 we will have votes on the debt limit. We will then have votes on the avian flu amendments that were put off from this evening. After those votes are concluded, we will go back to amendments until 1:30.

Now, what does that mean? That means we have very restricted time tomorrow morning. We have very restricted time after the votes tomorrow, until 1:30 for additional amendments. The only way people are going to get time is if they take very short time agreements. That is the only alternative we have.

Again, I explain to my colleagues, I apologize, but the fact is, our time for

budget discussion has been dramatically reduced this year because of extraneous events. It is just a fact. The debt limit was put into this, the joint session, these series of meetings that are important bipartisan meetings at the White House. The chairman would agree that we have had probably the most difficult time managing this budget because there is so much less time available this year.

I ask for colleagues to understand if they want time they are going to have to take very short time agreements tomorrow; otherwise, they will be in a vote-arama.

Again, I thank my colleagues for the great cooperation so many have shown throughout the day.

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. CONRAD. 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. CONRAD. Mr. President, first of all, I thank the Chair.

Mr. President, we are now on the subject of raising the debt limit of our country by $781 billion. This is after we have already had, during this administration, repeated increases in the debt limit over and over and over again—during the first 5 years of this administration, raising the debt limit $3 trillion.

I have used this slide to make the point that I believe the debt is the threat. So much of the writing and so much of the commentary is about the deficit. But the deficit is going up much more slowly—even though it is at record levels—than the debt.

This year, they estimate the deficit will be $371 billion, but the debt will increase by $654 billion. When are we going to get serious about what is happening to our country? We are plunging deeper and deeper into debt, and increasingly, it is financed by foreigners.

I have to say, I have never been more concerned about the future fiscal strength of our Nation than I am today because we just seem to be in total denial. We seem to be so disconnected from reality. We keep on spending. We keep on cutting taxes. We keep running up the debt.

When the President came into office, here is what he told us. He said:

> My budget pays down a record amount of national debt.

He said:

> We will pay off $2 trillion of debt over the next decade. That will be the largest debt reduction of any country, ever.

Then he went on to say something that I believe:

> Future generations shouldn't be forced to pay back money that we have borrowed. We owe this kind of responsibility to our children and [our] grandchildren.

That is what the President said. He was going to have maximum paydown of the debt.

Well, that is not what happened. The President was wrong. Not only has there not been any paydown of debt, the debt has skyrocketed, as this chart shows.

The debt, at the end of the first year of this President's first term, was $5.8 trillion. The debt, at the end of this year, is going to be $8.6 trillion—$8.6 trillion—at the end of this fiscal year. If we adopt the budget that is before us, we will pile on another more than $3 trillion of debt over the next 5 years, winding up with a debt of $11.8 trillion.

Now, here is what has happened already during this administration.

From 1998 to 2001, we added no debt. In fact, we were paying down debt. Those were the ending years of the Clinton administration's time.

In 2002, under the President's policies, we added $450 billion to the debt limit. In 2003, we added $984 billion to the debt limit. In 2004, we added $800 billion to the debt limit. In 2006, now they are out here wanting to add another almost $800 billion to the debt limit.

These are not just numbers on a page. These are not just bars on a graph. These are not just charts. These are debts of our country that have to be paid back.

What is perhaps most stunning is the degree to which this debt is being increasingly financed by foreigners—foreign central banks, foreign investors.

I use this chart to make the point. It shows the pictures of 42 Presidents. These 42 Presidents took 224 years to run up $1 trillion of external debt—U.S. debt held by foreigners. This President has more than doubled that amount—much more than doubled that amount—in just 5 years.

The result of all this is we now owe Japan $668 billion. We owe China $260 billion. We owe the United Kingdom over $240 billion. We owe the Caribbean banking centers almost $100 billion. These numbers change from time to time because of money flows. South Korea, we owe over $60 billion.

So what. What does it matter that foreigners now hold almost half of U.S. debt? What difference does it make if we owe Japan $670 or $680 billion? So what.

Well, the ''so what'' is, when you owe somebody money, you have a different relationship to them than when they owe you money. We have gone from being the biggest creditor nation in the world—more countries owing us more money than any other country in the world—to now being the biggest debtor nation. We owe more money than any other country in the world, and by a big amount.

I just had representatives of the American automobile industry come to see me. They said: We have to get tough on Japan because they are manipulating their currency for advantage in selling their automobiles.

I said: Do you have any idea how much money we owe the Japanese?

They said: No. We have no idea.

I said: Well, we owe them over $660 billion.

How are we going to get tough with somebody we owe $660 billion?

Earlier I had a group of business leaders come to me and tell me: We have to get tough with China because they are manipulating their currency for advantage in international markets. I asked them: How much do you think we owe the Chinese? They did not know. I told them we owe them over $250 billion.

How are we going to get tough with China when we owe them all this money? What would we do if all of a sudden they did not show up to buy our debt because now every time we have an auction, most of it is going to foreign entities. That is how we are floating this boat. We are mortgaging the future. That is what we are doing. Does that make America stronger or does that make America weaker?

A number of weeks ago, the President had a small group of us over—Senators—to talk about energy. He reminded us that in his State of the Union Address he said America is addicted to oil. And he turned to me and said: That's pretty good for a guy from oil country to say that, don't you think?

And I said: Yes, I do, Mr. President. But I tell you, not only are we addicted to oil, we are also addicted to foreign capital. We are addicted to borrowing from countries all over the world.

This creates a vulnerability for our Nation because if these folks decide they are not going to keep lending us money, what would we have to do to attract the capital to finance these massive deficits, this massive debt? We would have to raise interest rates. That is what we would have to do, and perhaps precipitously. Then all these mortgages that are out here that are interest-only mortgages, all these mortgages that are adjustable rate mortgages, all these car loans, all these student loans, all these business loans, all these corporate financings—all of it—would go up, and go up sharply.

That is the great risk that is being run. It is a danger to our country. The Chairman of the Federal Reserve Board has said this is an unsustainable course. The Comptroller General of the United States has told us it is an unsustainable course. The head of the Congressional Budget Office has told us it is an unsustainable course. But we keep right on keeping on. There is no change. And sometimes you wonder: Does anybody care? Does anybody have the faintest notion of where this all heads?

Before us is a budget for the next 5 years, put before us by the President of the United States, and now passed by the Budget Committee in the Senate. Those who brought the budget before us say it is going to reduce the deficit. They show these red bars on this chart, and they say those red bars are getting smaller, the deficit is going down. Boy,

how I wish that were true. How I wish that were true. But it is not true.

This is what is really happening. They have left out things. They have left out war costs past 2007. They have understated the war cost in 2007 in addition to that. But the chairman, to his great credit, has added far beyond what the White House suggested in terms of war costs for 2007. He has made at least a serious effort to cover the war costs in 2007. There is no money past 2007.

There is no money past this year to fix the alternative minimum tax. Over the next 10 years, it costs a trillion dollars to fix. There is no money here past 2006. You put that back in, and then you put back into the calculation the money they are taking from the Social Security trust fund. Every year, they take from Social Security to pay other bills. It all has to be paid back. None of it is in the deficit calculation, but it all gets added to the debt.

When you add it all back, what you find is that when they say the deficit is going to go up $359 billion for fiscal year 2007, starting October 1, the debt is going up $680 billion; and the next year, the debt will go up $656 billion; and the next year, $635 billion; and the next year, $622 billion. And in 2011, it is going to go up $662 billion. And they are telling us everything is getting better? It is not getting better. It is getting a whole lot worse. That is the truth.

They have come tonight and asked us to raise the debt limit of this country another $781 billion. Over the next 5 years, they want to run up the debt by another $3.5 trillion. So at the end of that period, we have $11.8 trillion in debt. That is before the baby boomers retire. People may not know the exact numbers, but the American people have a lot of common sense. You can kind of reality test. We can't pay our bills now. We are nowhere close to paying our bills. And we are borrowing money from countries all over the world. We are borrowing money from the Caribbean banking centers. Anybody listening to me doing their banking down in the Caribbean? We owe them almost $100 billion.

I know we use so many numbers when we talk about a budget. A lot of people tune it out and say: I can't follow all the numbers. Just follow one number: The debt of our country has doubled. The debt of our country has doubled in this 10-year period. The first 5 years of the Bush administration and the next 5 where they are proposing the budgets, they are going to have doubled the debt of our country before the baby boomers retire. And almost half of this debt has been financed by foreigners. When we have a bond auction now, much more than half of it is being bought by foreigners. We are digging a hole that is so deep, it will take years to get out.

We just had this Dubai Ports deal. Everybody gets upset about the United Arab Emirates buying the terminals in six of our major ports. I thought it was unwise. But that is the logical conclusion to this fiscal policy and this trade policy. Because while we are running up the debt on the budget side by $600 billion a year and running trade deficits of more than $700 billion a year and we are financing it by borrowing from abroad, guess what. Foreigners are up to their gills in dollars. They are loaded to the gills with dollars. And what are they going to do with them? They are going to buy American assets.

Look at what has already happened to our ports. The vast majority are owned by foreign interests now. You might as well just put up a big for-sale sign on America and say: Come and get it, because we have not been able to restrain our spending and our appetite for debt and our unwillingness to tax ourselves to pay our bills. So what is the result? The result is runaway debt, increasingly financed by foreigners, and at the same time these trade deficits, which have the exact same effect, putting more and more dollars in the hands of more and more foreign entities. They have to do something with them. They can sit on them. They can hold them in their banks. They can invest them in U.S. stocks and bonds, which they are increasingly doing. And they can also just buy hard assets here.

We wonder about the Dubai Ports deal. Get ready. There are going to be a whole lot more deals like that coming because the world is awash in dollars, and we are buying much more than we are selling to foreigners. At the same time in our own budget, we are spending much more than we are taking in. As a result, we have to borrow, borrow, borrow.

The Comptroller General of the United States is the man who is given the responsibility to advise the Congress on the fiscal condition of the country. Here is what he said before the Senate Budget Committee:

> Continuing on this unsustainable fiscal path will gradually erode, if not suddenly damage, our economy, our standard of living, and ultimately our national security.

It is that simple. It is that important.

Tonight we are going to make another fateful decision. Unfortunately, there is no alternative. We are going to have to pass this increase in the debt limit because the money has to be paid back. We have already borrowed it. We have already spent it. It is gone. Now the only question is, Are we going to pay the bill? There is no option. There is no alternative. If the United States failed to pay its debt, the value of our currency would plummet, interest rates would skyrocket, and our economy would tank. That is the hard fact.

This should be a wake-up call for every Member of the Senate, every Member of Congress, and a wake-up call for the President of the United States. The question is, Are we staying on this course to keep running up the debt, debt on top of debt, increasingly financed by foreigners, or are we going to change course? I hope with every fiber in my being that we change course because if we fail to do so, we will weaken the country immeasurably. We will threaten not only our economic security but our national security.

I thank the Chair, yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Who yields time?

Mr. CONRAD. Mr. President, how much time does the Senator require?

Ms. STABENOW. No more than 10 minutes.

Mr. CONRAD. I am happy to yield 10 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

Ms. STABENOW. Mr. President, I thank my distinguished ranking member from North Dakota, who does such an outstanding job every single day, speaking about the real values and priorities of the American people. I commend him for his leadership.

I rise today to express grave concern about this historic increase that is before us in America's national debt. Today, we owe $8,270,260,017,805.93, and counting, on the national debt. That is a long string of debt that isn't going to go away—over $8.2 trillion. In fact, it continues to grow. Just last month, we paid $21 billion in interest alone. Earlier today, I offered an amendment for $5 billion to make sure that the radios in this country are connected, interoperable, so they can communicate in case of a terrorist attack or a national disaster or other emergency. This was turned down by the body as being too much.

Yet we spent $21 billion last month in interest alone on the national debt. The legislation before us allows this administration to continue to rack up another $800 billion on the Nation's credit card. That means we are allowing the debt to exceed $8.9 trillion. That is unbelievable. That is trillion with a capital ''T.''

Tragically, 5 years ago, we were sitting on top of the largest surplus in the Nation's history. The year I came into the Senate as a member of the Budget Committee, we were debating what to do with the largest surplus in the Nation's history, $5.6 trillion. At that time, the Senator from North Dakota suggested—and I supported it—a strategy that would divide that surplus into thirds: one-third for strategic tax cuts in order to grow the economy; one-third for investment in our people, education, health care, science, research, law enforcement, those kinds of things; and one-third to go to paying down the liability we know is coming with Social Security. We would not be debating that gap in Social Security funding

on down the road if we had in fact used that strategy. But that is not what happened.

Instead, all of that was put into a supply-side tax cut geared only to the wealthiest Americans, and leaving everybody else to pick up the tab. Deficits have spiraled out of control since that time.

The budget we are debating only makes the national debt worse. It increases another $4 trillion in debt over the next 10 years. That is the budget resolution that is in front of us. That doesn't reflect our values. As Americans, we want our children and grandchildren to do better than we did. It is not about leaving them debt; it is about creating opportunity and about leaving them good jobs, and health care, and air they can breathe, and water they can drink, and a strong national security so they are safe.

Unfortunately, because of our soaring national debt, our children and grandchildren are going to have to pay our bills. I find that simply outrageous. In essence, we are going to max out on the Nation's credit card and then send the monthly bill to our children.

As most people know, this is a tough time for the people of Michigan. Anybody who has read the newspaper lately knows that companies such as Delphi and General Motors and Ford are struggling. Due to problems such as unfair trade practices, we are literally losing our manufacturing base in this country, coupled with the fact that we need to fundamentally change the way we fund health care in order to get health care costs off the back of business so they can be more competitive in a global economy.

Manufacturing has been the key to building a solid middle class and creating a way of life that is extraordinary for Americans. If we lose our manufacturing industries, such as automobiles, we are going to lose our middle class in this country and lose our way of life.

You might wonder what do unfair trade practices have to do with the increasing national debt. The answer is: A lot. That is because many foreign countries own our national debt. That means we have to borrow from other countries to pay our bills. And we are borrowing more and more from foreign countries in recent years.

Unfortunately, many of those countries that own our debt also refuse to follow the international trade rules. They cheat. They want to be a part of the international community, but they don't follow the rules. In fact, China and Japan own approximately half of all of our foreign debt. At the same time, they continue to take our patents and to manipulate their currencies so their products cost less, in violation of international law.

This hurts our manufacturing sector because it makes it easier for them to sell their products in America and tougher for American businesses to export our products to their countries.

For example, a $20,000 car imported from Japan has an unfair subsidy of as much as $7,000 over a U.S. automobile. At the same time, U.S. exports to China face a $7,000 tax. This cost advantage directly subsidized over 1.7 million cars and trucks exported to the U.S. last year, as well as every component imported by Japanese manufacturers for use in their U.S. assembly plants.

China has been pegging its currency and is responsible for producing a $12 billion market of counterfeit auto parts, which has cost us the equivalent of 200,000 jobs in America—many in Michigan.

We should be getting tough with China and Japan on these trade violations that are costing Americans their jobs and threatening our middle-class way of life in this country. They are illegal. We should insist that they stop. But our Government is weak-kneed because we have borrowed so much money from them. There is a connection between the budget deficit and our trade deficit, both of which are out of control.

When I look at what families in Michigan are having to go through, men and women who have worked hard all their lives and have paid into a pension, and they may not have it now, and their cost of health care is going up, or maybe they won't have it anymore and they may be losing their jobs, and their dreams for sending their kids to college are going away, the American dream that says you can buy a house and have a good home and dream big dreams, and maybe in Michigan you can buy a cottage up north and a snowmobile, and you make sure you can live a good life and care for your families—those dreams are going away for too many people. Part of the reason is because of unfair trade practices. We don't have a level playing field. We do not make sure other countries are following the rules. They are cheating and they are getting away with it.

When we look at what is happening, we see that China and Japan own half of our foreign debt. They are the same people who are not following the rules and are costing us jobs. There is a direct connection between what is happening here in terms of raising this debt limit and what is happening in my home State of Michigan in terms of jobs, and the fight we have right now to keep our way of life. There is a better way than what is before us now.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank the Senator from Michigan, who is such an exceptionally valuable member of the Budget Committee. She has been one of the strongest voices on the question of what are the priorities of the budget. Also she is a very strong voice for fiscal responsibility, recognizing that if we want to spend money, we have to pay for it. The Senator from Michigan has been a great leader on the Senate Budget Committee. I thank her so much for her contribution during the year, and again on the debate on the budget resolution this year.

While we are waiting for the chairman of the Finance Committee, who is being called off the floor momentarily, I want to remind colleagues of the circumstance we face tomorrow. If there are staffs listening or Members listening, we are still getting requests as though we had a lot of time left. We simply do not.

Tomorrow we are going to start at 9. We are going to be handling amendments that are in the queue until 10:30. At 10:30, we will start voting on amendments and we will vote on the debt matter and amendments to the debt resolution. When those have been dispensed with, we will then go back to the consideration of amendments until 1:30.

At 1:30, all time has been deemed to have been used up in the budget resolution debate. We will start a series of votes every 10 minutes. Right now, with the number of amendments pending, we now have 65 votes pending on this side alone. We know we can do 3 amendments an hour. If everybody sticks to their amendments, that is 22 hours of straight voting. That is just the amendments on our side. The other side has another 15 amendments. That is 80, so that is 27 hours of voting.

That is the situation we face. It is in the hands of the Members. Are people going to show restraint or are people going to insist on every amendment to be offered and voted on? I hope very much that we can convince colleagues to take very short time agreements tomorrow. I will not agree to any time agreement over 10 minutes tomorrow, period. Let me make that very clear. I hope we can get time agreements as short as 5 minutes before we get into vote-arama. When we get into vote-arama, understand that there will be 1 minute on a side.

So, again, I hope colleagues understand the circumstance we face. We have lost a tremendous amount of time to extraneous events—a joint session, meetings at the White House, and the debt limit debate put in the middle of this discussion. So that is the reality we face.

Last year, Lula Davis has just informed me, we started voting at 1:17 in the afternoon, and we voted until roughly 10 o'clock at night. Some of those votes were held every 5 minutes, and we handled over 20 amendments during that period. I think one can see if we have to try to do 80 amendments, we are going to be here a very long time.

With that, I thank the Chair and yield the floor.

Is the Senator from Oklahoma seeking recognition?

Mr. COBURN. I am.

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I don't want to be offensive in any way. I listened to two talks about where we are,

and I agree with where we are financially. But there are some facts that are left out of the story. There is no question that spending has increased. There is no question the debt is going up. But who is responsible for it? We can talk about it. First, we had a recession, and then 9/11 came, and there were rosy projections we all knew for certain weren't right. But to turn around and blame our debt on the President of the United States is not only in error, it is not factually correct, and it also tends to shun the responsibility we have as a body.

The President cannot sign any bill we don't pass. This President became President in early 2001, at which time the Republicans weren't in control of the Senate. There was a divided—in 2002, that is, and there was a divided control. But during all that period of time, the bills that went to the President were voted on by Congress; both the House and the Senate passed bills. I also note that those people who have been so earnestly talking about our debt limit, which I plan on attacking aggressively—there is some credibility there with the talk.

This last year they voted for over $700 billion in new spending. So if, in fact, you want to control the spending and you don't want the debt limit to go up, you can't continue to vote for unlimited spending increases.

There is no question that we have increased revenues that are not what they probably could be if we ran the Government much more efficiently, but the very fact that we would have people who claim they are appalled at the debt limit and then every time we cast a vote for an increase of spending that is not paid for or not offset in another way adds directly to that debt limit.

The responsibility lies in the Congress for the spending. It is not the executive branch. As a matter of fact, we have sent multiple bills, and if you look at the votes on the multiple bills that have come through this body, they are not just a majority vote, they are a supermajority and many times unanimous. So to claim and lay that on the executive branch when, in fact, it is our responsibility belies the truth.

The facts that the Senator from North Dakota outlined are very accurate in terms of where we are. Here is one of the most important facts. The increase in debt per Americans since 2001 is over $8,000. The increase in the annual earnings per American workers since 2001 is less than $4,000. We are about to become the first generation of Americans to leave the next generation worse off. But as long as we are finger pointing and saying it is somebody else's problem, we are not going to solve the problem.

We had an opportunity this past year in which we slowed down the growth of Medicaid by $4.8 billion a year and over a 5-year period. That total cumulative cost is $38.8 billion. That is the savings for 5 years. But the earmarks alone that this body passed last year were $64 billion.

I am highly concerned about the debt limit, and it is doubtful that I will be voting to extend the debt limit, but I certainly am not going to stand here and let people claim that it is the executive branch's responsibility. It is not. It is ours, and we failed. We have failed our grandchildren, we have failed our children, we have failed the people who are paying taxes today in this country. We would rather get reelected by doling out earmarks and pork than solve the real long-term problems of our country, and we can see that very easily when we look at earmarks related to the size of the Federal Government.

There is a cause-and-effect relationship. As a matter of fact, tomorrow morning we are having a hearing on earmarks in the Federal Financial Management Subcommittee, the oversight Committee on Homeland Security. What you see is that in 1994, there were 4,000 earmarks and about $4 billion. Last year, there were 15,877 earmarks, and the total spending by the Federal Government was over $2.6 trillion. There is a correlation. It is that we don't want to do the hard work of making the hard decisions.

So when we have $64 billion in earmarks in 1 year and we can't get the hard savings of $4.8 billion in just slowing the growth of Medicaid from 8 percent to 7.9 percent, and we barely pass that, what we have is a refusal to do our duty.

The points the Senator from North Dakota made in terms of his financial analysis were all accurate. You can't dispute it. He points out very accurately the double standard on accounting gimmicks that the Congress is using.

It is my hope that tomorrow we will be able to discuss this more. I know the chairman of the Finance Committee would like to have the floor, and at this time I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the issue of the increase in the debt limit has come before the Senate as an agreement between the two leaders, and as the committee of jurisdiction, as chairman of the Finance Committee, I speak in support of House Joint Resolution 47, a bill that increases the Federal debt limit. I support this increase because it is necessary to preserve the full faith and credit of the Government. Without an increase in the debt limit, our Government will face a choice that we should not make and we would not want to make: a choice between breaking the law by exceeding the statutory debt limit or breaking faith with the public by defaulting on our debt. I hope everyone would agree that neither choice is acceptable.

To understand why we are here today seeking to increase the debt limit, it is necessary to explain a few points about the Federal debt.

Under current law, there is a statutory limit on the amount of debt that can be issued by the Federal Government. This limit, which now stands at $8.184 trillion, applies to virtually all the debt issued by the Government. There is only one debt limit, but there are, in fact, two types of debt within that figure: debt held by the public—meaning you and I as private citizens buying Government bonds, owning Treasury bills—and then, of course, on the other hand, the debt held by various Government trust funds. An example would be the surplus that is invested in the Social Security surplus payroll that is not being paid out for benefits, being invested in Government debt with that debt owed to the trust fund with the interest accumulating to the trust fund.

The amount of Federal debt held by the public is determined by the Government's annual cash flow. When total spending exceeds total taxes, the Government has a budget deficit. To finance this deficit, the Government borrows from the public by selling debt, such as Treasury bills, Treasury notes, and Treasury bonds. We will hear a lot of criticism that President Bush's tax cuts are responsible for our rising public debt, but the facts show otherwise.

When President Bush took office in 2001, the Federal debt limit was $5.95 trillion, almost $6 trillion. The debt limit was increased to $6.4 trillion in 2002, $7.3 trillion in 2003, and now the present $8.1 trillion in 2005.

Assuming we increase the debt limit today, it will be $8.965 trillion. Thus, the Federal debt limit will have increased by $3.015 trillion since President Bush took office in 2001.

However, the tax cuts that have been enacted since 2001 total roughly $900 billion through the end of the most recent fiscal year. That includes interest costs as well. Thus, the President's tax cuts account for about 30 percent of the increase in the Federal debt. The rest of this increase in the public debt is due to the recession, the war in Iraq, and the increased spending on homeland security, also related to the war on terror.

In addition to the debt held by the public, the Federal debt limit also applies, as I said before, to the debt held by various Government trust funds, such as Social Security and Medicare. Whenever a trust fund program collects more than it spends, the surplus is invested in special issue Treasury securities. These special securities count toward the debt limit. However, it is important to understand that the amount of debt held by the trust funds does not reflect the Government's unfunded obligations.

For example, the Treasury Department reports that the total amount of Federal debt held by all the trust fund programs is about $3.5 trillion. However, the Social Security and Medicare trustees report that the unfunded obligation of Social Security and Medicare is more than $81 trillion.

Given these facts, it should be obvious to everyone that the Federal debt provides a misleading and inaccurate picture of the Government's future liabilities. Efforts to use the statutory debt limit to control Government debt and deficits cannot succeed because it ignores the long-term budget problems.

Indeed, even former Federal Reserve Chairman Greenspan has suggested the debt limit has outlived its usefulness and should be replaced with a more accurate and useful alternative. I would welcome the opportunity to work with my colleagues to develop such an alternative. It may never happen, but it ought to happen. This is not quite a very intellectual way to decide what the Government is doing in a fiscal way because, quite obviously, every day Congress is appropriating money and every day we are spending money and every day if that exceeds the taxes that are coming in and we get to the debt limit, the debt is going to increase or is going to shut down the Government.

As a Republican, that was part of our strategy during the Clinton administration. But let me tell you, it didn't work. It didn't work because it wasn't good policy, and it ended up not being very good politics. I hope we do not have an extended debate and a lot of breast beating about the issue of increasing the national debt because, quite frankly, if we spend and we spend up to that limit, we are not going to shut down the Government, if we learned the lesson, as I hope I learned the lesson, and we move on. It ought to be very pro forma.

There will be a lot of debate about it, a lot of political points trying to be made, but the point is we have to keep the business of Government going. I would relish the opportunities to have those days when we paid down $550 billion on the national debt during the fiscal years of, I think, 1997, 1998, 1999, and 2000, I believe it was. It was about $558 billion I believe that we paid down on the national debt. I am glad we did. But now we have the war on terror, we had 3,000 Americans killed in New York City because of terrorist attacks, and we are fighting a war to make sure terrorism doesn't happen again, at least on the soil in the United States of America.

The No. 1 obligation of our Government under the Constitution is for the national defense. Protecting our people from further terrorist attacks is very basic to it. We voted, in a bipartisan way, to send men and women to the battlefield in Afghanistan and Iraq, and if we do that, we have an obligation to appropriate the money to give them the tools to do the job when they put their life on the line for our freedom and our liberty and to make sure that 3,000 Americans don't get killed again. These all create situations wherein we have annual debt or annual deficits, and you increase the national debt on a cumulative basis when you do that. So there will probably be almost 50 votes, maybe, against this resolution when we vote on it tomorrow. I would ask the people who vote against it, do you want to shut down Government? Or if you don't want to shut down Government, you don't want to increase the national debt, why did you vote for the money we spent that brings us to the point of a necessity of increasing the national debt? We should pass this resolution for the sound operation of our Government. Shutting down Government, we found out, ended up costing the taxpayers more than if Government had operated.

There are a lot of conservatives listening who see a conservative like CHUCK GRASSLEY saying that, and they say: GRASSLEY, what planet did you come from? If we shut down Government, you ought to save money. But we didn't end up saving money. So you learn from history, or you are destined to repeat it. That is why this ought to pass unanimously. It won't, but it ought to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield 15 minutes to the Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Montana and commend him for his hard work on matters financial in the Senate and in our country. Fiscal responsibility is the watchword for the Senator from Montana, and I am grateful for his leadership. At the same time, I say to the distinguished Senator from Iowa, the chairman of the Finance Committee, he is someone who also works very hard to make us a responsible nation, and I respect him. Although we differ on things, the fact is that I listen carefully to what the Senator from Iowa has to say. He has a position of great responsibility, the chairman of one of the most important committees in the Senate, and carries that responsibility honorably; again, if I may say, at times wrongfully, but it is in the eyes of the beholder. But I know the Senator from Iowa understands that if there is any criticism of his views, it is not personal and has nothing to do with his credibility or his honor.

I listened very carefully to what the Senator from Iowa talked about. He talked about shutting down Government and he talked about providing security for our people, protecting them, making sure their lives continue in safety. But I don't get it. I have to tell you this: I don't get it. Because when issues came up such as when we needed more money for port security, we said no. When it came up that we needed more money for the Department of Homeland Security, we said: Well, we will give you some but not all you need. When it came to providing some developmental funds for technology that would help us examine containers coming into our ports, we were unwilling to do it.

So now what we hear is the lament that says: How can we shut down our Government? Well, we can avoid shutting it down by not extending tax cuts to the wealthiest among us, people who make millions and don't need any help. I meet these people, and they say: Yes, we don't need it, but what the heck, if it is there, we are going to take it.

But when you think about the outcome of this profligate spending we are seeing here and our deficit going through the roof—I heard one of our good friends from the other side talk about reducing our annual deficits. Well, they could be reduced a trifling amount, but if you look at the debt, that debt increases, that clock is ticking.

We have here an example of a credit card, and our credit card is running kind of over the limit. Right now, we are carrying an $8.2 trillion credit debt. That means if you borrow on credit, you have to pay it off. President Bush and his colleagues, the Republican Congress, are encouraging burdening our children and our grandchildren under a mountain of debt.

A lot of what we do around here is hidden in complicated budget rhetoric, but to put matters simply, this debt extension bill will increase President Bush's credit limit, the one he has established, by $781 billion. It will encourage this Republican Congress—they are the majority—to charge another $781 billion on our Nation's credit card.

Most Americans with credit cards know that you have to play by the credit card company's rules. People understand when they run up big bills they will be responsible to eventually pay up. Few people run up a giant credit card bill and then leave it for their children to pay. But that is what the Bush administration is doing, running up credit, and their kids will have to pay the bill.

Since President Bush took office, he has already increased the total Federal debt by 46 percent. He has added $2.5 trillion to the debt future generations will have to pay. So I say enough is enough. The President and the majority in the Congress have been far too reckless for far too long with our Nation's credit card. We see who the managers are of the legislation we considering here: the Republican majority. And they want to extend his credit limit. I say no way.

In my view, it is time to limit the credit. It is what most parents would do. What would you do as a parent if you had a kid, a child who was running up bills on your credit card, just running them up, higher and higher and higher, and you know you can't pay them off? So what would you do? Pat him on the head and say: Go spend more? No, you wouldn't do that at all. What you would do is cut up his credit card. And this is what we are going to do: cut up his credit card right here and now.

America can do better, leave a better legacy for our grandchildren and their children. Our consciences scream out

just as a family would at home: We are buried in debt; why do you want to add more to it? The response would be: Mom and dad, why do you do this to us? We have college debt from our years at the university. We have less reliability, less reliance on pension funds. They are not guaranteed anymore. We have less expectation that we can hold our jobs based on foreign competition, jobs that used to be done here in Washington, DC, and in my home State of New Jersey and States across this country, jobs that were held, and they were good-paying jobs. Now they come with an accent from India. There is nothing wrong with the accent, but there is something wrong with the place. Why should we be transferring decent jobs Americans can do and do well to India? Why? Because we pay maybe a tenth of what it costs us here. If someone makes $500 a week here, and in India they make 50 bucks, they will be feeling pretty good. So the result is that we are lowering living standards for Americans across this country, and these jobs will not be replaced.

I know something about balancing budgets. I ran a big company, a very large company; it now has 40,000 employees. We started with nothing. We worked hard. But we always balanced our budget. We had 42 years in a row with growth on the profit at 10 percent every year over the previous year, the longest record of any company in American history. That is the company I ran; it is called ADP, Automatic Data Processing. I was the founder.

Here in the Senate, I was the senior Democrat on the Budget Committee. We produced during those years the first balanced budget in 30 years. We did such a good job that when President Bush, President George W. Bush, took the oath of office, he was presented with the rosiest financial picture of any President ever in the history of our country. We had budget surpluses as far as the eye could see. In 2000, we had a budget surplus—surplus—and that is in the year 2000, 5 years ago, going on 6 years ago, we had a budget surplus of $236 billion. In 2001, when President Bush came into office, he had a surplus of $128 billion. We were ready to pay off our national debt by the end of his term. We were in the middle of the longest economic expansion in the history of our country. But the Republicans plunged blindly and recklessly into massive tax breaks, not for the middle class or poor, lower level income among us, but the wealthy, the special interests—tax breaks that will cost $3.4 trillion if they are extended over the next decade. A third of that amount, more than $1 trillion, will go to the wealthiest of the wealthy, the top 1 percent.

This is what the Bush tax cuts will mean. If you make $1 million a year, you get an average tax cut of $136,000. That helps everybody out every year, I guess, if you need that. But if you make less than $20,000 a year, you get 19 bucks—$19 if you make $20,000 a year. Is that helping the people who are struggling with two jobs often, trying to balance their family obligations with their need to earn an income, having a babysitter intercede while dad comes home from work and mom doesn't yet go to hers? That is what is happening to a lot of people making $20,000 a year with two children in this society of ours—a $19 tax break. Don't spend it all in one place.

And to what end? The only thing President Bush and the Republican majority have accomplished is a doubling of our Nation's debt. If we continue on this path, our national debt will be $12 trillion by 2011.

Tomorrow we are going to vote on whether President Bush should be able to charge up another $781 billion on our credit card, the citizens' credit card, the national credit card. That is $781 billion more of debt. I hear from people I talk to who work for a living with kids in college, they are worried about their personal debt they have to have to get along, so we want to make their job twice as tough by adding more of the national debt on their shoulders. Would a bank keep extending the line of credit for a customer who didn't have a plan to pay his bills? Of course not. That is why I say to my colleagues that we should say to the American people: We really do stand for fiscal responsibility, and we really do want to reduce our deficit, and we really do want to cut back on that debt so we can look our children and grandchildren squarely in the face and say: We didn't add to your woes, we added to your opportunities.

So I urge my colleagues to tell the people the truth out there. Don't cover it up with arcane language. Let us put a stop to this reckless credit binge. Let's make President Bush's credit card useless and put our country back on the road to fiscal responsibility.

I yield the floor.

Mr. KERRY. Mr. President, about 16 months ago, we debated an $800 billion increase in the debt limit. At the time, this was the Bush administration's third request to increase the debt limit for a grand total of $2.2 trillion. During this debate, I discussed how in less than four-years, a 20-year $5.6 trillion budget surplus was turned into a $2.4 trillion deficit. I thought at the time the fiscal outlook could not get much worse and the budget situation would have to improve.

Unfortunately, I was wrong. Since the last debate on increasing the debt ceiling, the administration has not submitted budgets that would put us on a path towards deficit reduction. As part of last year's budget resolution, Congress passed legislation that would reduce spending by almost $40 billion. Many of these cuts will impact those that have the least. Now Congress is in the process of wrapping up a $70 billion tax bill. When you combine the spending and the tax bill, the numbers do not add up to put us on a path towards deficit reduction. The combined total increases the deficit and increases the debt.

The Bush administration's budget for fiscal year 2007 includes more of the same and the fiscal situation even gets worse. The administration estimates that the deficit for 2006 will be $423 billion, the largest in history. The projected surplus of $5.6 trillion that this administration inherited will now turn into a $3.3 trillion deficit, a reversal of $8.9 trillion.

The repeated pattern of deficits and irresponsible budgets necessitate another increase in the debt limit. Today we have before us an increase of $781 billion, which will bring the total to $3 trillion under this administration's watch. If the President's budget is adopted, the debt is expected to reach $8.6 trillion at the end of this year. Under this budget, with alternative minimum tax reform and ongoing war costs added in, the debt will explode to $12 trillion by 2011.

We cannot continue on this unsustainable path. Yesterday, Senator CONRAD offered an amendment to the budget resolution to restore the original pay-as-you-go-rule that led us on a path to a balanced budget, projected surpluses, and expectations of paying down the debt. These pay-go rules simply require new mandatory spending and new tax cuts to be offset. The current pay-go rule has a glaring loophole. Tax and spending increases that are provided in the budget resolution are exempted. This rule does not promote fiscal responsibility. A prime example of this is the tax and spending reconciliation instructions included in last year's budget resolution. These bills will increase the deficit by $30 billion.

Repeatedly, efforts to restore pay-go have been defeated and these efforts were defeated once again yesterday. In the context of today's debate, I do not know how anyone could oppose an amendment to restore these rules. Without strong pay-go rules, we will be back here in a year debating another increase in the debt limit.

We have a fundamental obligation to restore fiscal responsibility rather than merely voting to raise the debt limit as if there was an endless credit card at the expense of the American people. Americans struggle every day to balance their own budgets. Across this country, I have heard how families struggle to keep up with the rising costs of health care, tuition, and gasoline. Median household income has declined by $1,669 or 3.6 percent after inflation. Americans are sitting around their kitchen tables trying to figure out how to pay their bills. They do not have a magic credit card with no limit. Congress should play by the same rules.

We need to be responsible and think about future generations. We made tough choices during the 1990s in order to dig ourselves out of a hole, and now we are back in an even deeper hole. We need to face the consequences. The interest payments on the debt alone are

staggering and depriving of us choices that we need to make for the long term investment of our country. This debt will affect our children and grandchildren. Each individual's share of the public debt is over $16,000 and a family of four's share is a staggering $64,533.

The interest on the debt for this year alone is over $220 billion and according to the administration's budget it will grow to $322 billion in 2011. Just think of how this money could be put to better use. It could be used to help uninsured Americans with the rising cost of health care. We cannot afford expensive interest payments and ever-increasing debt with the retirement of the baby boomers on the horizon.

Not only is the amount of debt a problem, I am also concerned about the amount of debt that is foreign held, almost $2.2 trillion. Japan holds the most, $685 billion. China holds $258 billion. Even the Caribbean banking centers hold $111 billion. Over 51 percent of the public debt is held by foreign investors.

Sixty percent of the foreign debt is held by official foreign investors. It is dangerous for our Government and our standard of living to be dependent on foreign capital. If foreign investors decided to stop financing our borrowing habits, it could have a spiraling impact on our economy. If those investors began to withdraw their capital, our financial markets would plummet and interest rates would climb. This would filter down to American families. Homes, education, and cars would become more expensive.

Debt is more than a financial liability it—weakens our security, our diplomacy, and our trade policy. The negligence of our borrow and spend policies leaves us vulnerable to the priorities of foreign creditors. How do you go to a country that holds so much of your debt while your economy is closely linked to theirs and make an argument about nuclear proliferation, human rights, democratization, or other issues that are of importance and great consequence to our country?

We need to make economic opportunity and fiscal responsibility a common goal. We need to live by rules that give the debt limit meaning. I will not support a borrow and spend economic policy that has no limits. There are better alternatives.

Mr. SARBANES. Mr. President, I am deeply troubled by the pending legislation, which would raise the Federal debt limit by $781 billion. The fact that we are considering this legislation illustrates how deeply the policies of this administration have plunged us into deficits and debt. This President has supported, and continues to support, tax cuts for the wealthiest Americans, which are not paid for and which will continue to run up deficits and debt as far as the eye can see. I am very concerned that if the President continues to pursue this reckless fiscal policy, our Nation's long-term economic strength will be seriously compromised.

Despite the fact that the President signed into law legislation increasing the debt limit less than a year and a half ago, the Treasury Department has now informed us that it will need to borrow even more to keep the Government functioning. The legislation we are considering today would allow Federal debt to grow to $8.965 trillion, truly a staggering sum.

When President Bush took office, he promised that his fiscal policies would include ''maximum possible debt retirement.'' At that time, the Congressional Budget Office was projecting that our net debt to the public would decline to $36 billion by 2008, when this President leaves office. Now, instead of achieving ''maximum possible debt retirement,'' the President is asking for historically high debt increases. In fact, the CBO is now projecting that publicly held debt will rise to nearly $5.5 trillion in 2008—almost 40 percent of our GDP. Gross Federal debt, which includes our commitments to Social Security and Medicare, will be $9.6 trillion by the time this President leaves office.

You do not need a very long memory to recall that a few short years ago, under President Clinton, we made some very hard choices on taxes and spending—restraining spending and raising some taxes, primarily on upper-income people—and we were able to turn around the Nation's fiscal status and begin to pay down our debt.

When President Bush took office in 2001, the statutory debt limit stood at $5.95 trillion and had not been raised since 1997. The administration is now asking for the fourth increase in the debt limit since this President took office. The limit was raised by $450 billion in 2002, by $984 billion in 2003, and by $800 billion in 2004. Now the President is asking for an increase of $781 billion—for a total increase of more than $3 trillion since 2001.

These figures demonstrate how seriously our economic situation has deteriorated under this administration. Let me just emphasize that point with one further example. When the President took office, he inherited a 10-year surplus estimated at $5.6 trillion. Now, when you factor in some of the costs we know are coming, such as the continuing costs of the war in Iraq and the cost of reforming the alternative minimum tax, plus the cost of some of the President's proposals, such as making his tax cuts permanent and continuing his defense buildup, the projections are for a $3.5 trillion deficit over the next 10 years, a reversal of $9.1 trillion. That is a seismic shift in our position.

Much of this shift is a direct result of the reckless fiscal policies pursued by the President during his first term and his singular focus on providing tax cuts for the wealthiest Americans, even at a time of war. And the President is seeking to increase our debt burden by permanently extending many of these tax cuts, utterly ignoring the fact that these massive tax cuts for the rich have led to budget deficits so large that they could jeopardize our future economic strength.

In part, my concern for our economic future stems from a change in international economic position of the United States. Two decades ago, the United States was a creditor nation internationally, by about 10 percent of our GDP. Now, because of the deterioration of our position over those intervening two decades, we are a debtor nation, to the tune of almost 25 percent of our GDP. At the end of fiscal year 2001, 31 percent of the outstanding Federal Government debt was held by foreign lenders. Over the succeeding 4 years, borrowing from abroad accounted for more than 80 percent of the increase in our Government debt.

The international financial position of the United States reminds me of Tennessee Williams's Blanche DuBois in ''A Streetcar Named Desire,'' who said: ''I have always depended on the kindness of strangers.'' That is what has happened to the United States in the international economic scene. We have deteriorated into a debtor status so that we are now dependent upon the kindness of strangers. That is not where the world's leading power should find itself.

This dramatic change in our economic situation comes at a time when the United States is facing a demographic tidal wave as the baby boom generation approaches retirement. When President Bush first took office, that retirement was almost a decade away. But time has run out. The first of the baby boomers will begin to retire in 2008, on this President's watch. Unfortunately, rather than prepare for the obligations we know are coming, this President has squandered every opportunity to save for the future.

Moreover, his policy of deficit-financed tax cuts makes us less able to make needed investments today. Every increase in the Government's debt means we are siphoning off resources that could be used for other purposes simply to pay the interest on that debt. Net interest payments on our debt are expected to consume more than $1 trillion over the next 5 years. Instead of making investments in education, in health care, in transportation, we are paying billions of dollars in interest costs that would not have existed in the absence of the reckless fiscal policy of this administration.

Not only do these policies jeopardize our current and future economic strength, they place a tremendous burden on our children and grandchildren who will have to pay off this debt. By cutting taxes for the wealthiest, the President is really raising taxes on everyone, including our children and grandchildren, by leaving them with the responsibility for paying off this enormous debt.

It is unfortunate that this administration has demonstrated such a single-minded focus on cutting taxes, regardless of the very serious change in

our economic situation and our country's current and future needs. The fact that the President is calling for permanent tax cuts at the same time the Congress is being asked to add almost $800 billion to the Federal debt ceiling is beyond reckless—it places in jeopardy our future economic strength and the economic security of all Americans.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield myself as much time as I consume.

Thomas Jefferson once wrote:

> It is incumbent on every generation to pay its own debt as it goes.

That is what today's debate is about. Will this generation pay its own debt as it goes or will this generation choose to shift the burden of paying for our consumption to our children and our grandchildren? Will this generation take responsibility for its own appetites or will this generation rob from the mouths of our children and our grandchildren?

This question defines the very line between responsibility and irresponsibility.

Today we debate legislation to memorialize the shifting of that burden to our children. Today we debate raising the Government's borrowing by $781 billion. That is more than three-quarters of a trillion dollars for 1 year. This follows on the heels of an increase of $800 billion in November of 2004, less than 1½ years ago. That followed an increase of $984 billion in May of 2003, less than 1½ years before that. That followed an increase of $450 billion in June of 2002, less than a year before that.

This is the fourth time we have had to raise the debt ceiling in the 5 years of this administration. In contrast, prior to that the Government did not need to raise the debt ceiling for about 5 years. Moreover, as this chart shows, the cumulative increase during the 5 years of this administration has been a mammoth $3 trillion. That is the definition of irresponsibility.

Look at this chart. In 2002 the debt limit increase is $450 billion; 2003, $984 billion; 2004, $800 billion; 2006, $781 billion. That totals over $3 trillion; that is a $3 trillion increase in just over the last 5 years.

Look back at our history. What about American history prior to 5 years ago? The debt of the United States did not hit $3 trillion until 1990, a full 200 years after this country was founded. Now we have accumulated $3 trillion in new debt in just 5 years. That is the definition of irresponsibility.

This debt increase will be the fourth largest debt increase in the history of our country. This chart shows the size of debt increases. As you can see from this chart, the record for a debt ceiling increase was $984 billion. That was in 2003. We can see it on the chart. The second highest record was $915 billion. That occurred in November of 1990. That is this big spike. The third largest increase was in 2004 when we raised the debt ceiling by $800 billion. That is not far from today's request, which is to increase it by $781 billion.

During the time this administration has been in office—let's look at it from a little different perspective—the debt has gone up by about $10,000 for every man, woman, and child in America. Consider that. During the time this administration has been in office, the national debt has gone up by $10,000 for every man, woman, and child in America. For a family of four, that is an increase of $40,000 over the last 4 years. That is more than most Americans pay for a car.

It is bad enough we have accumulated so much new debt during the 5 years of this administration, but there is a big difference between the debt increase during this period and the debt before. Before, most of the debt purchased from the U.S. Treasury was purchased by U.S. citizens and institutions.

Let me repeat that. Up to 4 years ago, most debt was purchased by Americans and American institutions. At least the interest we paid on that debt, therefore, was paid to Americans. The wealth stayed in our country. That was up until about 4 years ago.

It has changed. That is no longer the case. During the 1-year period—get this. You will be stunned by this next fact. During the 1-year period between December 2004 and December 2005, foreigners purchased 96 percent of the new debt held by the public. Almost all of the debt purchased in that 1-year period, December 2004 to December 2005, was purchased by foreigners, almost all of it; 96 percent of it in 1 year, the last year.

Foreign citizens, foreign banks, foreign central banks, and other foreign institutions bought this debt. Not Americans, foreigners. The amount of public debt held by foreigners has doubled during the time that this administration has been in office; that is, just last year almost all of it. But when you add it with the prior years, now it has doubled since this administration has been in office. The interest on that debt is being siphoned out of our country. The foreigners buy the debt and the interest on that debt. Where does it go? The interest goes to those who own the debt—not Americans, people overseas.

What is the consequence of that? That makes us less wealthy and it means the standard of living of our children and grandchildren will be lower than it ought to be. That is the definition of irresponsibility.

The problem is not confined to our future standard of living. The problem is also today. Some of the foreign holdings of debt are in the hands of foreign central banks. Japan holds two-thirds of a trillion dollars of U.S. debt. China holds over a quarter of a trillion dollars of U.S. debt. Undoubtedly, the governments of these two countries hold a substantial portion of that debt. These large holdings of Treasury debts by foreign central banks are a risk to our homeland security and our economic security.

Does anybody ask why is that? Suppose the President of the United States thinks another country is jeopardizing American security. Suppose—it could happen—the President would like to tell that country that America would take action against it if it did not eliminate the threat to America. But if that country's central bank held a large amount of our Treasury debt, that country could threaten to sell it quickly. That sale would drive up U.S. interest rates and cause the dollar to fall. That could cause a recession in America. I am not saying a foreign central bank would do that off the top, but it would hint it might. It doesn't have to sell it all off, just a little bit. But that clearly shifts the power over to that central bank from the United States. As a result, the President might have to back down because of threats or insinuations, and so America would therefore be at a greater risk.

In the same vein, suppose the United States is involved in a trade dispute with a foreign country. It happens. If that foreign country's central bank held a lot of our debt, that country could threaten to sell that debt and force America to back down from its position on a trade dispute. America could be weaker in trade as a result. You could, obviously, apply that to almost any situation—not just trade or security but a whole host of areas where the United States has an interest with certain countries overseas.

At a recent Council on Foreign Relations event, Stephen Roach of Morgan Stanley put the risk in concrete terms. He said:

> For a country that is more dependent on foreign capital than any country has ever been in the history of the world—for us to try to dictate the terms on which that capital is provided telling Dubai, for example, you know, "You can't buy our port facilities but keep on buying our Treasurys;" and you keep telling China basically the same thing, I really worry about the potentially dangerous path our elected leaders are taking us down.

The bottom line is simple. These massive increases in debt harm America. They are the very definition of irresponsibility.

How did we get to this point? The Federal budget deficits drive up our debt, and these deficits have been huge during this administration. When this administration took office we were running large budget surpluses. Do you remember those days, not too many years ago? A $5.6 trillion surplus over the next 10 years was the projection back before the year 2000.

In fiscal year 2000, the last year of the previous administration, we ran a surplus of $236 billion just for that 1 year. We ran a surplus of $86 billion even without counting Social Security. By fiscal year 2001, the surplus, counting Social Security, had dropped to

$128 billion, down from $236 billion in the prior year.

Then the tide of red ink began to flow. In fiscal year 2002 the Government ran a deficit of $158 billion. The following year, fiscal 2003, the Government ran a budget deficit of $375 billion. That was an all-time record just as recently as 2003. Think what happened a few years since. That record lasted just 1 year. The next fiscal year, 2004, the Government set a new record by running a deficit of $413 billion. The following year, fiscal year 2005, the Government ran a deficit of $319 billion. That was not a record, but it was still larger than the deficits run in any year before this administration took office.

In the current year, the deficit will go up again. The administration predicts the deficit will rise to $423 billion. This will represent yet another all-time record.

The fiscal policy of this administration has been the most irresponsible in the Nation's history. This fiscal policy has generated huge budget deficits, and in turn these deficits have contributed to massive increases in Federal debt. We clearly need to change course.

Let us, therefore, return to the advice that Thomas Jefferson gave us. I repeat:

> It is incumbent on every generation to pay its own debt as it goes.

Let us return to a fiscal policy that could be defined as responsible.

AMENDMENT NO. 3131

Mr. President, I am now going to speak a little bit on an amendment I am offering on which we will vote, I suppose, tomorrow. I send that amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Montana [Mr. BAUCUS] proposes an amendment numbered 3131.

Mr. BAUCUS. 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 require a study of debt held by foreigners)

At the end of the joint resolution, insert the following:

''Sec. __ STUDY.—(a) The Secretary of the Treasury, in consultation with the Board of Governors of the Federal Reserve System and other appropriate agencies of the United States Government, shall conduct a study to examine the economic effects of the holding of United States' publicly-held debt by foreign governments, foreign central banks, other foreign institutions, and foreign individuals.

(b) The Secretary shall transmit that study to the Congress within 180 days of the date of enactment of this legislation.

(c) The study shall provide an analysis of:

''(1) for each year from 1980 to the present, the amount and term of foreign-owned debt held by the public, broken down by foreign governments, foreign central banks, other foreign institutions, and foreign individuals, and expressed in nominal terms and as a percentage of the total amount of publicly-held debt in each year;

''(2) the economic effects that the increased foreign ownership of United States' publicly-held debt has on

''(A) long-term interest rates in the United States,

''(B) global average interest rates,

''(C) the value of the United States dollar,

''(D) United States capital market liquidity,

''(E) the cost of private capital in the United States,

''(F) the generation of employment in the United States through foreign affiliates, and

''(G) the growth in real gross domestic product of the United States;

''(3) (A) for each year from 1980 to the present, the effect of foreign debt on the United States income account,

''(B) the predicted effect over the next 20 years, and

''(C) the effect of the deteriorating income account on the overall United States current account deficit;''(4) the ability of the Department of the Treasury to track purchases of publicly held debt in secondary and tertiary markets, or, if this ability does not exist, the implications of that inability for fiscal policy, monetary policy, and the predictability of capital markets;

''(5) the effect that foreign ownership of United States' publicly-held debt has or could have on United States trade policy:

''(6) whether the level of United States debt owned by China may adversely affect the ability of the United States to negotiate with China regarding currency manipulation by China;

''(7) the effect of the increase of foreign holdings of United States debt held by the public on national security; and

''(8) the implicit tax burden that results from foreign ownership of United States debt held by the public, defined as the per capita amount that a United States Federal income taxpayer would pay in annual Federal income taxes to fully service such foreign debt during each of fiscal years 2006 through 2010.''

Mr. BAUCUS. Mr. President, this amendment is quite simple. It directs the Treasury Department to study and report on the increase of foreign holdings of U.S. debt and what the consequences of that debt are for America. We all know that debts can add up. We all know that paying just the minimum payment on a credit card balance leads to years of payments and a much larger total of payments in the end. Most American families know that.

As a result, we urge and sometimes require credit card companies and car companies to disclose to customers how long they will be paying those minimum payments. We require them to say how much the full balance will be when the consumer has paid off the loan. It is pretty basic stuff.

This amendment is a lot like that. This amendment asks the Treasury Department to spell out the implications of our debt to foreigners. This amendment asks the Treasury to investigate what the full cost will be in higher interest rates, in the value of a dollar, in lower economic growth, in lessened power to negotiate trade agreements, and in diminished national security. We should let taxpayers know—that is our employers, the people we work for—how big the payment really is. This amendment will help get the answers.

The Treasury is authorized to issue debt totaling a little more than $8 trillion. Last year's budget resolution generated an increase of $781 billion more, and that has led to the joint resolution before us today. This will be the fourth largest debt limit increase in our Nation's history.

So the question needs to be asked: Who is loaning us this money? Some of it is internal, like borrowing from Social Security. Much of it is borrowed from American citizens and businesses. Now there is also an especially worrisome trend, a trend worrisome not only to me and my constituents in the State of Montana but also taxpayers across the country. That is the amount of U.S. Treasury bonds held by foreigners.

Five years ago, foreigners held about $1.1 trillion. Today that number has doubled to $2.2 trillion. Japan holds about two-thirds of a trillion dollars; China holds a quarter of a trillion dollars. So the questions that inevitably follow are, first, how long can we continue to borrow more money? Second, what are the implications to our foreign policy as foreigners increase their holdings of U.S. debt? And, third, what share of America's taxes are being used just to pay interest on debt?

These are some of the issues we should debate today. These are some of the issues addressed in my amendment.

Every business has limits on the amount it can borrow. Banks say to businesses: Sorry, this is your loan limit. Financial institutions limit the amount that any individual or family may borrow. Every credit card has a maximum balance.

As a business or a family increases its debt, lending institutions begin to monitor the situation. Creditors even increase the interest rate charged on the debt.

At some point, America will face this economic reality. We cannot continue to accelerate our borrowing and ignore the consequences of increasing foreign held debt.

As one conservative economist put it last year in the National Review: ''Growing nervousness in the bond market may be signaling an end to the free lunch Americans have enjoyed for the last 3 years, in which time foreigners have essentially financed our budget deficit.''

Indeed, we cannot count on that free lunch forever.

So I am offering a simple amendment. It directs the Treasury Department to coordinate with appropriate Government agencies to study and report on the increase of foreign holdings of U.S. debt. The amendment asks Treasury to study any associated national security implications. The amendment also asks the Treasury Department to assess how this increase in foreign investment of our federal debt affects our trade policy.

Do we want to put ourselves in the potentially precarious position of engaging in diplomacy with our Nation's creditors? What happens if those foreign central banks and foreign investors suddenly started selling their holdings of U.S. securities? Interest rates could rise dramatically. A recession could result.

I bet that American manufacturers would like to know the answer to some of these questions. Next month, the Treasury Department is expected to rule on whether China is deliberately manipulating its currency in an effort to gain an unfair trade advantage. American businesses are awaiting this decision. But they would also like to know how any action on that decision might be affected by the level of our foreign debt.

Five years ago, foreigners held about $1.1 trillion in U.S. debt. Today that number has doubled to $2.2 trillion.

Last year, Federal debt held by the public increased by $297 billion. And the amount of public Federal debt held by foreign investors increased by $286 billion.

I have said it before and I will say it again: It is a riveting statistic. Foreign investors financed 96 percent of our Federal debt last year. Almost all of it last year was financed by foreigners—not by Americans but by foreigners.

We need to understand this change. This study will provide important information on this topic.

The answers to these questions will help us to evaluate foreign purchases of American assets. The data thus far is quite startling. According to a report from the nonpartisan Congressional Research Service, in 1995, net foreign investment in America was about 1.2 percent of our economic output. In 2005, net foreign investment was roughly 6 percent of GDP. That's an increase of 400 percent in just 10 years.

And we have just learned that our current account deficit for 2005 was the largest ever: $805 billion. As a percent of the economy, it was also a record, at 6.4 percent.

That type of increase reflects the attractiveness of our national economy to foreign investors. But I think that we need to better understand what this means for our economy and our national security.

Both sides of the Capitol, and many of our constituents, have spent a great deal of time over the last few weeks debating the effect of purchases or control of critical American infrastructure assets by foreign entities. It is time that we get all the facts out on the table. And this study will surely aid in this effort.

And this amendment asks Treasury to evaluate how the increase of foreign-held debt affects taxpayers. Last year, Americans paid about $85 billion in interest payments on this foreign debt alone. This year, in 2006, that amount will likely increase to about $100 billion. And it will increase again in 2007.

That is again the amount in interest payments on foreign debt alone, $85 billion last year. This year, in 2006, that amount will likely increase to $100 billion. And it will increase again next year in 2007.

Since we collect about $2.5 billion a day from income taxes, this year taxpayers will be working and paying taxes for almost 2 months just to pay off those interest payments on foreign debt. Think of that. Let me say that again.

Since we collect about $2.5 billion a day from income taxes, this year taxpayers will be working and paying taxes for almost 2 months just to pay off those interest payments on foreign debt. That is not paying off the principal. That is just paying the interest. Americans will pay 2 months of taxes to service the debt we owe to foreigners.

I urge my colleagues to join me in supporting this amendment. We simply ask for more information, more disclosure, and more transparency relating to our federal debt. As guardians of the Federal budget, we should not be afraid to confront the facts and deal with them accordingly.

Consumers should know the full cost of buying that car when they sign on the dotted line. Well, today, on behalf of the American taxpayer, the Senate is being asked to sign on the dotted line for the borrowing that the Government has done. The American people deserve full disclosure of the consequences.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. 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. BAUCUS. Mr. President, nearly 50 years ago I, like the rest of the world, was mesmerized by a small metal sphere, no bigger than a basketball, no heavier than I or most of us.

Hurtling through space at the speed of sound—I don't think it was faster than that, it goes about 18,000 miles an hour—this steel ball was Sputnik, the world's first satellite to circle the earth—in 98 minutes flat. It was a technological feat of the Soviet Union. Nikita Krushchev, the Soviet leader, had been intent on proving the Soviet Union's scientific superiority. He proved it that day in October 1957.

News of Sputnik caught Americans off guard. We had been convinced of our own superiority, but here was undeniable evidence that others were leading the way. And of all people, it was the Soviet Union.

Now we could only follow. We had been lulled into a slumber by past successes and had awoken to a harsh reality.

Other shocking Soviet achievements followed. In 1959, Luna 2 became the first space probe to hit the moon. In 1961, Soviet cosmonaut Yuri Gagarin became the first person to orbit the Earth.

But it was Sputnik that ultimately galvanized our great Nation. We came together to rediscover ourselves as a nation of thinkers, inventors, and dreamers. The shock of Sputnik caused us to not lower our expectations, but to raise them. Sputnik caused us to not ask less of ourselves but to demand more.

Four years after Sputnik, President Kennedy summoned the spirit of America to banish the ghost of Sputnik. Content to follow no longer, he set the highest goal imaginable. He declared:

> We choose to go to the moon. We choose to go to the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to Win . . .

Eight years later, American astronauts Neil Armstrong, Edwin ''Buzz'' Aldrin and Michael Collins landed on the Moon. Armstrong became the first man to walk on the Moon.

America never looked back. To this day, America is peerless in space technology.

Today, America faces a challenge no less daunting than the Soviet-American space race. We face no rival state. We face no organized military menace.

Instead, we face a world more integrated, more interdependent, and more intensely competitive than ever in our history. We face an economy with fewer second chances. Smaller margins for error.

In this new world, it is our challenge to succeed, and to leave our children and grandchildren an economy that is better than the one we inherited from our parents; an economy not laden with debt but bursting with opportunity; an economy whose workers are increasingly productive, and whose finances are prudent; an economy that plants the seeds of innovation and education today, knowing that generations far in the future will harvest their bounty.

Our challenge is to create an economy in which universal health care coverage is its greatest asset, not its heaviest burden.

The records it sets will not be for trade and budget deficits, or interest paid to foreign lenders, but for prosperity, productivity and progress.

Its workers and companies will look to foreign shores with hope and ambition, not fear and trepidation.

It is an economy where the strong are just and the wealthy are generous. It is an economy where the weak are secure and the struggling are given a hand.

This challenge is far greater than that which America faced in 1957. To prevail, we must demand more creativity. We must summon more ambition. We must harness more resources.

Yet we do not have a Sputnik moment that captivates us and calls us to

action. No single moment crystallizes the urgency of action and the imperative of success. Today, we are still in August 1957—still complacent, still sure of our superiority.

What will be our ''Sputnik moment?''

Will our Sputnik moment come when our trade deficits break unimaginable records, and our foreign debt exceeds that of any modern industrial economy?

No, that moment has already passed.

Will our Sputnik moment come after we neglect our basic research programs for three decades, while our competitors pour funds into research and development and lure our labs to their shores?

No, that moment has already passed.

Will our Sputnik moment come when 45 million Americans have no health insurance, while those who are so lucky must pay more to receive less?

No, that moment too has come to pass.

Perhaps our Sputnik moment will come when China becomes the world's largest economy. That may be just 10 or 20 years away.

Perhaps our Sputnik moment will come when our foreign debt reaches such levels that each year, 2 percent of our Nation's income will go to paying interest on these loans. That may be fewer than 5 years away.

Let us not wait for our generation's Sputnik. Let us awaken from our complacency before we are shaken from it.

We must not act out of fear. But we must not fear to act.

Most of all, we must act as a nation for the good of the entire Nation. As President Kennedy said of his vision 40 years ago: ''In a very real sense, it will not be one man going to the moon . . . it will be an entire nation. For all of us must work to put him there . . .''

We must all work to improve our Nation's competitiveness, and I am working to do my part at every opportunity.

This week, I will introduce a number of amendments to the budget resolution that strengthen our economy at its very foundation and steel its every pillar.

These amendments will strengthen our ability to educate our children, so that they may enter the workforce filled with confidence and innovative ideas.

These amendments will foster innovative energy research that will make our children's world cleaner, safer, and more secure.

These amendments will restore our commitment to basic research and development, a commitment that has served us well in the past and will serve us well in the future.

These amendments will embrace technology to expand our access to quality healthcare, while making it more affordable, efficient, and accurate.

These amendments will help grow our nation's pool of savings, which can foster investment. Investment that makes our economy more productive and innovative.

Taken together, I hope that these amendments will create an economy that moves our Nation forward, and makes sure that no one is left behind.

I hope my colleagues will join me in supporting them. I think they are very important. I think they are critical and, frankly, I think if we don't pass these and similar amendments, we are passing on to our children and grandchildren an immense disservice.

I thank the Chair for listening.

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. COBURN. Mr. President, I cannot help but make a few comments on the speech we just heard, noting the fact that over $500 billion in new spending was offered, of which over half was voted for by the ranking member on the Committee on Finance last year—new spending unpaid for—and has the audacity to talk about the President getting us into this fix.

I mentioned earlier, this Senate and the House, the Congress, got us into this fix. The bills start in the House, they come to the Senate, and the irresponsible spending that has gone on has been a compilation of many factors. But most of it rests upon the Members of the Senate who refuse to make the hard choices in terms of spending.

I also note during last year's appropriations cycle, I offered amendments that were called sunshine amendments to make sure we knew what was in the bills we were voting on. I also note that the ranking member voted against those both times they were offered.

It is disingenuous to claim lack of responsibility. It is all of our responsibility. The Nation does not want to hear Congress pointing fingers. They want a solution to the problem. That solution comes through by restraining the discretionary accounts, rather than offering another $200 billion or $300 billion this year of new spending that is unpaid for. It also comes through working the hard issues of changing the entitlement programs of Medicare, Medicaid, and reforming Social Security, like the President of this body has led on in the past.

The record should be clear that actions speak much louder than words. The actions of the ranking member of the Committee on Finance do not match up to the words that were just spoken. The responsibility lies on all. All are guilty of not doing what is in the best long-term interests of this country. That is what has to change.

We can play the political games. We can point fingers. But the fact is, I take responsibility for that, and every other Member of that Senate who has been here since 2001 should, September 11, 2001, when the economy failed, went through the tank. Since then we have been trying to build back this economy.

Quite frankly, the economy is in the greatest shape it has ever been in, in terms of growth, productivity, jobs. What we do need to address and will address in the future is changing health care overall so people can have access to affordable health care.

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

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

MORNING BUSINESS

Mr. COBURN. Mr. President, I ask unanimous consent there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

GUS R. DOUGLASS INSTITUTE

Mr. BYRD. Mr. President, on March 15, West Virginia State University will dedicate its new research institute in honor of the commissioner of the West Virginia Department of Agriculture, the legendary Mr. Gus R. Douglass. This is a wonderful and fitting tribute to a great West Virginian and outstanding public servant.

Commissioner Douglass has served now 10 terms in his position, the longest reigning agriculture commissioner in the history of West Virginia, and, indeed, in the entire Nation. During his tenure, he has always demonstrated a sincere commitment to the farmers and to the people of West Virginia. His long and admirable record includes his support of programs designed to maintain family farms and new farming technologies and efforts to preserve a way of life that has become all too uncommon in our country. His work on behalf of our State's farmers has helped to improve the lives of all West Virginians.

In his remarkable career, Commissioner Douglas has brought national recognition to West Virginia. He has served as the national president of Future Farmers of America, the first president of the national FFA Alumni Association, the president of the National Association of State Departments of Agriculture, and chairman of the Southern Regional Committee for Food and Agriculture, as well as numerous other positions.

Meanwhile, Gus and his lovely wife, Anna Lee, have maintained their own family farm at Grimm's Landing in Mason County, WV. Along with their four children, and their families, they have done their part to continue the tradition upon which this great Nation was founded.

The Gus R. Douglass Institute at West Virginia State University will be a lasting legacy to the outstanding and unwavering commitment of Commissioner Douglass to public service. I thank West Virginia State University for bestowing this honor upon him.

Mr. President, I ask unanimous consent that a letter which I wrote to

Commissioner Douglass congratulating him on this well deserved recognition be printed in the CONGRESSIONAL RECORD.

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

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, March 15, 2006.

Hon. GUS R. DOUGLASS,
Commissioner of Agriculture, State of West Virginia, Charleston, WV.

DEAR GUS: I am so pleased that West Virginia State University is dedicating a research institute in your honor. This is a wonderful tribute to a good friend, a great West Virginian, and an outstanding public servant. Congratulations!

In your ten terms as Commissioner of the West Virginia Department of Agriculture, you have faithfully demonstrated that you are a true servant of the people, and have taken seriously your sincere commitment to the farmers of West Virginia. Your long and admirable record includes unwavering support for family farms, new farming technologies, and a way of life that has become all too uncommon in our country. These and your many other efforts have helped to improve the lives of all West Virginians.

In naming this new research facility the ''Gus R. Douglass Institute,'' West Virginia State University has not only bestowed upon it respect and prestige, but also has ensured that your commitment to service will reap benefits for generations to come. This lasting legacy to your remarkable career is well deserved and well earned, and I join all those who have gathered today in extending my heartiest congratulations.

May the work and the research conducted in this facility be as outstanding and productive as you have been, Gus. If it is, it cannot be anything but an enormous success!

With every good wish, I am

Sincerely yours,

ROBERT C. BYRD.

WOMEN'S HISTORY MONTH

Mr. REID. Mr. President, today the first female chief executive from Africa addressed a joint session of Congress. In order to commemorate this historic event, I rise to recognize Women's History Month. March is a time to celebrate the women who have played a pivotal role in America's history. Women have always played a crucial role in building the great history of this country, and the women of my home State, Nevada, are no different.

One who comes to mind is Sarah Winnemucca, an influential native woman whom we honored last year by making her the second of Nevada's statues in Congress. Born to a Paiute chief's family around 1844, Sarah was unusually driven to bridge the gulf between Native Americans and Caucasian settlers. Dedicated to helping her people, Sarah used her talents as an English translator, public speaker, negotiator, and educator.

Women's History Month is a wonderful opportunity to reflect on the accomplishments and contributions of famous women like Sarah, but there are many untold stories of women just like her whose names we don't know and whose lives have made America a place of strength, freedom, and hope. Their stories are echoed in the contributions that women across the country make every day, whether at home, in the community, in the workplace, or on the battlefield. More than just to paying them tribute, I am committed to honoring them by fighting for a more just, prosperous, and worthy nation.

For the women colleagues, business leaders, and entrepreneurs who make our economy run, America can do better to ensure fair pay and expand economic opportunity. They give their best, but even in 2006, women who work full time year round still earn only 76 cents for every $1 their male counterparts earn. I pledge that we will continue fighting to end this unfair pay gap, to increase the minimum wage, and to create more opportunities for all our families.

Finally, I salute the more than 200,000 women who are serving in active duty in the military, helping to defend and protect our Nation. I pledge to them that Democrats will continue fighting to provide our troops and their families, Active Duty and Reserve, with all the resources they need to protect our freedom. And when they return home, we will ensure that all veterans have access to the health care they need and never have to choose between retirement and a disability check.

At the end of the day, these brave women are protecting America, including community, integrity, freedom, and justice, for everyone. These principles represent not just the foundation of our great Nation but also the same values that bind us as Americans. This month, let us recognize the women all across this country—the mothers, the daughters, the coworkers, and the soldiers—who make these cherished ideals an intrinsic and enduring part of the American dream.

SIMPLIFICATION THROUGH ADDITIONAL REPORTING TAX ACT

Mr. BAYH. Mr. President, yesterday I introduced legislation, entitled the Simplification Through Additional Reporting Tax, START, Act of 2006, that will require brokerage houses and mutual fund companies to track and report cost basis information to their customers and the IRS. The legislation is cosponsored by Senators OBAMA, CARPER, KERRY, and LEVIN and is based upon a recommendation made by the National Taxpayer Advocate, the organization created as part of the 1998 IRS Restructuring and Reform Act whose explicit purpose is to make recommendations to Congress to simplify the tax code.

Over 130 million Americans are now struggling with the difficult job of filling out their taxes and 32 million taxpayers will likely have to report a capital gain or loss. For taxpayers all across the country that are angry and frustrated with the tax code, the START Act will hopefully provide some measure of relief and, at the same time, help close what is called the ''Tax Gap.''

The Federal Government now fails to collect close to $350 billion in taxes that are legally owed. This is called the tax gap, an amount that exceeds last year's $318 billion deficit, or this year's projected deficit of $336 billion. The National Taxpayer Advocate has observed that if we eliminated the tax gap, we could cut taxes for every American by $2,000. This would only be true, of course, if we ran a surplus. Because we are running a deficit, and will likely be doing so for the foreseeable future, the tax gap is really a $2,000 tax increase on our children and grandchildren, with interest building every year. This is a moral failure that needs to be addressed.

Unfortunately, while there has been a lot of discussion about this issue in the halls of Congress and within the administration, there has been little action. In the last two years, there have been six congressional hearings on this issue. The Internal Revenue Service Commissioner Mark Everson has said that this issue is a top priority and that over a period of time the government could collect between $50 and $100 billion of the tax gap ''without changing the dynamic between the IRS and the [American] people.'' However, in their latest budget, the Bush Administration has introduced proposals that only attempt to close $259 million of the tax gap in fiscal year 2007, or approximately one-tenth of 1 percent of the tax gap as measured in 2001. This is a failure of leadership. More can be done.

The legislation that I am introducing today does not eliminate the tax gap, but it does address a significant part of the problem. Specifically, the START Act of 2006 addresses the portion of the tax gap related to capital gains. This part of the tax gap results from the underreporting of capital income, and can include income related to the sale of stocks, bonds, real estate, and a myriad of other investments. According to the IRS, the revenue loss from the underreporting of capital income is $11 billion annually. It is important to understand that this figure is based on 2001 data. Since 2001, the amount of revenue collected through capital gains taxes has increased by $190 billion, from $349 billion in 2001 to $539 billion in 2005. If one makes the reasonable assumption that the misreporting percentage has stayed stable during this period, the $11 billion problem in 2001 is now a whopping $17 billion problem in 2005. Over 10 years, assuming no growth in capital gains realizations, this potentially represents $170 billion in revenue that the Federal Government is failing to collect.

The START Act is intended to accomplish three goals: first, reduce the deficit by closing a portion of the tax gap; second, simplify the tax-filing process for the millions of Americans who pay capital gains taxes; and, third, make the tax code fairer.

The first goal of this legislation is to reduce the deficit. We not only have a moral responsibility to our children and grandchildren to begin seriously addressing our growing deficit and debt, we also need to do so to protect our vital trade and national security interests. The total public debt now stands at $8.2 trillion, or $27,728 for each man, woman, and child living in America. This week, the Senate will likely vote again to raise the public debt limit, this time to $9 trillion. By 2011, the debt will have reached $11.8 trillion. In the last three years alone, we will have increased the debt limit by $3 trillion, a 40-percent increase from when President Bush took office in January 2001.

While we are mortgaging our country, it is important to ask to whom do we owe all of this money. Increasingly, the answer is foreigners, and this development represents an economic and security threat to our country. In December 2005, an estimated $2.2 trillion of the publicly held debt was owned by foreign creditors, such as the Chinese and Japanese. It took 42 Presidents 224 years to run up a trillion dollars of debt held by foreigners. This President has more than doubled that amount in just five years. This has weakened our country. Why? Because when the value of the U.S. dollar plunges at the mere suggestion by a Japanese or Chinese central banker that they will sell their holdings in U.S. dollars, it signals that we no longer control our economic destiny. This level of dependency affects our ability to bargain from a position of strength on national security issues with foreign countries. It is worth remembering that there has never been a country that is militarily strong, but financially weak, yet that is the path that we are on today.

Vice President DICK CHENEY famously said that ''deficits don't matter.'' Well, they do, as almost all economists will tell you. And the reason they matter is that when we borrow, we prevent both the private sector and the public sector from being able to invest in our country's and our children's future. Our children are now part of a global economy, and are competing against children in Japan, India, and China for the jobs of the future. If we fail to invest in their future because instead we are paying off our debts, we will become the first generation to leave a country that is worse off than the one that we inherited.

While the START Act of 2006 will not balance the budget, it does represent a step in the right direction. The impact of START has not yet been scored by the Joint Tax Committee, so the impact on the deficit is not known. Nevertheless, the capital gains tax gap is now $17 billion per year. My proposal might not close the entire gap, but I expect that it will make a very meaningful down payment on the problem.

The second goal of my legislation is to simplify the tax-filing process and help American taxpayers spend less time filling out their taxes. It is no secret that the Tax Code is overly complex. It now has over 17,000 pages and contains almost four times as many words as the Bible. The IRS now prints over 1,000 publications. Americans now spend 5.8 billion hours and $194 billion every year to complete their tax forms. According to the National Taxpayers Union, the number of taxpayers using paid professionals has soared by approximately 60 percent since 1980 and by nearly 30 percent since 1990. Reflective of this complexity is the fact that one of the leading tax preparation firms, H+R Block, was in the news recently because it could not accurately do its own corporate tax return.

One of the most complex areas of the tax code is Schedule D, the form that taxpayers must fill out when they report their capital gains and losses. For the average taxpayer, simply filling out this one schedule adds 7 hours to the tax return filing process almost a full work day. And, for taxpayers using return preparers to complete this form, it can add significantly to their costs.

Computing a capital gain or loss would seem, on its face, easy enough. You need to know the original purchase price and the final sales amount. Taking the difference between the two should determine the amount of gain or loss. Taxpayers do have the final piece of the puzzle—the sale price, as brokerage houses and mutual funds now report this information, called ''gross proceeds,'' to their customers and the IRS on Form 1099B. But what taxpayers are not told, and what is extremely difficult to calculate, is what is called the ''adjusted cost basis'' in their investment. This is a technical term for the original price of the investment, plus any necessary adjustments.

Taxpayers face enormous challenges in trying to determine the adjusted basis of the securities they have held for many years. The first challenge is simply a matter of recordkeeping. Brokers usually send an investor a certificate of ownership stating the original purchase price of the asset. But stocks or bonds or mutual funds can be held for long periods of time, and many taxpayers lose this information and thus are left without any record of what they paid for the investment. The second challenge is a more serious one and stems from the fact that a taxpayer's capital gain or loss is not always simply the difference between the purchase price and sale price. Taxpayers must often adjust the tax basis they have in their investments due to certain events that take place during their ownership of the security. For example, if a company's stock splits, the tax basis in that stock must be cut in half; alternatively, if there is a reverse stock split, the tax basis in that stock must be doubled. Consider, too, that if you reinvest capital gains or dividends in the same investment, you likewise have to adjust your basis. Determining the adjusted basis can be a very complex undertaking and, under current law, sole responsibility for this calculation falls on the taxpayer.

The START Act would eliminate both of these challenges. By requiring brokerage houses and mutual funds to track and report taxpayer's adjusted basis information, countless hours or days of frustration would be eliminated for the 32 million taxpayers who pay capital gains taxes. More importantly, these taxpayers would have confidence that the amount that they are paying in capital gains taxes is the correct amount. Information returns of this sort will provide taxpayer's with accurate information about their investments that they simply can plug into their tax returns. No more trips into the attic to rifle through old boxes. No more having to sit down and try to calculate the impact of ten stock splits and reorganizations on your shares of IBM or AT+T stock.

In addition to reducing the deficit and making the tax-filing process simpler, the START Act will also make the tax code fairer. Presently, the tax code discriminates against middle-class Americans who earn the overwhelming majority of their income in the form of wages. The reason is that middle-class Americans cannot underpay their taxes because their employers submit wage information reports, called W–2 forms, to the IRS. If a factory worker in Indiana wants to underpay his taxes, the IRS will know about it since his employer sent the amount that he earned in wages to the IRS.

By contrast, taxpayers that rely on capital gains for their income, however, are accountable to only themselves. Under current law, the IRS lacks the ability to monitor the accuracy of taxpayer's calculations since initial purchases are not reported to the IRS. This provides dishonest taxpayers with an opportunity to inflate the tax basis they have in their investments, thereby underpaying their capital gains taxes. Taxpayers that have capital gains income are thus on the honor system to report accurately. While that may work for the Boy Scouts, it doesn't work when it comes to paying taxes. Now many capital gains taxpayers are honest, but some are not. And if the dishonest ones want to do some Enron accounting, there is virtually no way that the IRS can detect it.

The START Act addresses this inequity between wage and capital income earners by putting them on a level playing field. By requiring that adjusted cost basis information be reported to the IRS, every taxpayer that has a capital gain will be treated in the exact same way that every wage earner is treated. If we want everyone to play by the rules, then everyone should be held to the same level of accountability. Moreover, if we want Americans to believe that their tax system is fair, then we need to make sure that they believe that the person next door is actually paying their fair share in

taxes. Third party information returns that allow the IRS to determine if someone is paying their taxes accurately are critical to ensure taxpayers comply with the law and that everyone is paying their fair share in taxes. The IRS uses this type of information return for wages, dividends, and interest income, and in these areas, the amount of non-compliance is negligible. Why should we not hold capital gains income to the same standard?

To accomplish the three goals that I have discussed, my bill requires brokerage houses and mutual funds to track and report their customer's adjusted basis and provide this information to their customers and the IRS. The reporting requirement would only apply prospectively to securities acquired after the effective date. This would prevent companies from having to undertake costly and time-consuming efforts to determine basis information for assets that could be decades old.

The START Act applies to stocks, bonds, and mutual funds. For other types of securities, the bill grants authority to the Treasury Secretary to determine if the reporting requirement should apply more broadly. Financial instruments, such as derivatives, swaps, and options are not covered in the bill, but the Treasury Secretary may decide to include or exclude them when implementing the legislation.

The START Act candidly acknowledges that there will be cases where it will be difficult or impossible for companies to provide accurate basis information. In these cases, such as gifts, bequests, and specialized cases where unique basis adjustment rules come into play like wash sale rules, the legislation grants the Treasury Secretary the authority to require brokerage houses and mutual funds to provide other information that will allow the IRS to understand why basis information is not being provided. For example, in the case of a gift where the adjusted basis is unknown, a brokerage house could in lieu of supplying the adjusted basis figure, simply denote instead a ''G'' on the information return issued to the taxpayer and the IRS.

The START Act also provides authority to the Treasury Secretary to issue regulations that will facilitate the transfer of cost basis information when investors move assets from one brokerage house, or mutual fund, to another. A significant amount of basis information is currently lost when individuals move their financial accounts from firm to firm and the original purchase price information is not transferred to the new broker.

Finally, the START Act requires companies to begin tracking adjusted basis information during the 2008 tax year and taxpayers will receive their first reports by January 31, 2009. This will give companies close to 2 years, more than ample time, to put the processes and systems in place to comply with this new regulation. Moreover, it will give impacted companies close to 3 years before they have to issue their first information report.

Any proposal that imposes a new reporting requirement will have its critics and I am sure this proposal will attract its fair share of attention from some in the securities industry that don't like this idea. I would simply ask these potential critics read the bill before they pass judgment on the idea. I have tried to take a balanced approach and have sought input from a wide-range of experts and affected parties. Specifically, I have tried to balance the need to improve tax compliance with the goal of not placing an undue burden on industry. Specifically, by making the legislation prospective and providing three years of lead time before the industry must issue their first information report, I believe this legislation will present minimal burdens for industry.

In drafting this legislation, I have shared this legislation widely with industry, government officials, academics, and other tax professionals in order to craft the best bill possible. I have received input from the Securities Industry Association of America, the Investment Company Institute, the American Institute of Certified Public Accountants, and the National Association of Enrolled Agents. I have also reached out to small brokerage firms and mutual funds in Indiana to hear their perspective. In addition, the Government Accountability Office, the Internal Revenue Service, and the Joint Tax Committee have been consulted for their expertise on this legislation. During these consultations, I have not heard any explicit criticism of the proposal, but have received many helpful suggestions on ways to make this legislation both balanced and fair to companies and taxpayers. However, I do expect that there could be some philosophical and technical issues that are raised with the bill, so I want to take a moment to highlight those and respond to them immediately.

First, this proposal does not raise capital gains tax rates. For those that are legally paying the right amount in capital gains taxes, they won't pay one penny more in taxes. This proposal only ensures that people pay what they legally owe. And, moreover, what is happening today is that our failure to collect the taxes that are legally owed is effectively imposing a tax increase on our children and grandchildren who will have to pick up the tab for our fiscal failure to merely enforce the laws on the books. For this reason, I would argue that if my bill is enacted it would represent a tax cut for our children and grandchildren who will pay higher taxes if this problem is not addressed.

Some may look at this proposal and dismiss it as antibusiness and just another government regulation. I am sure there were some that had similar concerns when it was first proposed that all U.S. employers should report wages to the IRS. Now, however, we know that this reporting requirement is a cornerstone of ensuring tax compliance. Moreover, the reporting requirement does not elicit any protests from employers because they realize that without it, the U.S Treasury would lose billions in legally owed taxes. As I have said before, the honor system may work for the Boy Scouts, but it is not a great way to collect taxes. Finally, no business would be able to succeed if every year it failed to collect $17 billion per year in sales. In fact, any responsible company would move heaven and earth to address such a problem. U.S. taxpayers deserve the same level of accountability.

Some brokerage houses or mutual funds may argue that companies cannot provide this information because, in some cases, the correct information doesn't exist. This argument does not square with the fact that there are plenty of examples of companies that already provide cost basis information to their clients. If Fidelity or Ameritrade or E*Trade can provide cost basis information to all of their clients, it clearly suggests that the information can be provided.

Some may argue that this proposal will be costly to implement, even if it is a prospective proposal, because they don't have the systems in place to track and report cost basis. I would invite them to go talk to companies that have already decided to offer basis-tracking for their clients, and ask them how much it cost to offer this service. I would also ask them to talk to the software vendors and companies that provide basis tracking services to brokerage house and mutual funds. What they will tell you is that the cost is reasonable. According to a leading company that provides basis tracking services to brokerage firms and mutual fund companies, it typically charges on an annual basis approximately $1 per account. For a company with 10,000 accounts, that is a yearly charge of $10,000, a small figure when you look at the revenues of a brokerage firm of this size.

Some may point out that there are some types of transactions or securities where a brokerage firm or mutual fund cannot reasonably be expected to provide accurate cost basis information. My bill candidly acknowledges this fact. In these cases, brokerage houses and mutual funds will simply be required to provide ''other information'' that will allow their customers and the IRS to understand why adjusted cost basis information could not be provided. This is already standard practice for many companies that provide cost basis information to their customers.

In conclusion, this should be an issue that honorable members from both sides of the aisle can agree needs to be addressed. Democrats and Republicans will fight endlessly about what tax rates should be, but I believe all Members should agree on the principle that

all taxpayers should pay what you owe. We should also all agree that we need to reduce our deficit, simplify the tax-filing process, and promote a fair and equitable tax system. The START Act of 2006 is intended to make progress on all of these goals. I hope it can start a civil conversation about ways to improve our tax system. I look forward to working with all interested parties to craft a workable proposal that provides some needed relief to our overburdened taxpayers.

GREEK INDEPENDENCE DAY

Mr. REED. Mr. President, today I recognize the 185th anniversary of Greek independence, which will be celebrated on Saturday, March 25.

As the Greek philosopher Plato said ''The beginning is the most important part of the work.'' After centuries of unsuccessful uprisings and failure of the Ottoman Empire to assimilate and convert the Greeks, the War of Independence began on this day, March 25 in 1821. This was the beginning of the end of 400 years of occupation and oppression by the Ottoman Turks. During the dark years of the Ottoman occupation, thousands were killed and tortured for participating in religious activities or teaching their children culture, history, and language. The steadfast resolve displayed by the Greeks helped secure their independence and recognition as a sovereign power nearly 11 years later with the signing of the Treaty of Constantinople.

This struggle for Greek independence was recognized the world over and was supported abroad by prominent world figures including Lord Byron of England, and Daniel Webster and Dr. Samuel Gridley Howe of the United States.

As we fight today's Long War on Terror, the Greeks stand by our side. A highlight of the Greek military's continuing contributions to the International Coalition was the deployment of the 229th Mobile Field Surgical Hospital deployed to Afghanistan. At full operational status within 3 days, medical experts and officials believe the 229th is one of the best medical facilities that has ever operated in Afghanistan.

A Greek proverb says, ''Success isn't how far you got, but the distance you traveled from where you started.'' Still alive and well in our own society today are the principles and ideas of ancient Greece. When we commemorate the heroism exhibited by the Greeks, we cannot help but to think of our Founding Fathers. Then and now, Greece and the United States share an absolute commitment to democracy, justice, and freedom. In history the Greeks have inspired, and in the present they have enlivened our great Nation. It gives me great pleasure and pride to cosponsor the Senate Resolution 399 designating March 25, 2006, as Greek Independence Day: A National Day of Celebration of Greek and American Democracy. I send all Greek-Americans in Rhode Island and around the country my best wishes as they celebrate their ancestral homeland's independence.

SUNSHINE WEEK 2006

Mr. LEAHY. Mr. President, as we take stock during the second annual Sunshine Week, we confront the disturbing reality that the foundations of our open government are under direct assault from the first White House in modern times that is openly hostile to the public's right to know.

The right to know is a cornerstone of our democracy. Without it, citizens are kept in the dark about key policy decisions that directly affect their lives. Without open government, citizens cannot make informed choices at the ballot box. Without access to public documents and a vibrant free press, officials can make decisions in the shadows, often in collusion with special interests, escaping accountability for their actions. And once eroded, these rights are hard to win back.

The right to know is nourished by openness and vigorous congressional oversight of Federal agencies, but both are sorely lacking, and government effectiveness and accountability have been among the casualties. The disastrous failure to prepare for and respond to Hurricane Katrina is only the most recent example, but a glaring one. Despite misleading assertions in the storm's horrific aftermath, we now know that the White House was warned in advance that the levees could fail in a hurricane. We have belatedly seen videotapes in which President Bush was cautioned by FEMA officials of this great danger.

The Freedom of Information Act, FOIA, empowers the American people to pry information from their Government that agencies would prefer to keep locked away. Americans learned more about Abu Ghraib and conditions at Guantanamo from FOIA requests than from oversight by Congress.

As we celebrate FOIA's fourth decade as law, we also watch its erosion as a target of attacks such as when the administration pushed an overly broad FOIA waiver for the Department of Homeland Security's charter the single biggest rollback of FOIA in its 40-year history.

It has been nearly a decade since Congress has approved major reforms to the Freedom of Information Act. Last year during Sunshine Week, Senator CORNYN and I introduced bipartisan legislation, S.394, to curtail the assault on FOIA. The Open Government Act contains more than a dozen substantive provisions, designed to strengthen FOIA and close loopholes, to help FOIA requestors obtain timely responses to their requests, to ensure that agencies have strong incentives to act on FOIA requests, and to provide FOIA officials with all of the tools they need to make sure that our government remains open and accessible.

A second bill that I introduced with Senator CORNYN last year, the Faster FOIA Act, S.589, would specifically address the issue of agency delay in processing FOIA requests. We propose to establish a commission to review the persistent issue of delay and to make recommendations for reducing impediments to the efficient processing of requests. This bill was reported by the Judiciary Committee and awaits floor action.

Our free press and the consciences of whistleblowers also serve the public's right to know. We would not know of the domestic spying program conducted in secret by the National Security Agency, with the full approval of the White House, unless the press had revealed it last December. The Department of Justice is stonewalling Congress's efforts to obtain facts on this program while threatening to prosecute reporters who disclosed the illegal program to the public.

The Bush administration has kept vital facts secret by silencing scientists and experts. We saw it with the gagging of NASA scientist James Hansen, whose conclusions about the dangers of greenhouse gas emissions and global warming differed with administration policy. This administration also secretly let lobbyists from polluting industries write rules on mercury emissions, overriding the advice of the EPA's scientists and even drawing a harsh rebuke from EPA's inspector general. This tacit war on science—trumping scientific evidence with ideology—has also victimized women's access to the Plan B pill and cut international family planning funds which help the poorest of the poor, even though the evidence is clear that these funds reduce the numbers of abortions.

This kind of secrecy produces bad policies, as we saw when the Bush administration tried to hide the true cost of its Medicare prescription drug plan from Congress and the American people. While they were twisting congressional arms for votes on the program, political leaders at Medicare told Congress the price tag was $400 billion. Medicare's own accountants projected the cost to be $500 billion to $600 billion, but one of those career staff, Richard Foster, was threatened with being fired if he told Congress the truth.

We saw it again when the political leadership of the Justice Department overruled career lawyers who found that Congressman TOM DELAY's Texas redistricting plan illegally diluted Black and Hispanic voting power. Career attorneys also found that a Georgia voter-identification law would discriminate against Black voters. The Department's political leaders dismissed these findings and quietly approved both plans. We only learned of these politically motivated decisions later when the press obtained documents and made them public.

In a situation that borders on the absurd, the intelligence agencies have

been quietly reclassifying documents that were open for years. This program began in 1999 but has exploded under this administration, which has reclassified more than 55,000 pages. Even the Archivist of the United States said he knew ''precious little'' of the program until it was revealed by the press.

The examples go on and on. The Bush administration has displayed a near-total disdain for the free press and the public's right to know.

Sunshine Week invites an inventory check on tools like the Freedom of Information Act that make real the public's right to know. Attacks on these tools only erode that right. A free, open, and accountable democracy is what our forefathers fought and died for, and it is the duty of each new generation to protect this vital heritage and inheritance.

EXPRESSION OF SYMPATHY FOR KALOKO RESERVOIR VICTIMS

Mr. AKAKA. Mr. President, I rise today to express my sincere sympathy and deep concern for those affected by the collapse of the Kaloko Reservoir on the island of Kaua'i in Hawaii. This tragic flooding has caused loss of life and substantial property damage. The people of Hawaii have shown exceptional resolve in assisting their fellow citizens as emergency personnel and other volunteers have rushed to provide assistance to people in need. We continue to pray for those who are still missing and for those who are working tirelessly in search and rescue efforts and in additional emergency response.

As many of you know, several islands in my home State have been inundated by severe rainstorms over the past few weeks. Flooding has caused substantial disruptions of life as schools and business have been forced to close and many roads have been damaged or have been washed out because of high water. Property damage in cities and in rural areas has been severe.

Hawaii's Governor Lingle has called upon the National Guard and many State agencies to assist those who have suffered losses and to respond to immediate needs. However, the damage caused by this flooding demonstrates the need to prepare in advance for adverse conditions and to be vigilant in examining vulnerable areas.

I stand ready to offer any assistance to the State of Hawaii that I can, including securing emergency Federal funding for the State.

Throughout this adversity, the people of Hawaii have shown the resolve that they are known for in times of crisis. I am proud of my constituents as they help their neighbors and work to restore conditions around their homes, schools, businesses, and places of worship. I know that their efforts will bring comfort and solace to those in need.

ADDITIONAL STATEMENT

TRIBUTE TO ROBERT MAXCY

• Ms. COLLINS. Mr. President, I rise today to honor the life of Robert Maxcy of Waldoboro, ME, who passed away this weekend at the age of 76. Bob served 56 years in the Waldoboro Fire Department, including the last 42 years as its chief, and I would like to recognize his lifelong devotion to public safety.

Chief Bob Maxcy was born on November 17, 1929, in Thomaston, ME, the son of the late Earl and Ruth Maxcy. At age 14 he began his service as a firefighter at the Thomaston Junior Fire Department. This was the beginning of his outstanding career in service to both Maine and the Nation.

Upon his graduation from Thomaston High School, Chief Maxcy served honorably with the U.S. Air Force from 1947 to 1950. During his service, Chief Maxcy attained the rank of gunnery sergeant.

When he returned to Maine in 1950, Chief Maxcy became a firefighter with the Waldoboro Fire Department. In that same year, he married his loving and devoted wife, Muriel. By 1964, Chief Maxcy had established himself as a leader in the department and was appointed chief of the Waldoboro Fire Department, a position in which he served for 42 years.

Beyond his dedication to his department, Chief Maxcy also was a leader in the community and the State, as evidenced through his participation in the Waldoboro Firemen's Association, Knox County Firemen's Association, Maine State Federation of Firefighters, and the Lincoln County Fire Chiefs.

Chief Maxcy was truly an honorable Maine man. In addition to his success as a community leader and firefighter, he will be remembered for his love of his family, the outdoors, and the Red Sox. Chief Maxcy is survived by five children, Deborah, Marcia, Marc, Dee, and Daryl; his brother, Harlan; his sister, Marilyn; his grandchildren, great grandchildren, nieces, and nephews.

Chief Bob Maxcy will be greatly missed. I offer my sincere condolences and prayers to Chief Maxcy's family.•

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

The following enrolled bills, previously signed by the Speaker of the House, were signed today, March 15, 2006, by the President pro tempore (Mr. STEVENS).

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''.

At 3:12 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1184. An act 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.

S. 2064. An act 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.

S. 2363. An act to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4826. An act 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.

H.R. 4841. An act to amend the Ojito Wilderness Act to make a technical correction.

H.R. 4911. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 350. Concurrent resolution 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. 354. Concurrent resolution 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.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4841. An act to amend the Ojito Wilderness Act to make a technical correction; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read the first and the second times

by unanimous consent, and referred as indicated:

H. Con. Res. 354. Concurrent resolution 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; to the Committee on Armed Services.

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–6018. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Fiscal Year 2005 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC–6019. A communication from the Director, Office of Personnel Management, transmitting, the Agency's 2006–2010 Strategic and Operational Plan; to the Committee on Homeland Security and Governmental Affairs.

EC–6020. A communication from the Chairman, United States Commission on Civil Rights, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–6021. A communication from the Inspector General, General Services Administration, transmitting, pursuant to law, the Office of Inspector General Audit Report Register, including all financial recommendations, for the period ending September 30, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–6022. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Notification of Post-Employment Restrictions'' (RIN3206–AK60) received on March 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–6023. A communication from the U.S. Global AIDS Coordinator, Department of State, transmitting, pursuant to law, a certification related to the Global Fund to Fight AIDS, Tuberculosis and Malaria; to the Committee on Foreign Relations.

EC–6024. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses; to the Committee on Foreign Relations.

EC–6025. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning the International Labour Conference; to the Committee on Foreign Relations.

EC–6026. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 06–44—06–56); to the Committee on Foreign Relations.

EC–6027. 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 ''Triflumizole; Pesticide Tolerance''(FRL No. 7765–3) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6028. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Colorado; Relaxation of Handling Regulation for Area No. 2'' (Docket No. FV05–948–1 FRA) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6029. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Decreased Assessment Rate'' (Docket No. FV06–989–1 IFR) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6030. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pears Grown in Oregon and Washington; Establishment of Continuing Assessment Rates and Modification of the Rules and Regulations'' (Docket No. FV05–927–1 FR) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6031. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Milk in the Pacific Northwest and Arizona-Las Vegas Marketing Area—Final Order'' (Docket Nos. DA–03–04B; AO–368–A32 and AO–271–A37) received on March 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6032. A communication from the Acting Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Occupational Exposure to Hexavalent Chromium'' (RIN1218–AB45) received on March 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6033. A communication from the Political Personnel and Advisory Communication Management Specialist, Department of Health and Human Services, transmitting, pursuant to law, (10) reports relative to vacancy announcements within the Department, received on March 13, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–6034. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Microbiology Devices; Reclassification of Hepatitis A Virus Serological Assays'' (Docket No. 2003P–0564) received on March 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6035. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Cardiovascular Devices; Classification of Implantable Intra-Aneurysm Pressure Measurement System'' (Docket No. 2005N–0506) received on March 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6036. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Fiscal Year 2005 Annual Report; to the Committee on Commerce, Science, and Transportation.

EC–6037. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Safety and Health—Alternate I to Major Breach of Safety or Security Clause'' (RIN2700–AD12) received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6038. A communication from the Attorney Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Aviation and International Affairs, received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6039. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Non-Community Development Quota Pollock with Trawl Gear in the Chinook Salmon Savings Areas of the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 021406B) received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6040. A communication from the Under Secretary and Director, United States Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement the Patent Search Fee Refund Provisions of the Consolidated Appropriations Act, 2005'' (RIN0651–AB79) received on March 13, 2006; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. DOMENICI for the Committee on Energy and Natural Resources.

*David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior.

*Raymond L. Orbach, of California, to be Under Secretary for Science, Department of Energy.

*Alexander A. Karsner, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

*Dennis R. Spurgeon, of Florida, to be an Assistant Secretary of Energy (Nuclear Energy).

*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.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MIKULSKI:

S. 2415. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURNS (for himself and Mr. PRYOR):

S. 2416. A bill to amend title 38, United States Code, to expand the scope of programs

of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRYOR (for himself and Mrs. LINCOLN):

S. 2417. A bill to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. BAUCUS, and Mr. LOTT):

S. 2418. A bill to preserve local radio broadcast emergency and other services and to require the Federal Communications Commission to conduct a rulemaking for that purpose; to the Committee on Commerce, Science, and Transportation.

By Mr. STEVENS (for himself, Mr. HAGEL, and Mr. KERRY):

S. 2419. A bill to ensure the proper remembrance of Vietnam veterans and the Vietnam War by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU (for herself and Mr. VITTER):

S. 2420. A bill to amend the Outer Continental Shelf Lands Act to provide for payments for producing coastal States; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2421. A bill to establish the Louisiana Hurricane and Flood Protection Council for the improvement of hurricane and flood protection in Louisiana; to the Committee on Environment and Public Works.

By Mr. VITTER (for himself and Mr. LOTT):

S. 2422. A bill to establish a Conservation and Habitat Restoration Fund and to require the Secretary of Commerce to provide grants to States for coastal zone management, coastal wetlands conservation, coastal land protection, and fisheries habitat restoration, and to improve understanding of coastal areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANTORUM:

S. 2423. A bill to improve science, technology, engineering, and mathematics education; to the Committee on Finance.

By Mr. ALLEN:

S. 2424. A bill to amend the Internal Revenue Code of 1986 to increase the contribution limits for health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. CONRAD (for himself and Mr. BROWNBACK):

S. 2425. A bill to apply amendments to the Immigration and Nationality Act related to providing medical services in underserved areas, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 402. A resolution designating the first day of April, 2006, as ''National Asbestos Awareness Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 333

At the request of Mr. SANTORUM, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 1035

At the request of Mr. INHOFE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1086

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 1086, a bill to improve the national program to register and monitor individuals who commit crimes against children or sex offenses.

S. 1120

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1848

At the request of Mr. SALAZAR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1848, a bill to promote remediation of inactive and abandoned mines, and for other purposes.

S. 2178

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

S. 2197

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2197, a bill to improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and to provide support for mathematics and science education at all levels through the resources available through the Department of Energy, including at the National Laboratories.

S. 2198

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2198, a bill to ensure the United States successfully competes in the 21st century global economy.

S. 2199

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2199, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives to promote research and development, innovation, and continuing education.

S. 2232

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 2232, a bill to require the Secretary of the Army to submit to Congress a report identifying activities for hurricane and flood protection in Lake Pontchartrain, Louisiana, and for other purposes.

S. 2253

At the request of Mr. DOMENICI, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2253, a bill to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing.

S. 2338

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2338, a bill to extend 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.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Arizona (Mr. MCCAIN), the Senator from New York (Mr. SCHUMER), the Senator from Montana (Mr. BAUCUS), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Oregon (Mr. WYDEN) 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. 2389

At the request of Mr. ALLEN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2389, a bill to amend the Communications Act of 1934 to prohibit the unlawful acquisition and use of confidential customer proprietary network information, and for other purposes.

S. 2390

At the request of Mr. ENSIGN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2390, a bill to provide a national innovation initiative.

S. 2400

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2400, a bill to transfer authority to review certain mergers, acquisitions, and takeovers of United States entities by foreign entities to a designee established within the Department of Homeland Security, and for other purposes.

S. 2414

At the request of Mr. BAYH, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of 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.

S. RES. 359

At the request of Ms. LANDRIEU, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. Res. 359, a resolution concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

S. RES. 398

At the request of Mr. FEINGOLD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Res. 398, a resolution relating to the censure of George W. Bush.

AMENDMENT NO. 3001

At the request of Mr. NELSON of Florida, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) 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 New York (Mr. SCHUMER) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of amendment No. 3004 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 Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 3004 proposed to S. Con. Res. 83, supra.

AMENDMENT NO. 3009

At the request of Mr. NELSON of Florida, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 3009 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. 3018

At the request of Mr. CHAMBLISS, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Ohio (Mr. DEWINE), the Senator from Montana (Mr. BURNS), the Senator from Oklahoma (Mr. COBURN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 3018 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. 3030

At the request of Mr. LEVIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3030 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. 3031

At the request of Mr. LEVIN, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 3031 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. 3035

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 3035 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. 3043

At the request of Mr. LEVIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 3043 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. 3045

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 3045 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. 3048

At the request of Mr. PRYOR, his name was added as a cosponsor of amendment No. 3048 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. 3050

At the request of Mr. SANTORUM, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of amendment No. 3050 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. 3052

At the request of Mr. SANTORUM, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New Hampshire (Mr. SUNUNU) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 3052 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. 3054

At the request of Mr. MENENDEZ, the names of the Senator from Wisconsin (Mr. KOHL), the Senator from Delaware (Mr. BIDEN), the Senator from Maryland (Mr. SARBANES) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 3054 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. 3056

At the request of Ms. STABENOW, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 3056 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. 3061

At the request of Mrs. HUTCHISON, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of amendment No. 3061 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. 3063

At the request of Mrs. MURRAY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from West Virginia (Mr. BYRD), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Connecticut (Mr. DODD), the Senator from California (Mrs. BOXER), the Senator from Florida (Mr.

NELSON), the Senator from Washington (Ms. CANTWELL), the Senator from Colorado (Mr. SALAZAR), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Iowa (Mr. HARKIN), the Senator from Vermont (Mr. JEFFORDS) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 3063 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. 3065

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 3065 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. 3067

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 3067 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MIKULSKI:

S. 2415. A bill to amend title 38, United States Code, to increase burial benefits for veterans: and for other purposes; to the Committee on Veterans' Affairs.

Ms. MIKULSKI. Mr. President, I rise to introduce the Veterans Burial Benefits Improvement Act.

We must honor our U.S. soldiers who died in the name of their country. These service men and women are America's true heroes and on this day we pay tribute to their courage and sacrifice. Some have given their lives for our country. All have given their time and dedication to ensure our country remains the land of the free and the home of the brave. We owe a special debt of gratitude to each and every one of them.

Our Nation has a sacred commitment to honor the promises made to soldiers when they signed up to serve our country. As a member of the Senate Appropriations Committee, I fight hard each year to make sure promises made to our service men and women are promises kept. These promises include access to quality, affordable health care and a proper burial for our veterans.

I am deeply concerned that burial benefits for the families of our wounded or disabled veterans have not kept up with inflation and rising funeral costs. We are losing over 1,000 World War II veterans each day, but Congress has failed to increase veterans' burial benefits to keep up with rising costs and inflation. While these benefits were never intended to cover the full costs of burial, they now pay for only a fraction of what they covered in 1973, when the Federal Government first started paying burial benefits for our veterans.

I want to thank my colleagues on the Veterans Affairs Committee for working with me in the 107th Congress. Together, we were able to increase modestly the service-connected benefit from $1,500 to $2,000, and the plot allowance from $150 to $300. While I believe these increases are a step in the right direction, they are not a substitute for the amounts included in my bill.

That is why I am again introducing the Veterans Burial Benefits Improvement Act. This bill will increase burial benefits to cover the same percentage of funeral costs as they did in 1973. It will also provide for these benefits to be increased annually to keep up with inflation.

In 1973, the service-connected benefit paid for 72 percent of veterans' funeral costs. Today, this benefit covers just 39 percent of funeral costs. My bill will increase the service-connected benefit from $2,000 to $3,713, bringing it back up to the original 72 percent level.

In 1973, the non-service connected benefit paid for 22 percent of funeral costs. It has not been increased since 1978, and today it covers just 6 percent of funeral costs. My bill will increase the non-service connected benefit from $300 to $1,135, bringing it back up to the original 22 percent level.

In 1973, the plot allowance paid for 13 percent of veterans' funeral costs. Yet it now covers just 3 percent of funeral costs. My bill will increase the plot allowance from $300 to $670, bringing it back up to the original 13 percent level.

Finally, the Veterans Burial Benefits Improvement Act will also ensure that these burial benefits are adjusted for inflation annually, so veterans will not have to fight this fight again.

This legislation is just one way to honor our Nation's service men and women. I want to thank the millions of veterans, Marylanders, and people across the Nation for their patriotism, devotion, and commitment to honoring the true meaning of Memorial Day. U.S. soldiers from every generation have shared in the duty of defending America and protecting our freedom. For these sacrifices, America is eternally grateful.

I ask unanimous consent that the text of this legislation 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. 2415

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 ''Veterans Burial Benefits Improvement Act of 2006''.

SEC. 2. INCREASE IN BURIAL AND FUNERAL BENEFITS FOR VETERANS.

(a) INCREASE IN BURIAL AND FUNERAL EXPENSES AND PROVISION FOR ANNUAL COST-OF-LIVING ADJUSTMENT.—

(1) EXPENSES GENERALLY.—Section 2302(a) of title 38, United States Code, is amended by striking ''$300'' and inserting ''$1,135 (as increased from time to time under section 2309 of this title)''.

(2) EXPENSES FOR DEATHS IN DEPARTMENT FACILITIES.—Section 2303(a)(1)(A) of such title is amended by striking ''$300'' and inserting ''$1,135 (as increased from time to time under section 2309 of this title)''.

(3) EXPENSES FOR DEATHS FROM SERVICE-CONNECTED DISABILITIES.—Section 2307 of such title is amended by striking ''$2,000,'' and inserting ''$3,712 (as increased from time to time under section 2309 of this title),''.

(b) PLOT ALLOWANCE.—Section 2303(b) of such title is amended—

(1) by striking ''$300'' the first place it appears and inserting ''$670 (as increased from time to time under section 2309 of this title)''; and

(2) by striking ''$300'' the second place it appears and inserting ''$670 (as so increased)''.

(c) ANNUAL ADJUSTMENT.—

(1) IN GENERAL.—Chapter 23 of such title is amended by adding at the end the following new section:

''§ 2309. Annual adjustment of amounts of burial benefits

''With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the burial and funeral expenses under sections 2302(a), 2303(a), and 2307 of this title, and in the plot allowance under section 2303(b) of this title, equal to the percentage by which—

''(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2309. Annual adjustment of amounts of burial benefits''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to deaths occurring on or after the date of the enactment of this Act.

(2) PROHIBITION ON COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2007.—No adjustments shall be made under section 2309 of title 38, United States Code, as added by subsection (c), for fiscal year 2007.

By Mr. BURNS (for himself and Mr. PRYOR):

S. 2416. A bill to amend title 38, United Stares Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for

other purposes; to the Committee on Veterans' Affairs.

Mr. BURNS. Mr. President, I rise today to introduce the Veterans' Employment and Training Act of 2006. I am joined in this effort by Senator PRYOR. This important legislation will provide expanded benefits for our brave men and women returning from service in the Global War on Terror, while also providing needed workers to growing sectors of our economy.

Under the Montgomery G.I. Bill, the Veterans' Administration currently provides accelerated benefits to assist our service men and women in transitioning to the civilian job market. Through this program, the VA makes short-term, high-cost training programs more attractive to veterans by paying benefits in a lump sum, and by covering up to 60 percent of the cost of some educational programs. However, this program is now only available to men and women who seek training in high-tech programs.

In order to provide this benefit to more of our brave men and women in the armed forces, the Veterans' Employment and Training Act will expand eligibility for accelerated benefits to include industry sectors identified by the Department of Labor as likely to add large numbers of new jobs or require new job training skills in the coming years. These sectors include construction, hospitality, financial services, energy, homeland security, health care, and transportation.

A number of these sectors face critical shortages of employees now or in the near future and are anxious to attract veterans to their professions. The trucking industry, for example, needs an additional 20,000 drivers today and expects to face a driver shortage of 110,000 drivers by 2014. The modest change that I am proposing today will help to provide needed workers to these and other industries.

But more importantly, we must remember the great sacrifices made by those in the Armed Forces. For many of these brave individuals, the transition from military service to civilian life is not an easy one. It is particularly difficult for veterans between the ages of 20 and 24, who currently have an unemployment rate of over 15 percent—nearly double the rate of nonveterans in the same age group. This is simply unacceptable!

We have an obligation to make sure that these individuals are not forgotten when they return from service. One step we can take now is to ensure that those who serve have access to every educational opportunity possible. By expanding eligibility for accelerated G.I. Bill benefits, we will give many of these veterans a new opportunity to get training and find work in some of the fastest growing sectors of our economy.

I urge the Senate to act soon to pass this legislation. We owe it to the men and women of the Armed Forces to act quickly to provide them with this expanded benefit.

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. 2416

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 ''Veterans Employment and Training Act of 2006''.

SEC. 2. EXPANSION OF EDUCATION PROGRAMS ELIGIBLE FOR ACCELERATED PAYMENT OF EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) IN GENERAL.—Subsection (b) of section 3014A of title 38, United States Code, is amended by striking paragraph (1) and inserting the following new paragraph (1):

''(1) enrolled in either—

''(A) an approved program of education that leads to employment in a high technology occupation in a high technology industry (as determined pursuant to regulations prescribed by the Secretary); or

''(B) an approved program of education lasting less than two years that leads to employment in a sector of the economy, as identified by the Department of Labor, that—

''(i) is projected to—

''(I) experience a substantial increase in the number of jobs; or

''(II) positively affect the growth of another sector of the economy; or

''(ii) consists of existing or emerging businesses that are being transformed by technology and innovation and require new skills for workers; and''.

(b) CONFORMING EXPANSION OF PROGRAM OF EDUCATION.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

''(g) For purposes of this section, a program of education includes a program of education (as defined in section 3002(3) of this title) pursued at a tribally controlled college or university (as such term is defined in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).''.

(c) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 3014A. Accelerated payment of basic educational assistance''.

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 30 of such title is amended to read as follows:

''3014A. Accelerated payment of basic educational assistance.''.

By Mr. PRYOR (for himself and Mrs. LINCOLN):

S. 2417. A bill to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. PRYOR. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2417

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

SECTION 1. WILLIAM JEFFERSON CLINTON BIRTHPLACE HOME NATIONAL HISTORIC SITE.

(a) ACQUISITION OF PROPERTY; ESTABLISHMENT OF HISTORIC SITE.—Should the Secretary of the Interior acquire, by donation only from the Clinton Birthplace Foundation, Inc., fee simple, unencumbered title to the William Jefferson Clinton Birthplace Home site located at 117 South Hervey Street, Hope, Arkansas, 71801, and to any personal property related to that site, the Secretary shall designate the William Jefferson Clinton Birthplace Home site as a National Historic Site and unit of the National Park System, to be known as the ''President William Jefferson Clinton Birthplace Home National Historic Site''.

(b) APPLICABILITY OF OTHER LAWS.—The Secretary shall administer the President William Jefferson Clinton Birthplace Home National Historic Site in accordance with the laws generally applicable to national historic sites, including the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1–4), and the Act entitled ''An Act to provide for the preservation of historic American sites, buildings, objects and antiquities of national significance, and for other purposes'', approved August 21, 1935 (16 U.S.C. 461 et seq.).

By Ms. SNOWE (for herself, Mr. BAUCUS, and Mr. LOTT):

S. 2418. A bill to preserve local radio broadcast emergency and other services and to require the Federal Communications Commission to conduct a rulemaking for that purpose; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I stand before my colleagues today to announce the introduction of a bill that will preserve an important resource needed during times of an emergency—free, local, over-the-air radio broadcasting. The Local Emergency Radio Service Preservation Act ensures that terrestrial radio service does not suffer from the entry of subscription-based satellite services into local markets.

The most reliable form of communication today is radio. Oftentimes during natural disasters and other emergencies, many forms of communications become unavailable to the public. Wireless systems can be overloaded with calls. Satellite television service is interrupted by extreme weather conditions. Internet service connections are frequently disconnected. In contrast, over-the-air radio is an ubiquitous form of mass media that is available to nearly every car and household in the nation. The system cannot be overloaded and operates well under extreme weather conditions. Radio has been meeting the demands of local communities for nearly a century and is equipped to continue its service well into the next century.

In 1997 satellite digital audio radio service, SDARS, was licensed by the Federal Communications Commission, FCC, to provide a national radio programming service. Today satellite

radio companies provide their service to consumers on a subscription basis. The cost of the radio equipment needed to receive the service is reasonable for the enthusiast, but too costly for low income households. For many families, satellite radio is not an option. Instead, these people must rely on traditional over-the-air radio for weather, traffic, news and local information.

Should satellite companies begin to enter into local markets, going against the original spirit of the license agreement, local radio stations would suffer revenue loss. Advertising dollars are the radio broadcast industry's sole source of revenue. The technology exists for satellite companies to deliver local content, including local advertisements. Satellite industry players have publically stated that local advertising dollars could quickly become a new revenue source. This threat to free radio is a threat to the public interest.

The Local Emergency Radio Service Preservation Act eases the threat to radio broadcasting. First the bill prohibits the use of satellite terrestrial repeaters to insert local content into specific local markets. Second, this legislation clarifies that future technologies cannot be used to distribute local satellite programming. Lastly, the act requires the Federal Communications Commission, FCC, to conduct a rulemaking on the distribution of region-specific content on a nationwide basis.

By Mr. STEVENS (for himself, Mr. HAGEL, and Mr. KERRY):

S. 2419. A bill to ensure the proper remembrance of Vietnam veterans and the Vietnam War by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial; to the Committee on Energy and Natural Resources.

Mr. STEVENS. Mr. President, I come to the floor to introduce a bill, which seeks to honor Congress' commitment to our Vietnam Veterans. Joining me in sponsoring this legislation is Senator HAGEL, a Vietnam veteran himself.

On November 5, 2003 this body passed the Vietnam Veterans Memorial Visitor Center Act by unanimous consent.

That bill authorized the construction of a center to educate the nearly 4 million visitors annually to the Vietnam Veterans Memorial.

This center will be an important resource for current and future generations, enabling them to have a better understanding of the Vietnam War and to pay tribute to the brave Americans who answered the call to duty.

Unfortunately, the Visitor Center project has stalled due to bureaucratic delays.

This bill would create a 30-day deadline following its enactment for the approval of the Visitor Center.

We owe it to the Vietnam Veterans, and to the Wall's future visitors to follow through with this project. I urge my colleagues to support this important legislation.

By Mr. ALLEN:

S. 2424. A bill to amend the Internal Revenue Code of 1986 to increase the contribution limits for health savings accounts, and for other purposes; to the Committee on Finance.

Mr. ALLEN. Mr. President, I rise today to speak about the growing success of Health Savings Accounts (HSAs) and legislation I have introduced to expand Health Savings Accounts.

In a positive action, Congress created Health Savings Accounts as part of the Medicare Modernization Act (MMA). Health Savings Accounts are an alternative to traditional health insurance—a savings product that offers a different and attractive way for consumers to pay for their health care. HSAs enable an individual to pay for current health expenses and save for future qualified medical and retiree health expenses on a tax-free basis.

An individual must have coverage under an HSA qualified health plan to open and contribute to an HSA. HSA qualified health plan premiums generally costs less than traditional health care coverage. Therefore, an individual can put the money he or she saves on insurance into a personal Health Savings Account.

I've always described myself as a common sense Jeffersonian conservative, which means I trust free people and free enterprise more than a meddlesome, burdensome government and that's why I'm such a strong advocate for Health Savings Accounts. Individuals own and control the money in their HSAs. Unlike a Flexible Spending Account, funds remain in the account from year to year, just like an IRA. There are no ''use it or lose it'' rules for HSAs. HSAs can become, over time, a strong, affordable health insurance product providing a savings ''nest egg'' for health care expenses.

In addition, HSAs allow individuals to make decisions on how to spend their money without relying on a third party. More specifically, the individual makes decisions about how much. money he or she wants to put into the account, whether to save for future medical expenses, or pay expenses that health insurance plans may not cover.

The individual also decides what types of investments to make with the money in the account that will allow the account appreciate and grow in value. I want to make clear right here that the individual does not have to invest their money if he or she doesn't want to. This is only an option. The bottom line is that Health Savings Accounts give people the freedom to make the health care choices that best fit their needs and that best represent Mr. Jefferson's ideals and my own.

Now, there are critics of health savings accounts. However, there is convincing evidence that HSAs have proven effective in controlling health care costs and providing an affordable option for Americans without health Insurance coverage.

Critics who claim that rich people gain most from the tax breaks of HSAs should look at the facts. Of the 3 million Americans who have enrolled in HSA plans, 32 percent were previously uninsured, and the uninsured are not typically wealthy. Critics suggest HSAs will drive up the cost of premiums. However, a recently released study from the Deloitte Center for Health Solutions showed HSA qualified plans had a 2.8 percent annual premium increase, compared to 8 percent for all other plans. This low rate of increase is another reason HSA qualified plans are affordable to those with lower incomes.

Another common criticism of HSAs is that the tax break benefits are ''too generous.'' But the President's proposal offering both a tax deduction and tax credit for money used to fund HSAs is no more generous than current tax benefits for employer-sponsored health coverage. However, our laws and proposal only level the playing field.

Proponents of HSAs do not pretend that HSAs are going to ''fix'' the entire health care system, although they may go a long way toward doing so with more individual responsibility and opportunity. HSAs are an additional option—one that is affordable and chips away at part of the problem: the millions of uninsured Americans. Individuals need health insurance, especially for costly medical services, not only tax deductions for out-of-pocket spending. It is the combination of two products—the HSA and HSA-qualified health insurance plan—that has allowed over one million previously uninsured Americans to afford real health coverage.

I am very pleased to see the positive results of Health Savings Accounts. But we cannot let this momentum slow down. We must do more to promote HSAs and give individuals more control over their health care needs—and that is why I am here today. I am introducing legislation that would increase the maximum amount individuals can contribute to their HSA.

Under current law, an individual's contributions are limited to the lesser of the amount of the deductible or $2700 for self-only coverage, ($5450 for family coverage), for 2006. Under this proposal, a person could contribute—without paying income or payroll taxes on the contribution—up to the plan's out-of-pocket maximum, which is higher than the deductible. So for an individual, the maximum out-of-pocket for 2006 cannot exceed $5250 or $10500 for a family. It is important to note though, that each HSA qualified health plan sets their own limit on out of pocket expenses, therefore, for an individual their out-of-pocket expenses may be lower than maximum $5250 but more than the current limit of $2700. Nevertheless, this legislation allows individuals to save more money for their current and future health care needs and I am proud to be introducing it.

Moreover, this proposal will remove the tax bias against consumer-directed

health plans. Today, the tax code subsidizes health care purchased through insurance but generally does not subsidize health care paid out-of-pocket. This encourages excessive reliance on insurance for even predictable, noncatastrophic care, which in turn reduces consumer sensitivity to the cost of health care. My proposal would help improve the efficiency and slow the growth of our nation's health care spending.

Studies estimate that the average retiree will require hundreds of thousands of dollars of savings for out-of-pocket old-age health costs. HSAs provide strong tax incentives to encourage such savings. On a side note, I have introduced legislation, the Long-Term Care Act that compliments this HSA proposal. Under the Long-Term Care Act, we would allow individuals to use their 401(k) savings to pay for long-term care insurance. Both proposals provide commonsense approaches that will encourage individuals to plan for their future health care needs and reduce individuals' reliance on programs such as Medicaid.

HSAs have proven to be an effective health cost containment tool. While there is a cost to the federal government associated with the tax benefit portion of HSA plans, we must weigh that cost against the cost of doing nothing and allowing cost shifting to those with insurance. Our health care system needs to switch to a preventive care system, which will keep future health care costs down rather than our current costly reactionary system. If we continue down our current path and make no significant changes to our health care system, the unfunded liability of entitlement spending will reach $26 trillion by the year 2030, consuming the entire federal budget. We're at a crucial point, and I believe my legislation, and HSAs in general, offer a step in the right direction for personal responsibility in fostering affordable health care and savings.

By Mr. CONRAD (for himself and Mr. BROWNBACK):

S. 2425. A bill to apply amendments to the Immigration and Nationality Act related to providing medical services in underserved areas, and for other purposes; to the Committee on the Judiciary.

Mr. CONRAD Mr. President: Today, I am introducing a bill to permanently reauthorize the Conrad 30 visa waiver program to provide medical care to underserved rural America.

One of the top concerns of North Dakota community leaders and hospital officials is the challenge of recruiting and keeping capable, quality doctors. In response, I created this visa waiver program in 1994 to recruit highly qualified foreign physicians to medically underserved areas.

This program was meant to help many areas across the country, especially rural communities that have a difficult time recruiting doctors, get access to primary health care. It has proven to be one of our Nation's top tools to recruit and keep doctors in our rural communities.

The Conrad 30 program allows a State agency to grant visa waivers to foreign medical graduates who are in the United States for their residencies on foreign exchange J-1 visas. To qualify for the waiver, the physician undergoes numerous background and security checks, and must agree to serve a medically underserved community for three years. In exchange, the physician's requirement to return to his home country for a period of time before applying for a work visa is waived so that we can utilize them in underserved areas.

Since the program was implemented in 1994, North Dakota has received a total of 90 Conrad State 30 J-1 visa waiver doctors in communities all over the State.

Nearly every rural hospital in the State—and many of clinics—have benefited from the program. For example, Oakes, (population 1,979) has had 6 doctors, Bottineau, (population 2,336), has had 4, and Tioga, (population 1,125), has had 3.

As you can see, many rural counties rely on the physicians they receive through the Conrad State 30 program to provide healthcare in their communities. This bipartisan program is critical to ensuring our rural health care needs are met for years to come.

States have come to rely on the program. It has proven to be successful in bringing physicians to underserved areas without displacing American physicians, because the foreign physicians are filling a large and obvious void.

It has been just over 14 months since the last reauthorization passed, and we're already working on another reauthorization. Clearly, two years has proven to be far too short. Since 1994, the Conrad 30 program has been reauthorized a number of times. The current authorization expires on June 1, 2006. I urge my colleagues to pass this bill making the program permanent.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 402—DESIGNATING THE FIRST DAY OF APRIL, 2006, AS ''NATIONAL ASBESTOS AWARENESS DAY''

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 402

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas these fibers can cause mesothelioma, asbestosis, and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally little is known about late stage treatment and there is no cure for asbestos-related diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognosis;

Whereas the United States has substantially reduced its consumption of asbestos yet continues to consume almost 7,000 metric tons of the fibrous mineral for use in certain products throughout the Nation;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas asbestos exposures continue and safety and prevention will reduce and has reduced significantly asbestos exposure and asbestos-related diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of Americans die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975; and

Whereas the establishment of a ''National Asbestos Awareness Day'' would raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate designates the first day of April 2006 as ''National Asbestos Awareness Day''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3068. Mr. KYL (for himself and Mr. CORNYN) 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 3069. Mrs. MURRAY 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 3070. Mrs. MURRAY 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 3071. Mr. AKAKA (for himself, Mrs. CLINTON, Mr. KENNEDY, Mr. BINGAMAN, Mr. MENENDEZ, Mr. KERRY, and Mr. LIEBERMAN) 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 3072. Mr. KERRY (for himself, Ms. LANDRIEU, and Mr . LIEBERMAN) 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 3073. Mr. GRASSLEY proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3074. Mr. REED (for himself, Mr. KENNEDY, Mr. KERRY, Mrs. CLINTON, Mr. LIEBERMAN, Mr. DORGAN, Mr. ROCKEFELLER, Mr. LEVIN, Mr. SCHUMER, Mr. DAYTON, Mr. KOHL, Mr. BAYH, Mr. JOHNSON, Mr. LEAHY, Mr. MENENDEZ, and Mr. HARKIN) 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 3075. Mr. LEVIN 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 3076. Mr. LEVIN 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 3077. Mr. LEVIN 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 3078. 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 3079. Mr. DEWINE (for himself and Mr. LEAHY) 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 3080. 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 3081. 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 3082. Mrs. MURRAY (for herself, Mr. KENNEDY, 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.

SA 3083. Mr. DEWINE (for himself, Mr. KENNEDY, and Mrs. MURRAY) 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 3084. Mr. SANTORUM (for himself and Mr. GRAHAM) 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 3085. Mr. ENSIGN 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 3086. Mr. BYRD (for himself, Mr. LAUTENBERG, Mrs. CLINTON, Mr. DORGAN, Mr. LIEBERMAN, Mr. KERRY, Mr. BIDEN, Mr. DURBIN, Mr. MENENDEZ, Mr. JEFFORDS, Mr. CARPER, Ms. MIKULSKI, and Mr. SCHUMER) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3087. Mr. DEMINT (for himself and Mr. CRAPO) 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 3088. Mr. LEAHY 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 3089. 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 3090. 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 3091. 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 3092. 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 3093. Mr. INHOFE 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 3094. 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 3095. 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 3096. Mr. LEAHY (for himself and Mrs. MURRAY) 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 3097. Mr. DAYTON (for himself, Mr. DODD, Ms. MIKULSKI, Mr. DURBIN, 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 3098. Mr. LEVIN 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 3099. Mr. REED 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 3100. 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 3101. Mr. DORGAN (for himself, Ms. MIKULSKI, Mr. LEVIN, Mr. FEINGOLD, Mr. LEAHY, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. HARKIN) 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 3102. Mr. DORGAN (for himself, Ms. CANTWELL, Mrs. MURRAY, Mr. JOHNSON, 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 3103. Mr. SARBANES 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 3104. Mrs. MURRAY (for herself, Mr. KENNEDY, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, 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 3105. 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 3106. Mrs. LINCOLN (for herself, Mr. SALAZAR, Mr. PRYOR, Mr. HARKIN, and Mr. KOHL) 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 3107. 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 3108. Mrs. HUTCHISON (for herself and Mr. SANTORUM) 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 3109. Mrs. HUTCHISON 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 3110. Mrs. HUTCHISON 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 3111. Mr. DODD (for himself and Mr. DEWINE) 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 3112. Ms. LANDRIEU 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 3113. Ms. LANDRIEU 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 3114. Mr. BURR 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 3115. Mr. REID (for Mrs. CLINTON (for herself, Mr. REID, and Mrs. MURRAY)) proposed an amendment to the concurrent resolution S. Con. Res. 83, supra.

SA 3116. Mr. NELSON of Nebraska 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 3117. Mr. LEVIN 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 3118. Ms. STABENOW 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 3119. Mr. ENSIGN 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 3120. Mr. SMITH 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 3121. Mr. BINGAMAN (for himself and Mr. SMITH) 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 3122. Mr. TALENT (for himself, Mr. FRIST, and Mr. ALLEN) 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 3123. Mr. COLEMAN 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 3124. Mr. COLEMAN 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 3125. Mr. COLEMAN 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 3126. Mr. COLEMAN 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 3127. Mr. HAGEL 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 3128. Mr. DOMENICI 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 3129. 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 3130. 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 3131. Mr. BAUCUS (for himself and Mrs. LINCOLN) proposed an amendment to the joint resolution H.J. Res. 47, increasing the statutory limit on the public debt.

SA 3132. Mr. BROWNBACK 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.

TEXT OF AMENDMENTS

SA 3068. Mr. KYL (for himself and Mr. CORNYN) 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 24, line 24, increase the amount by $2,000,000,000.

On page 24, line 25, increase the amount by $2,000,000,000.

On page 27, line 23, decrease the amount by $2,000,000,000.

On page 27, line 24, decrease the amount by $2,000,000,000.

SA 3069. Mrs. MURRAY 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 $213,000,000.

On page 3, line 15, increase the amount by $53,000,000.

On page 4, line 1, increase the amount by $213,000,000.

On page 4, line 2, increase the amount by $53,000,000.

On page 4, line 13, increase the amount by $266,000,000.

On page 5, line 4, increase the amount by $213,000,000.

On page 5, line 6, increase the amount by $53,000,000.

On page 16, line 21, increase the amount by $266,000,000.

On page 16, line 22, increase the amount by $213,000,000.

On page 17, line 1, increase the amount by $53,000,000.

On page 53, line 1, increase the amount by $266,000,000.

On page 53, line 2, increase the amount by $213,000,000.

SA 3070. Mrs. MURRAY 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 $24,000,000.

On page 3, line 15, increase the amount by $6,000,000.

On page 4, line 1, increase the amount by $24,000,000.

On page 4, line 2, increase the amount by $6,000,000.

On page 4, line 13, increase the amount by $30,000,000.

On page 5, line 4, increase the amount by $24,000,000.

On page 5, line 6, increase the amount by $6,000,000.

On page 16, line 21, increase the amount by $30,000,000.

On page 16, line 22, increase the amount by $24,000,000.

On page 17, line 1, increase the amount by $6,000,000.

On page 53, line 1, increase the amount by $30,000,000.

On page 53, line 2, increase the amount by $24,000,000.

SA 3071. Mr. AKAKA (for himself, Mrs. CLINTON, Mr. KENNEDY, Mr. BINGAMAN, Mr. MENENDEZ, Mr. KERRY, and Mr. LIEBERMAN) 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 $180,000,000.

On page 3, line 15, increase the amount by $4,860,000,000.

On page 3, line 17, increase the amount by $840,000,000.

On page 3, line 19, increase the amount by $120,000,000.

On page 4, line 1, increase the amount by $180,000,000.

On page 4, line 2, increase the amount by $4,860,000,000.

On page 4, line 3, increase the amount by $840,000,000.

On page 4, line 4, increase the amount by $120,000,000.

On page 4, line 13, increase the amount by $3,000,000,000.

On page 5, line 4, increase the amount by $90,000,000.

On page 5, line 6, increase the amount by $2,430,000,000.

On page 5, line 8, increase the amount by $420,000,000.

On page 5, line 10, increase the amount by $60,000,000.

On page 5, line 19, increase the amount by $90,000,000.

On page 5, line 21, increase the amount by $2,430,000,000.

On page 5, line 23, increase the amount by $420,000,000.

On page 5, line 25, increase the amount by $60,000,000.

On page 6, line 8, decrease the amount by $90,000,000.

On page 6, line 10, decrease the amount by $2,520,000,000.

On page 6, line 12, decrease the amount by $2,940,000,000.

On page 6, line 14, decrease the amount by $3,000,000,000.

On page 6, line 16, decrease the amount by $3,000,000,000.

On page 6, line 22, decrease the amount by $90,000,000.

On page 6, line 24, decrease the amount by $2,520,000,000.

On page 7, line 2, decrease the amount by $2,940,000,000.

On page 7, line 4, decrease the amount by $3,000,000,000.

On page 7, line 6, decrease the amount by $3,000,000,000.

On page 18, line 24, increase the amount by $3,000,000,000.

On page 18, line 25, increase the amount by $90,000,000.

On page 19, line 4, increase the amount by $2,430,000,000.

On page 19, line 8, increase the amount by $420,000,000.

On page 19, line 12, increase the amount by $60,000,000.

On page 53, line 1, increase the amount by $3,000,000,000.

On page 53, line 2, increase the amount by $90,000,000.

SA 3072. Mr. KERRY (for himself, Ms. LANDRIEU, and Mr. LIEBERMAN) 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 $121,000,000.

On page 3, line 15, increase the amount by $30,000,000.

On page 4, line 1, increase the amount by $121,000,000.

On page 4, line 2, increase the amount by $30,000,000.

On page 4, line 13, increase the amount by $151,000,000.

On page 5, line 4, increase the amount by $121,000,000.

On page 5, line 6, increase the amount by $30,000,000.

On page 15, line 21, increase the amount by $151,000,000.

On page 15, line 22, increase the amount by $121,000,000.

On page 16, line 1, increase the amount by $30,000,000.

On page 53, line 1, increase the amount by $151,000,000.

On page 53, line 2, increase the amount by $121,000,000.

SA 3073. Mr. GRASSLEY 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 end of title III, insert the following:

SEC. _____. RESERVE FUND FOR EXTENSION OF THE MEDICARE PART D ENROLLMENT PERIOD.

If the Committee on Finance of the Senate reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(1) authorizes the Secretary of Health and Human Services to extend the initial open enrollment period under part D of title XVIII of the Social Security Act beyond May 15, 2006;

(2) provides funding to the Centers for Medicare & Medicaid Services and the Social Security Administration for the purpose of conducting enrollment activities for the period of any extension of the initial open enrollment period;

(3) waives the application of the late enrollment penalty for the period of any extension of the initial open enrollment period; and

(4) permits beneficiaries to change their enrollment election in such part D once during the initial open enrollment period, including throughout any extension of the initial open enrollment period;

the Chairman of the Committee on the Budget of the Senate 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 .

SA 3074. Mr. REED (for himself, Mr. KENNEDY, Mr. KERRY, Mrs. CLINTON, Mr. LIEBERMAN, Mr. DORGAN, Mr. ROCKEFELLER, Mr. LEVIN, Mr. SCHUMER, Mr. DAYTON, Mr. KOHL, Mr. BAYH, Mr. JOHNSON, Mr. LEAHY, Mr. MENENDEZ, and Mr. HARKIN) 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 $2,489,000,000.
On page 3, line 15, increase the amount by $763,000,000.
On page 3, line 17, increase the amount by $66,000,000.
On page 4, line 1, increase the amount by $2,489,000,000.
On page 4, line 2, increase the amount by $763,000,000.
On page 4, line 3, increase the amount by $66,000,000.
On page 4, line 13, increase the amount by $3,318,000,000.
On page 5, line 4, increase the amount by $2,489,000,000.
On page 5, line 6, increase the amount by $763,000,000.
On page 5, line 8, increase the amount by $66,000,000.
On page 21, line 24, increase the amount by $3,318,000,000.
On page 21, line 25, increase the amount by $2,489,000,000.
On page 22, line 4, increase the amount by $763,000,000.
On page 22, line 8, increase the amount by $66,000,000.
On page 53, line 1, increase the amount by $3,318,000,000.
On page 53, line 2, increase the amount by $2,489,000,000.

SA 3075. Mr. LEVIN 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 $56,000,000.
On page 3, line 15, increase the amount by $116,000,000.
On page 3, line 17, increase the amount by $96,000,000.
On page 3, line 19, increase the amount by $66,000,000.
On page 4, line 1, increase the amount by $56,000,000.
On page 4, line 2, increase the amount by $116,000,000.
On page 4, line 3, increase the amount by $96,000,000.
On page 4, line 4, increase the amount by $66,000,000.
On page 4, line 13, increase the amount by $334,000,000.
On page 5, line 4, increase the amount by $56,000,000.
On page 5, line 6, increase the amount by $116,000,000.
On page 5, line 8, increase the amount by $96,000,000.
On page 5, line 10, increase the amount by $66,000,000.
On page 17, line 22, increase the amount by $300,000,000.
On page 17, line 23, increase the amount by $30,000,000.
On page 18, line 3, increase the amount by $111,000,000.
On page 18, line 7, increase the amount by $93,000,000.
On page 18, line 11, increase the amount by $66,000,000.
On page 24, line 24, increase the amount by $34,000,000.
On page 24, line 25, increase the amount by $26,000,000.
On page 25, line 4, increase the amount by $5,000,000.
On page 25, line 8, increase the amount by $3,000,000.
On page 53, line 1, increase the amount by $334,000,000.
On page 53, line 2, increase the amount by $56,000,000.

SA 3076. Mr. LEVIN 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 $22,000,000.
On page 3, line 15, increase the amount by $3,000,000.
On page 3, line 17, increase the amount by $3,000,000.
On page 4, line 1, increase the amount by $22,000,000.
On page 4, line 2, increase the amount by $3,000,000.
On page 4, line 3, increase the amount by $3,000,000.
On page 4, line 13, increase the amount by $28,000,000.
On page 5, line 4, increase the amount by $22,000,000.
On page 5, line 6, increase the amount by $3,000,000.
On page 5, line 8, increase the amount by $3,000,000.
On page 24, line 24, increase the amount by $28,000,000.
On page 24, line 25, increase the amount by $22,000,000.
On page 25, line 4, increase the amount by $3,000,000.
On page 25, line 8, increase the amount by $3,000,000.
On page 53, line 1, increase the amount by $28,000,000.
On page 53, line 2, increase the amount by $22,000,000.

SA 3077. Mr. LEVIN 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 $30,000,000.
On page 3, line 15, increase the amount by $111,000,000.
On page 3, line 17, increase the amount by $93,000,000.
On page 3, line 19, increase the amount by $66,000,000.
On page 4, line 1, increase the amount by $30,000,000.
On page 4, line 2, increase the amount by $111,000,000.
On page 4, line 3, increase the amount by $93,000,000.
On page 4, line 4, increase the amount by $66,000,000.
On page 4, line 15, increase the amount by $300,000,000.
On page 5, line 6, increase the amount by $30,000,000.
On page 5, line 8, increase the amount by $111,000,000.
On page 5, line 10, increase the amount by $93,000,000.
On page 5, line 12, increase the amount by $66,000,000.
On page 5, line 19, increase the amount by $30,000,000.
On page 5, line 21, increase the amount by $81,000,000.
On page 5, line 23, decrease the amount by $18,000,000.
On page 5, line 25, decrease the amount by $27,000,000.
On page 6, line 2, decrease the amount by $66,000,000.
On page 6, line 8, decrease the amount by $30,000,000.
On page 6, line 10, decrease the amount by $111,000,000.
On page 6, line 12, decrease the amount by $93,000,000.
On page 6, line 14, decrease the amount by $66,000,000.
On page 6, line 22, decrease the amount by $30,000,000.
On page 6, line 24, decrease the amount by $111,000,000.
On page 7, line 2, decrease the amount by $93,000,000.
On page 7, line 4, decrease the amount by $66,000,000.
On page 18, line 2, increase the amount by $300,000,000.
On page 18, line 3, increase the amount by $30,000,000.
On page 18, line 7, increase the amount by $111,000,000.
On page 18, line 11, increase the amount by $93,000,000.
On page 18, line 15, increase the amount by $66,000,000.
On page 53, line 1, increase the amount by $300,000,000.
On page 53, line 2, increase the amount by $30,000,000

SA 3078. 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.

If—

(1) the Committee on Environment and Public Works 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 increases investment in measures designed to prevent catastrophic flood and hurricane damage in coastal areas such that—

(A) the measures, when completed, will likely decrease future expenditures from the Disaster Relief Fund;

(B) the increases do not exceed $10,000,000,000; and

(C) the measures are certified by the President as likely to prevent loss of life and property; and

(2) that Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a));

the Chairperson of the Committee on Budget of the Senate may make the appropriate adjustments in the allocations and aggregates to the extent that such legislation would not

increase the deficit for the fiscal year 2007 and for the period of fiscal years 2007 through 2011.

SA 3079. Mr. DEWINE (for himself and Mr. LEAHY) 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 $77,000,000.

On page 10, line 21, increase the amount by $77,000,000.

On page 27, line 23, decrease the amount by $77,000,000.

On page 27, line 24, decrease the amount by $77,000,000.

SA 3080. 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 3, line 13, decrease the amount by $3,272,000,000.

On page 3, line 15, decrease the amount by $16,248,000,000.

On page 3, line 17, increase the amount by $6,923,000,000.

On page 3, line 19, increase the amount by $6,225,000,000.

On page 3, line 21, increase the amount by $1,309,000,000.

On page 4, line 1, decrease the amount by $3,272,000,000.

On page 4, line 2, decrease the amount by $16,248,000,000.

On page 4, line 3, increase the amount by $6,923,000,000.

On page 4, line 4, increase the amount by $6,225,000,000.

On page 4, line 6, increase the amount by $1,309,000,000.

On page 5, line 19, decrease the amount by $3,272,000,000.

On page 5, line 21, decrease the amount by $16,248,000,000.

On page 5, line 23, increase the amount by $6,923,000,000.

On page 5, line 25, increase the amount by $6,225,000,000.

On page 6, line 2, increase the amount by $1,309,000,000.

On page 6, line 8, increase the amount by $3,272,000,000.

On page 6, line 10, increase the amount by $19,520,000,000.

On page 6, line 12, increase the amount by $12,597,000,000.

On page 6, line 14, increase the amount by $6,372,000,000.

On page 6, line 16, increase the amount by $5,063,000,000.

On page 6, line 22, increase the amount by $3,272,000,000.

On page 6, line 24, increase the amount by $19,520,000,000.

On page 7, line 2, increase the amount by $12,597,000,000.

On page 7, line 4, increase the amount by $6,372,000,000.

On page 7, line 6, increase the amount by $5,063,000,000.

SA 3081. 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 4, line 1, increase the amount by $152,000,000.

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 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.

SA 3082. Mrs. MURRAY (for herself, Mr. KENNEDY, 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 $675,000,000.

On page 3, line 15, increase the amount by $2,756,000,000.

On page 3, line 17, increase the amount by $2,820,000,000.

On page 3, line 19, increase the amount by $2,836,000,000.

On page 3, line 21, increase the amount by $2,840,000,000.

On page 4, line 1, increase the amount by $675,000,000.

On page 4, line 2, increase the amount by $2,756,000,000.

On page 4, line 3, increase the amount by $2,820,000,000.

On page 4, line 4, increase the amount by $2,836,000,000.

On page 4, line 6, increase the amount by $2,840,000,000.

On page 4, line 13, increase the amount by $1,412,000,000.

On page 4, line 15, increase the amount by $1,415,000,000.

On page 4, line 17, increase the amount by $1,423,000,000.

On page 4, line 19, increase the amount by $1,433,000,000.

On page 4, line 21, increase the amount by $1,430,000,000.

On page 5, line 4, increase the amount by $339,000,000.

On page 5, line 6, increase the amount by $1,385,000,000.

On page 5, line 8, increase the amount by $1,417,000,000.

On page 5, line 10, increase the amount by $1,425,000,000.

On page 5, line 12, increase the amount by $1,432,000,000.

On page 5, line 19, increase the amount by $336,000,000.

On page 5, line 21, increase the amount by $1,371,000,000.

On page 5, line 23, increase the amount by $1,403,000,000.

On page 5, line 25, increase the amount by $1,411,000,000.

On page 6, line 2, increase the amount by $1,408,000,000.

On page 6, line 8, decrease the amount by $336,000,000.

On page 6, line 10, decrease the amount by $1,707,000,000.

On page 6, line 12, decrease the amount by $3,110 ,000,000.

On page 6, line 14, decrease the amount by $4,521,000,000.

On page 6, line 16, decrease the amount by $5,929,000,000.

On page 6, line 22, decrease the amount by $336,000,000.

On page 6, line 24, decrease the amount by $1,707,000,000.

On page 7, line 2, decrease the amount by $3,110,000,000.

On page 7, line 4, decrease the amount by $4,521,000,000.

On page 7, line 6, decrease the amount by $5,929,000,000.

On page 18, line 24, increase the amount by $1,412,000,000.

On page 18, line 25, increase the amount by $339,000,000.

On page 19, line 3, increase the amount by $1,415,000,000.

On page 19, line 4, increase the amount by $1,385,000,000.

On page 19, line 7, increase the amount by $1,423,000,000.

On page 19, line 8, increase the amount by $1,417,000,000.

On page 19, line 11, increase the amount by $1,433,000,000.

On page 19, line 12, increase the amount by $1,425,000,000.

On page 19, line 15, increase the amount by $1,430,000,000.

On page 19, line 16, increase the amount by $1,432,000,000.

SA 3083. Mr. DEWINE (for himself, Mr. KENNEDY, and Mr. 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; which was ordered to lie on the table; as follows:

On page 19, line 24, increase the amount by $198,000,000.

On page 19, line 25, increase the amount by $198,000,000.

On page 27, line 23, decrease the amount by $198,000,000.

On page 27, line 24, decrease the amount by $198,000,000.

SA 3084. Mr. SANTORUM (for himself and Mr. GRAHAM) 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 SOCIAL SECURITY RESTRUCTURING.

(a) FINDINGS.—The Senate finds that—

(1) Social Security is the foundation of retirement income for most Americans;

(2) preserving and strengthening the long term viability of Social Security is a vital national priority and is essential for the retirement security of today's working Americans, current and future retirees, and their families;

(3) Social Security faces significant fiscal and demographic pressures;

(4) the nonpartisan Office of the Chief Actuary at the Social Security Administration reports that—

(A) the number of workers paying taxes to support each Social Security beneficiary has dropped from 16.5 in 1950 to 3.3 in 2005;

(B) within a generation there will be only 2 workers to support each retiree, which will substantially increase the financial burden on American workers;

(C) without structural reform, the Social Security system, beginning in 2017, will pay out more in benefits than it will collect in taxes;

(D) without structural reform, the Social Security trust fund will be exhausted in 2041, and Social Security tax revenue in 2041 will only cover 74 percent of promised benefits, and will decrease to 68 percent by 2079;

(E) without structural reform, future Congresses may have to raise payroll taxes nearly 50 percent over the next 75 years to pay full benefits on time, resulting in payroll tax rates of as much as 17.5 percent by 2041 and 19.1 percent by 2079;

(F) without structural reform, Social Security's total cash shortfall over the next 75 years is estimated to be more than $25,000,000,000,000 in constant 2005 dollars or $5,700,000,000,000 measured in present value terms; and

(G) absent structural reforms, spending on Social Security will increase from 4.3 percent of gross domestic product in 2005 to 6.4 percent in 2079; and

(5) the Congressional Budget Office, the Government Accountability Office, the Congressional Research Service, the Chairman of the Federal Reserve Board, and the President's Commission to Strengthen Social Security have all warned that failure to enact fiscally responsible Social Security reform quickly will result in 1 or more of the following:

(A) Higher tax rates.

(B) Lower Social Security benefit levels.

(C) Increased Federal debt or less spending on other federal programs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President, the Congress, and the American people including seniors, workers, women, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system;

(2) Social Security reform—

(A) must protect current and near retirees from any changes to Social Security benefits;

(B) must reduce the pressure on future taxpayers and on other budgetary priorities;

(C) must provide benefit levels that adequately reflect individual contributions to the Social Security system; and

(D) must preserve and strengthen the safety net for vulnerable populations including the disabled and survivors; and

(3) the Senate should honor section 13301 of the Budget Enforcement Act of 1990.

SA 3085. Mr. ENSIGN 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 $153,000,000.

On page 24, line 25, increase the amount by $122,400,000.

On page 25, line 4, increase the amount by $15,300,000.

On page 25, line 8, increase the amount by $15,300,000.

On page 10, line 20, decrease the amount by $153,000,000.

On page 10, line 21, decrease the amount by $122,400,000.

On page 10, line 25, decrease the amount by $15,300,000.

On page 11, line 4, decrease the amount by $15,300,000.

SA 3086. Mr. BYRD (for himself, Mr. LAUTENBERG, Mrs. CLINTON, Mr. DORGAN, Mr. LIEBERMAN, Mr. KERRY, Mr. BIDEN, Mr. DURBIN, Mr. MENENDEZ, Mr. JEFFORDS, Mr. CARPER, Ms. MIKULSKI, and Mr. SCHUMER) 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 $550,000,000.

On page 4, line 1, increase the amount by $550,000,000.

On page 4, line 13, increase the amount by $550,000,000.

On page 5, line 4, increase the amount by $550,000,000.

On page 16, line 21, increase the amount by $550,000,000.

On page 16, line 22, increase the amount by $550,000,000.

On page 53, line 1, increase the amount by $550,000,000,

On page 53, line 2, increase the amount by $550,000,000.

SA 3087. Mr. DEMINT (for himself and Mr. CRAPO) 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. ____. RESERVE FUND FOR SOCIAL SECURITY REFORM.

If the Committee on Finance of the Senate reports a bill or joint resolution, or an amendment is offered thereto, or a conference report is submitted thereon, that provides changes to the Federal Old Age, Survivors, and Disability Insurance Benefits Program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), by—

(1) requiring that the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund are used only to finance expenditures to provide retirement income of future beneficiaries of such program;

(2) ensuring that there is no change to current law scheduled benefits for individuals born before January 1, 1950;

(3) providing the option to voluntarily obtain legally binding ownership of at least some portion of each participant's benefits; and

(4) ensuring that the funds made available to finance such legislation do not exceed the amounts of the Chief Actuary of the Social Security Administration's intermediate actuarial estimates of the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund, as published in the most recent report of the Board of Trustees of such Trust Funds,

the chairman of the Committee on the Budget of the Senate 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.

SA 3088. Mr. LEAHY 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 $5,000,000.

On page 3, line 15, increase the amount by $11,000,000.

On page 3, line 17, increase the amount by $10,000,000.

On page 3, line 19, increase the amount by $8,000,000.

On page 3, line 21, increase the amount by $6,000,000.

On page 4, line 1, increase the amount by $5,000,000.

On page 4, line 2, increase the amount by $11,000,000.

On page 4, line 3, increase the amount by $10,000,000.

On page 4, line 4, increase the amount by $8,000,000.

On page 4, line 6, increase the amount by $6,000,000.

On page 4, line 13, increase the amount by $41,000,000.

On page 5, line 4, increase the amount by $5,000,000.

On page 5, line 6, increase the amount by $11,000,000.

On page 5, line 8, increase the amount by $10,000,000.

On page 5, line 10, increase the amount by $8,000,000.

On page 5, line 12, increase the amount by $6,000,000.

On page 24, line 24, increase the amount by $41,000,000.

On page 24, line 25, increase the amount by $5,000,000.

On page 25, line 4, increase the amount by $11,000,000.

On page 25, line 8, increase the amount by $10,000,000.

On page 25, line 12, increase the amount by $8,000,000.

On page 25, line 16, increase the amount by $6,000,000.

On page 53, line 1, increase the amount by $41,000,000.

On page 53, line 2, increase the amount by $5,000,000.

SA 3089. 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 yer 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 throgh 2011; which was ordered to lie on the table; as follows:

On page 3, line 13, increase the amount by $25,000,000.

On page 3, line 15, increase the amount by $30,000,000.
On page 3, line 17, increase the amount by $30,000,000.
On page 3, line 19, increase the amount by $10,000,000.
On page 3, line 21, increase the amount by $5,000,000.
On page 4, line 1, increase the amqunt by $25,000,000.
On page 4, line 2, increase the amount by $30,000,000.
On page 4, line 3, increase the amount by $30,000,000.
On page 4, line 4, increase the amount by $10,000,000.
On page 4, line 6, increase the amount by $5,000,000.
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 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.

SA 3090. 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; as follows:

On page 3, line 13, increase the amount by $21,000,000.
On page 3, line 15, increase the amount by $42,000,000.
On page 3, line 17, increase the amount by $11,000,000.
On page 3, line 19, increase the amount by $2,000,000.
On page 4, line 1, increase the amount by $21,000,000.
On page 4, line 2, increase the amount by $42,000,000.
On page 4, line 3, increase the amount by $11,000,000.
On page 4, line 4, increase the amount by $2,000,000.
On page 4, line 13, increase the amount by $79,000,000.
On page 5, line 4, increase the amount by $21,000,000.
On page 5, line 6, increase the amount by $42,000,000.
On page 5, line 8, increase the amount by $11,000,000.
On page 5, line 10, increase the amount by $2,000,000.
On page 19, line 24, increase the amount by $79,000,000.
On page 19, line 25, increase the amount by $21,000,000.
On page 20, line 4, increase the amount by $42,000,000.
On page 20, line 8, increase the amount by $11,000,000.
On page 20, line 12, increase the amount by $2,000,000.
On page 53, line 1, increase the amount by $79,000,000.
On page 53, line 2, increase the amount by $21,000,000.

SA 3091. Mr. SCHUMER 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 $500,000,000.
On page 4, line 13, increase the amount by $500,000,000.
On page 5, line 4, increase the amount by $500,000,000.
On page 24, line 24, increase the amount by $500,000,000.
On page 24, line 25, increase the amount by $500,000,000.

SA 3092. Mr. SCHUMER 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, decrease the amount by $6,992,000,000.
On page 3, line 15, decrease the amount by $36,366,000,000.
On page 3, line 17, decrease the amount by $33,559,000,000.
On page 3, line 21, increase the amount by $76,917,000,000.
On page 4, line 1, decrease the amount by $6,992,000,000.
On page 4, line 2, decrease the amount by $36,366,000,000.
On page 4, line 3, decrease the amount by $33,559,000,000.
On page 4, line 6, increase the amount by $76,917,000,000.
On page 5, line 19, decrease the amount by $6,992,000,000.
On page 5, line 21, decrease the amount by $36,366,000,000.
On page 5, line 23, decrease the amount by $33,559,000,000.
On page 6, line 2, increase the amount by $76,917,000,000.
On page 6, line 8, increase the amount by $6,992,000,000.
On page 6, line 10, increase the amount by $43,358,000,000.
On page 6, line 12, increase the amount by $76,917,000,000.
On page 6, line 14, increase the amount by $76,917,000,000.
On page 6, line 22, increase the amount by $6,992,000,000.
On page 6, line 24, increase the amount by $43,358,000,000.
On page 7, line 2, increase the amount by $76,917,000,000.
On page 7, line 4, increase the amount by $76,917,000,000.

SA 3093. Mr. INHOFE 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 yar 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. . TO CONTROL DISCRETIONARY SPENDING

''Beginning with fiscal year 2007 and thereafter, all non-defense, non-trust-fund, discretionary spending shall not I exceed the previous fiscal year's levels, for purposes of the congressional budget process (Section 302 et al of the Congressional Budget Act of 1974), without a 2/3 vote of Members duly chosen and sworn.''

SA 3094. 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 15, decrease the amount by $1,279,625,000.
On page 4, line 17, decrease the amount by $1,340,125,000.
On page 4, line 19, decrease the amount by $1,403,250,000.
On page 4, line 21, decrease the amount by $1,469,500,000.
On page 5, line 6, decrease the amount by $1,279,625,000.
On page 5, line 8, decrease the amount by $1,340,125,000.
On page 5, line 10, decrease the amount by $1,403,250,000.
On page 5, line 12, decrease the amount by $1,469,500,000.
On page 5, line 21, decrease the amount by $1,279,625,000.
On page 5, line 23, decrease the amount by $1,340,125,000.
On page 5, line 25, decrease the amount by $1,403,250,000.
On page 6, line 2, decrease the amount by $1,469,500,000.
On page 6, line 10, decrease the amount by $1,279,625,000.
On page 6, line 12, decrease the amount by $2,619,750,000.
On page 6, line 14, decrease the amount by $4,023,000,000.
On page 6, line 16, decrease the amount by $5,492,500,000.
On page 6, line 24, decrease the amount by $1,279,625,000.
On page 7, line 2, decrease the amount by $2,619,750,000.
On page 7, line 4, decrease the amount by $4,023,000,000.
On page 7, line 6, decrease the amount by $5,492,500,000.
On page 21, line 3, decrease the amount by $1,250,000,000.
On page 21, line 4, decrease the amount by $1,250,000,000.
On page 21, line 7, decrease the amount by $1,250,000,000.
On page 21, line 8, decrease the amount by $1,250,000,000.
On page 21, line 11, decrease the amount by $1,250,000,000.
On page 21, line 12, decrease the amount by $1,250,000,000.
On page 21, line 15, decrease the amount by $1,250,000,000.
On page 21, line 16, decrease the amount by $1,250,000,000.

On page 27, line 3, decrease the amount by $29,625,000.

On page 27, line 4, decrease the amount by $29,625,000.

On page 27, line 7, decrease the amount by $90,125,000.

On page 27, line 8, decrease the amount by $90,125,000.

On page 27, line 11, decrease the amount by $153,250,000.

On page 27, line 12, decrease the amount by $153,250,000.

On page 27, line 15, decrease the amount by $219,500,000.

On page 27, line 16, decrease the amount by $219,500,000.

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 2007, 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 budget authority and outlays by $0 in fiscal year 2007 and $10,000,000,000 for the period of fiscal years 2007 through 2011.

SA 3095. 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 $434,000,000.

On page 3, line 15, increase the amount by $732,000,000.

On page 3, line 17, increase the amount by $582,000,000.

On page 3, line 19, increase the amount by $539,000,000.

On page 3, line 21, increase the amount by $422,000,000.

On page 4, line 1, increase the amount by $434,000,000.

On page 4, line 2, increase the amount by $732,000,000.

On page 4, line 3, increase the amount by $582,000,000.

On page 4, line 4, increase the amount by $539,000,000.

On page 4, line 6, increase the amount by $422,000,000.

On page 5, line 19, increase the amount by $434,000,000.

On page 5, line 21, increase the amount by $732,000,000.

On page 5, line 23, increase the amount by $582,000,000.

On page 5, line 25, increase the amount by $539,000,000.

On page 6, line 2, increase the amount by $422,000,000.

On page 6, line 8, decrease the amount by $434,000,000.

On page 6, line 10, decrease the amount by $1,166,000,000.

On page 6, line 12, decrease the amount by $1,748,000,000.

On page 6, line 14, decrease the amount by $2,287,000,000.

On page 6, line 16, decrease the amount by $2,709,000,000.

On page 6, line 22, decrease the amount by $434,000,000.

On page 6, line 24, decrease the amount by $1,166,000,000.

On page 7, line 2, decrease the amount by $1,748,000,000.

On page 7, line 4, decrease the amount by $2,287,000,000.

On page 7, line 6, decrease the amount by $2,709,000,000.

SA 3096. Mr. LEAHY (for himself 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON THE CRIME VICTIMS FUND.

(a) FINDINGS.—The Senate finds the following:—

(1) The Victims of Crime Act of 1984 (''VOCA'') was enacted to provide Federal financial support for services to victims of all types of crime, primarily through grants to state crime victim compensation and victim assistance programs.

(2) VOCA created the Crime Victims Fund (''the Fund'') as a separate account into which are deposited monies collected from persons convicted of Federal criminal offenses, including criminal fines, forfeitures and special assessments. There are no general taxpayer generated revenues deposited into the Fund.

(3) Each fiscal year, the Fund is used to support—

(A) formula grants to States for financial assistance to upwards of 4,400 programs providing direct victim assistance services to nearly 4,000,000 victims of all types of crimes annually, with priority for programs serving victims of domestic violence, sexual assault and child abuse, and previously underserved victims of violent crime;

(B) formula grants to States to supplement State crime victim compensation programs, which reimburse more than 150,000 violent crime victims annually for out-of-pocket expenses, including medical expenses, mental health counseling, lost wages, loss of support and funeral costs;

(C) the Antiterrorism Emergency Reserve, to assist victims of domestic and international terrorism;

(D) discretionary grants by the Office for Victims of Crime to provide training and technical assistance and services to victims of Federal crimes;

(E) Children's Justice Act grants to States to improve the investigation and prosecution of child abuse cases;

(F) victim witness coordinators in United States Attorney's Offices; and

(G) victim assistance specialists in Federal Bureau of Investigation field offices.

(4) In the 108th Congress, a strong bipartisan, bicameral majority in Congress affirmed its support for the Crime Victims Fund and increased its commitment to crime victims in the Justice for All Act of 2004 (Public Law 108–405), which establishes Federal crime victims rights and authorized 2 new VOCA-funded victim programs.

(5) Before fiscal year 2000, all amounts deposited into the Crime Victims Fund in each fiscal year were made available for authorized programs in the subsequent fiscal year.

(6) Beginning in fiscal year 2000, Congress responded to large fluctuations of deposits into the Fund by delaying obligations from the Fund above certain amounts, as follows:

(A) For fiscal year 2000, $500,000,000.

(B) For fiscal year 2001, $537,500,000.

(C) For fiscal year 2002, $550,000,000.

(D) For fiscal year 2003, $600,000,000.

(E) For fiscal year 2004, $625,000,000.

(F) For fiscal year 2005, $625,000,000.

(G) For fiscal year 2006, $625,000,000.

(7) In the conference report on an omnibus spending bill for fiscal year 2000 (Public Law 106–113), Congress explained that the reason for delaying annual Fund obligations was ''to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years''.

(8) VOCA mandates that ''. . . all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation''.

(9) The Crime Victims Fund is a trust fund established without tax payer dollars to assist crime victims and should continue to be respected.

(10) For fiscal year 2006, the President proposed to ''rescind'' $1,267,000,000 from amounts in the Fund. Congress rejected this proposal in the Science, State, Justice, Commerce, and Related Agencies Appropriations Act of 2006 (Public Law 109–108) and reaffirmed that amounts deposited or available in the Fund in any fiscal year in excess of $625,000,000 shall remain in the Fund and not be available for obligation until the following fiscal year.

(11) For fiscal year 2007, the President is recommending ''rescission'' of $1,255,000,000 from amounts in the Fund.

(12) The rescission proposed by the President would result in no funds being available to support crime victim services at the start of fiscal year 2008. Further, such rescission would make the Fund vulnerable to fluctuations in receipts into the Fund, and would not ensure that a stable level of funding will remain available for vital programs in future years.

(13) Retention of all amounts deposited into the Fund for the immediate and future use of crime victim services as authorized by VOCA is supported by many major criminal justice organizations, including—

(A) American Bar Association, Criminal Justice Section;

(B) National District Attorneys Association;

(C) National Sheriff's Association;

(D) 56 Attorneys General;

(E) National Organization for Victim Assistance;

(F) National Network to End Domestic Violence;

(G) Mothers Against Drunk Driving;

(H) National Children's Alliance;

(I) National Alliance to End Sexual Violence;

(J) National Coalition Against Domestic Violence;

(K) National Center for Victims of Crime;

(L) National Association of VOCA Assistance Administrators;

(M) National Association of Crime Victim Compensation Boards;

(N) United States Conference of Catholic Bishops;

(O) National Grange;

(P) the Justice Project;

(Q) Victims' Assistance Legal Organization, Inc;

(R) Justice Solutions, NPO;

(S) Pennsylvania Coalition Against Rape; and

(T) National Organization for Parents of Murdered Children.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the funding levels in this resolution assume that all amounts that have been and will be deposited into the Crime Victims Fund, including amounts deposited in fiscal year 2007 and thereafter, shall remain in the Fund for use as authorized under the Victims of Crime Act of 1984.

SA 3097. Mr. DAYTON (for himself, Mr. DODD, Ms. MIKULSKI, Mr. DURBIN, and Mr. SCHUMER) 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 $230,000,000.

On page 3, line 15, increase the amount by $7,591,000,000.

On page 3, line 17, increase the amount by $3,450,000,000.

On page 3, line 19, increase the amount by $230,000,000.

On page 4, line 1, increase the amount by $230,000,000.

On page 4, line 2, increase the amount by $7,591,000,000.

On page 4, line 3, increase the amount by $3,450,000,000.

On page 4, line 4, increase the amount by $230,000,000.

On page 4, line 13, increase the amount by $11,501,000,000.

On page 5, line 4, increase the amount by $230,000,000.

On page 5, line 6, increase the amount by $7,591,000,000.

On page 5, line 18, increase the amount by $3,450,000,000.

On page 5, line 10, increase the amount by $230,000,000.

On page 18, line 24, increase the amount by $11,501,000,000.

On page 18, line 25, increase the amount by $230,000,000.

On page 19, line 4, increase the amount by $7,591,000,000.

On page 19, line 8, increase the amount by $3,450,000,000.

On page 19, line 12, increase the amount by $230,000,000.

SA 3098. Mr. LEVIN 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 $300,000,000.

On page 17, line 23, increase the amount by $30,000,000.

On page 18, line 3, increase the amount by $111,000,000.

On page 18, line 7, increase the amount by $93,000,000.

On page 18, line 11, increase the amount by $66,000,000.

On page 24, line 24, increase the amount by $34,000,000.

On page 24, line 25, increase the amount by $26,000,000.

On page 25, line 4, increase the amount by $5,000,000.

On page 25, line 8, increase the amount by $3,000,000.

On page 27, line 23, decrease the amount by $334,000,000.

On page 27, line 24, decrease the amount by $56,000,000.

On page 28, line 2, decrease the amount by $116,000,000.

On page 28, line 5, decrease the amount by $96,000,000.

On page 28, line 8, decrease the amount by $66,000,000.

On page 17, line 23 , increase the amount by $30,00,000.

On page 18, line 3, increase the amount by $111,000,000.

On page 18, line 7, increase the amount by $93,000,000.

On page 18, line 11, increase the amount by $66.000,000.

On page 24, line 24, increase the amount by $34,000,000.

On page 24, line 25, increase the amount by $26,000,000.

On page 25 line 4, increase the amount by $5,000,000.

On page 25, line 8, increase the amount by $3,000,000.

On page 53, line 1, increase the amount by $334,000,000.

On page 53, line 2, increase the amount by $56,000,000.

SA 3099. Mr. REED 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 48, line 5, reduce the amount by $2,914,000,000.

On page 53, line 1, increase the amount by $2,914,000,000.

On page 53, line 2, increase the amount by $2,577,000,000.

SA 3100. 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 15, decrease the amount by $1,279,625,000.

On page 4, line 17, decrease the amount by $1,340,125,000.

On page 4, line 19, decrease the amount by $1,403,250,000.

On page 4, line 21, decrease the amount by $1,469,500,000.

On page 5, line 6, decrease the amount by $1,279,625,000.

On page 5, line 8, decrease the amount by $1,340,125,000.

On page 5, line 10, decrease the amount by $1,403,250,000.

On page 5, line 12, decrease the amount by $1,469,500,000.

On page 5, line 21, decrease the amount by $1,279,625,000.

On page 5, line 23, decrease the amount by $1,340,125,000.

On page 5, line 25, decrease the amount by $1,403,250,000.

On page 6, line 2, increase the amount by $1,469,500,000.

On page 6, line 10, decrease the amount by $1,279,625,000.

On page 6, line 12, decrease the amount by $2,619,750,000.

On page 6, line 14, decrease the amount by $4,023,000,000.

On page 6, line 16, decrease the amount by $5,492,500,000.

On page 6, line 24, decrease the amount by $1,279,625,000.

On page 7, line 2, decrease the amount by $2,619,750,000.

On page 7, line 4, decrease the amount by $4,023,000,000.

On page 7, line 6, decrease the amount by $5,492,500,000.

On page 21, line 3, decrease the amount by $1,250,000,000.

On page 21, line 4, decrease the amount by $1,250,000,000.

On page 21, line 7, decrease the amount by $1,250,000,000.

On page 21, line 8, decrease the amount by $1,250,000,000.

On page 21, line 11, decrease the amount by $1,250,000,000.

On page 21, line 12, decrease the amount by $1,250,000,000.

On page 21, line 15, decrease the amount by $1,250,000,000.

On page 21, line 16, decrease the amount by $1,250,000,000.

On page 27, line 3, decrease the amount by $29,625,000.

On page 27, line 4, decrease the amount by $29,625,000.

On page 27, line 7, decrease the amount by $90,125,000.

On page 27, line 8, decrease the amount by $90,125,000.

On page 27, line 11, decrease the amount by $153,250,000.

On page 27, line 12, decrease the amount by $153,250,000.

On page 27, line 15, decrease the amount by $219,500,000.

On page 27, line 16, decrease the amount by $219,500,000.

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 2007, 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 budget authority and outlays by $0 in fiscal year 2007 and $10,000,000,000 for the period of fiscal years 2007 through 2011.

SA 3101. Mr. DORGAN (for himself, Ms. MIKULSKI, Mr. LEVIN, Mr. FEINGOLD, Mr. LEAHY, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. HARKIN) 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 $500,000,000.
On page 3, line 15, increase the amount by $1,100,000,000.
On page 3, line 17, increase the amount by $1,200,000,000.
On page 3, line 19, increase the amount by $1,400,000,000.
On page 3, line 21, increase the amount by $1,500,000,000.
On page 4, line 1, increase the amount by $500,000,000.
On page 4, line 2, increase the amount by $1,100,000,000.
On page 4, line 3, increase the amount by $1,200,000,000.
On page 4, line 4, increase the amount by $1,400,000,000.
On page 4, line 6, increase the amount by $1,500,000,000.
On page 5, line 19, increase the amount by $500,000,000.
On page 5, line 21, increase the amount by $1,100,000,000.
On page 5, line 23, increase the amount by $1,200,000,000.
On page 5, line 25, increase the amount by $1,400,000,000.
On page 6, line 2, increase the amount by $1,500,000,000.
On page 6, line 8, decrease the amount by $500,000,000.
On page 6, line 10, decrease the amount by $1,600,000,000.
On page 6, line 12, decrease the amount by $2,800,000,000.
On page 6, line 14, decrease the amount by $4,200,000,000.
On page 6, line 16, decrease the amount by $5,700,000,000.
On page 6, line 22, decrease the amount by $500,000,000.
On page 6, line 24, decrease the amount by $1,600,000,000.
On page 7, line 2, decrease the amount by $2,800,000,000.
On page 7, line 4, decrease the amount by $4,200,000,000.
On page 7, line 6, decrease the amount by $5,700,000,000.

SA 3102. Mr. DORGAN (for himself, Ms. CANTWELL, Mrs. MURRAY, Mr. JOHNSON, 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 3, line 13, increase the amount by $285,000,000.
On page 3, line 15, increase the amount by $197,000,000.
On page 3, line 17, increase the amount by $230,000,000.
On page 3, line 19, increase the amount by $263,000,000.
On page 3, line 21, increase the amount by $302,000,000.
On page 4, line 1, increase the amount by $285,000,000.
On page 4, line 2, increase the amount by $197,000,000.
On page 4, line 3, increase the amount by $230,000,000.
On page 4, line 4, increase the amount by $263,000,000.
On page 4, line 6, increase the amount by $302,000,000.
On page 4, line 13, increase the amount by $1,000,000,000.
On page 5, line 4, increase the amount by $299,000,000.
On page 5, line 6, increase the amount by $385,000,000.
On page 5, line 8, increase the amount by $154,000,000.
On page 5, line 10, increase the amount by $126,000,000.
On page 5, line 12, increase the amount by $15,000,000.
On page 5, line 19, decrease the amount by $14,000,000.
On page 5, line 21, decrease the amount by $188,000,000.
On page 5, line 23, increase the amount by $76,000,000.
On page 5, line 25, increase the amount by $137,000,000.
On page 6, line 2, increase the amount by $287,000,000.
On page 6, line 8, increase the amount by $14,000,000.
On page 6, line 10, increase the amount by $202,000,000.
On page 6, line 12, increase the amount by $126,000,000.
On page 6, line 14, decrease the amount by $11,000,000.
On page 6, line 16, decrease the amount by $298,000,000.
On page 6, line 22, increase the amount by $14,000,000.
On page 6, line 24, increase the amount by $202,000,000.
On page 7, line 2, increase the amount by $126,000,000.
On page 7, line 4, decrease the amount by $11,000,000.
On page 7, line 6, decrease the amount by $298,000,000.
On page 13, line 21, increase the amount by $25,000,000.
On page 13, line 22, increase the amount by $13,000,000.
On page 14, line 1, increase the amount by $8,000,000.
On page 14, line 5, increase the amount by $4,000,000.
On page 14, line 9, increase the amount by $1,000,000.
On page 17, line 22, increase the amount by $120,000,000.
On page 17, line 23, increase the amount by $29,000,000.
On page 18, line 3, increase the amount by $33,000,000.
On page 18, line 7, increase the amount by $27,000,000.
On page 18, line 11, increase the amount by $18,000,000.
On page 18, line 15, increase the amount by $2,000,000.
On page 18, line 24, increase the amount by $120,000,000.
On page 18, line 25, increase the amount by $17,000,000.
On page 19, line 4, increase the amount by $90,000,000.
On page 19, line 8, increase the amount by $8,000,000.
On page 19, line 12, increase the amount by $2,000,000.
On page 19, line 24, increase the amount by $540,000,000.
On page 19, line 25, increase the amount by $187,000,000.
On page 20, line 4, increase the amount by $203,000,000.
On page 20, line 8, increase the amount by $75,000,000.
On page 20, line 12, increase the amount by $75,000,000.
On page 21, line 24, increase the amount by $125,000,000.
On page 21, line 25, increase the amount by $46,000,000.
On page 22, line 4, increase the amount by $25,000,000.
On page 22, line 8, increase the amount by $18,000,000.
On page 22, line 12, increase the amount by $15,000,000.
On page 22, line 16, increase the amount by $13,000,000.
On page 24, line 24, increase the amount by $70,000,000.
On page 24, line 25, increase the amount by $7,000,000.
On page 25, line 4, increase the amount by $26,000,000.
On page 25, line 8, increase the amount by $22,000,000.
On page 25, line 12, increase the amount by $15,000,000.
On page 53, line 1, increase the amount by $1,000,000,000.
On page 53, line 2, increase the amount by $298,000,000.

SA 3103. Mr. SARBANES 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 $1,718,000,000.
On page 3, line 15, increase the amount by $699,000,000.
On page 3, line 17, increase the amount by $320,000,000.
On page 3, line 19, increase the amount by $116,000,000.
On page 3, line 21, increase the amount by $58,000,000.
On page 4, line 1, decrease the amount by $1,718,000,000.
On page 4, line 2, decrease the amount by $699,000,000.
On page 4, line 3, decrease the amount by $320,000,000.
On page 4, line 4, decrease the amount by $116,000,000.
On page 4, line 6, decrease the amount by $58,000,000.
On page 4, line 13, increase the amount by $2,912,000,000.
On page 5, line 4, increase the amount by $1,718,000,000.
On page 5, line 6, increase the amount by $699,000,000.
On page 5, line 8, increase the amount by $320,000,000.
On page 5, line 10, increase the amount by $116,000,000.
On page 5, line 12, increase the amount by $58,000,000.
On page 13, line 21, increase the amount by $2,912,000,000.
On page 13, line 22, increase the amount by $1,718,000,000.
On page 14, line 1, increase the amount by $699,000,000.
On page 14, line 5, increase the amount by $320,000,000.
On page 14, line 9, increase the amount by $116,000,000.
On page 14, line 13, increase the amount by $58,000,000.
On page 53, line 1, increase the amount by $2,912,000,000.
On page 53, line 2, increase the amount by $1,718,000,000.

SA 3104. Mrs. MURRAY (for herself, Mr. KENNEDY, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, 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 $675,000,000.
On page 3, line 15, increase the amount by $2,756,000,000.
On page 3, line 17, increase the amount by $2,820,000,000.
On page 3, line 19, increase the amount by $2,836,000,000.
On page 3, line 21, increase the amount by $2,840,000,000.
On page 4, line 1, increase the amount by $675,000,000.
On page 4, line 2, increase the amount by $2,756,000,000.
On page 4, line 3, increase the amount by $2,820,000,000.
On page 4, line 4, increase the amount by $2,836,000,000.
On page 4, line 6, increase the amount by $2,840,000,000.
On page 4, line 13, increase the amount by $1,412,000,000.
On page 4, line 15, increase the amount by $1,415,000,000.
On page 4, line 17, increase the amount by $1,423,000,000.
On page 4, line 19, increase the amount by $1,433,000,000.
On page 4, line 21, increase the amount by $1,430,000,000.
On page 5, line 4, increase the amount by $339,000,000.
On page 5, line 6, increase the amount by $1,385,000,000.
On page 5, line 8, increase the amount by $1,417,000,000.
On page 5, line 10, increase the amount by $1,425,000,000.
On page 5, line 12, increase the amount by $1,432,000,000.
On page 5, line 19, increase the amount by $336,000,000.
On page 5, line 21, increase the amount by $1,371,000,000.
On page 5, line 23, increase the amount by $1,403,000,000.
On page 5, line 25, increase the amount by $1,411,000,000.
On page 6, line 2, increase the amount by $1,408,000,000.
On page 6, line 8, decrease the amount by $336,000,000.
On page 6, line 10, decrease the amount by $1,707,000,000.
On page 6, line 12, decrease the amount by $3,110,000,000.
On page 6, line 14, decrease the amount by $4,521,000,000.
On page 6, line 16, decrease the amount by $5,929,000,000.
On page 6, line 22, decrease the amount by $336,000,000.
On page 6, line 24, decrease the amount by $1,707,000,000.
On page 7, line 2, decrease the amount by $3,110,000,000.
On page 7, line 4, decrease the amount by $4,521,000,000.
On page 7, line 6, decrease the amount by $5,929,000,000.
On page 18, line 24, increase the amount by $1,412,000,000.
On page 18, line 25, increase the amount by $339,000,000.
On page 19, line 3, increase the amount by $1,415,000,000.
On page 19, line 4, increase the amount by $1,385,000,000.
On page 19, line 7, increase the amount by $1,423,000,000.
On page 19, line 8, increase the amount by $1,417,000,000.
On page 19, line 11, increase the amount by $1,433,000,000.
On page 19, line 12, increase the amount by $1,425,000,000.
On page 19, line 15, increase the amount by $1,430,000,000.
On page 19, line 16, increase the amount by $1,432,000,000.

SA 3105. 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:

On page 3, line 13, increase the amount by $15,000,000.
On page 3, line 15, increase the amount by $435,000,000.
On page 3, line 17, increase the amount by $225,000,000.
On page 3, line 19, increase the amount by $75,000,000.
On page 4, line 1, increase the amount by $15,000,000.
On page 4, line 2, increase the amount by $435,000,000.
On page 4, line 3, increase the amount by $225,000,000.
On page 4, line 4, increase the amount by $75,000,000.
On page 4, line 13, increase the amount by $750,000,000.
On page 5, line 4, increase the amount by $15,000,000.
On page 5, line 6, increase the amount by $435,000,000.
On page 5, line 8, increase the amount by $225,000,000.
On page 5, line 10, increase the amount by $75,000,000.
On page 18, line 24, increase the amount by $750,000,000.
On page 18, line 25, increase the amount by $15,000,000.
On page 19, line 4, increase the amount by $435,000,000.
On page 19, line 8, increase the amount by $225,000,000.
On page 19, line 12, increase the amount by $75,000,000.
On page 53, line 1, increase the amount by $750,000,000.
On page 53, line 2, increase the amount by $15,000,000.

SA 3106. Mrs. LINCOLN (for herself, Mr. SALAZAR, Mr. PRYOR, Mr. HARKIN, and Mr. KOHL) 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 $1,177,000,000.
On page 3, line 15, increase the amount by $439,000,000.
On page 3, line 17, increase the amount by $221,000,000.
On page 3, line 19, increase the amount by $107,000,000.
On page 3, line 21, increase the amount by $57,000,000.
On page 4, line 1, increase the amount by $1,177,000,000.
On page 4, line 2, increase the amount by $439,000,000.
On page 4, line 3, increase the amount by $221,000,000.
On page 4, line 4, increase the amount by $107,000,000.
On page 4, line 6, increase the amount by $57,000,000.
On page 4, line 13, increase the amount by $2,029,000,000.
On page 5, line 4, increase the amount by $1,177,000,000.
On page 5, line 6, increase the amount by $439,000,000.
On page 5, line 8, increase the amount by $221,000,000.
On page 5, line 10, increase the amount by $107,000,000.
On page 5, line 12, increase the amount by $57,000,000.
On page 13, line 21, increase the amount by $916,000,000.
On page 13, line 22, increase the amount by $540,000,000.
On page 14, line 1, increase the amount by $220,000,000.
On page 14, line 5, increase the amount by $101,000,000.
On page 14, line 9, increase the amount by $37,000,000.
On page 14, line 13, increase the amount by $18,000,000.
On page 14, line 21, increase the amount by $384,000,000.
On page 14, line 22, increase the amount by $295,000,000.
On page 15, line 1, increase the amount by $67,000,000.
On page 15, line 5, increase the amount by $17,000,000.
On page 15, line 9, increase the amount by $3,000,000.
On page 15, line 21, increase the amount by $95,000,000.
On page 15, line 22, increase the amount by $71,000,000.
On page 16, line 1, increase the amount by $22,000,000.
On page 17, line 22, increase the amount by $296,000,000.
On page 17, line 23, increase the amount by $12,000,000.
On page 18, line 3, increase the amount by $79,000,000.
On page 18, line 7, increase the amount by $96,000,000.
On page 18, line 11, increase the amount by $63,000,000.
On page 18, line 15, increase the amount by $35,000,000.
On page 19, line 24, increase the amount by $104,000,000.
On page 19, line 25, increase the amount by $93,000,000.
On page 20, line 4, increase the amount by $11,000,000.
On page 21, line 24, increase the amount by $234,000,000.
On page 21, line 25, increase the amount by $166,000,000.
On page 22, line 4, increase the amount by $40,000,000.
On page 22, line 8, increase the amount by $8,000,000.
On page 22, line 12, increase the amount by $4,000,000.
On page 22, line 16, increase the amount by $3,000,000.
On page 53, line 1, increase the amount by $2,029,000,000.
On page 53, line 2, increase the amount by $1,177,000,000.

SA 3107. 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 32, line 24, through page 33, line 1, strike ''and (C)'' and insert the following:

''(C) provides for the establishment of a health care trust fund for victims of tremolite asbestos exposure;

''(D)''.

SA 3108. Mrs. HUTCHISON (for herself and Mr. SANTORUM) 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 MARRIAGE PENALTY RELIEF.

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 marriage penalty relief for standard deduction and 15 percent bracket provided under sections 301 and 302 of the Economic Growth and Tax Relief Reconciliation Act of 2001 (115 Stat. 53) through September 30, 2011; and

(2) such marriage penalty relief should be made permanent.

SA 3109. Mrs. HUTCHISON 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 SALES TAX DEDUCTION.

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 sales tax deduction provided under section 164(b)(5) of the Internal Revenue Code of 1986 through September 30, 2011; and

(2) such sales tax deduction should be made permanent.

SA 3110. Mrs. HUTCHISON 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:

''SEC. . Reserve Fund for Physician Payment Increase under Medicare. If—

(1) the Committee on Finance Reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that has the effect of increasing the reimbursement rate for physician services under Section 1848(d) of the Social Security Act; 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 of the Senate 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.

SA 3111. Mr. DODD (for himself and Mr. DEWINE) 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 title III, insert the following:

SEC. ___. RESERVE FUND FOR THE FIRE AND SAFER PROGRAMS.

If a bill or joint resolution is offered, or an amendment is offered thereto, or a conference report is submitted thereon, that provides firefighters and fire departments with critical resources under the Assistance to Firefighters Grant and the Staffing for Adequate Fire and Emergency Response Firefighters Grant, the Chairman of the Committee on Budget shall adjust the revenue aggregates and other appropriate aggregates, levels, and limits in their resolution to reflect such legislation 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.

SA 3112. Ms. LANDRIEU 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 $516,000,000.

On page 3, line 15, increase the amount by $221,000,000.

On page 4, line 1, increase the amount by $516,000,000.

On page 4, line 2, increase the amount by $221,000,000.

On page 4, line 13, increase the amount by $737,000,000.

On page 5, line 4, increase the amount by $516,000,000.

On page 5, line 6, increase the amount by $221,000,000.

On page 13, line 21, increase the amount by $737,000,000.

On page 13, line 22, increase the amount by $516,000,000.

On page 14, line 1, increase the amount by $221,000,000.

On page 53, line 1, increase the amount by $737,000,000.

On page 53, line 2, increase the amount by $516,000,000.

SA 3113. Ms. LANDRIEU 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 $36,000,000.

On page 3, line 15, increase the amount by $84,000,000.

On page 3, line 17, increase the amount by $75,000,000.

On page 3, line 19, increase the amount by $75,000,000.

On page 3, line 21, increase the amount by $30,000,000.

On page 4, line 1, increase the amount by $36,000,000.

On page 4, line 2, increase the amount by $84,000,000.

On page 4, line 3, increase the amount by $75,000,000.

On page 4, line 4, increase the amount by $75,000,000.

On page 4, line 6, increase the amount by $30,000,000.

On page 4, line 13, increase the amount by $300,000,000.

On page 5, line 4, increase the amount by $36,000,000.

On page 5, line 6, increase the amount by $84,000,000.

On page 5, line 8, increase the amount by $75,000,000.

On page 5, line 10, increase the amount by $75,000,000.

On page 5, line 12, increase the amount by $30,000,000.

On page 15, line 21, increase the amount by $300,000,000.

On page 15, line 22, increase the amount by $36,000,000.

On page 16, line 1, increase the amount by $84,000,000.

On page 16, line 5, increase the amount by $75,000,000.

On page 16, line 9, increase the amount by $75,000,000.

On page 16, line 13, increase the amount by $30,000,000.

SA 3114. Mr. BURR 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. ___. RESERVE FUND FOR PANDEMIC INFLUENZA PREPAREDNESS PLANNING.

If the Committee on Health, Education, Labor, and Pensions 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—

(1) rebuilds the vaccine industry in the United States which has shrunk from over 25 to less than 5 companies;

(2) improves the United States capacity to produce life-saving pandemic influenza vaccines and antivirals;

(3) ensures adequate funding for advanced development and acquisition of needed medical countermeasures for biodefense and pandemic influenza protection;

(4) enhances the Strategic National Stockpile of pandemic influenza vaccines, antivirals, and other medical products;

(5) strengthens the Federal, State, and local public health infrastructure to effectively respond to a pandemic influenza outbreak;

(6) increases the domestic and international surveillance and outbreak containment capabilities; and

(7) improves public awareness and education of pandemic influenza preparedness planning;

assuming that the 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 years 2007 and for the period of fiscal years 2007 through 2011.

SA 3115. Mr. REID (for Mrs. CLINTON (for herself, Mr. REID, and Mrs. MURRAY)) 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 $225,000,000.
On page 3, line 15, increase the amount by $84,000,000.
On page 3, line 17, increase the amount by $23,000,000.
On page 3, line 19, increase the amount by $10,000,000.
On page 3, line 21, increase the amount by $2,000,000.
On page 4, line 1, increase the amount by $225,000,000.
On page 4, line 2, increase the amount by $84,000,000.
On page 4, line 3, increase the amount by $23,000,000.
On page 4, line 4, increase the amount by $10,000,000.
On page 4, line 6, increase the amount by $2,000,000.
On page 4, line 13, increase the amount by $347,000,000.
On page 5, line 4, increase the amount by $225,000,000.
On page 5, line 6, increase the amount by $84,000,000.
On page 5, line 8, increase the amount by $23,000,000.
On page 5, line 10, increase the amount by $10,000,000.
On page 5, line 12, increase the amount by $2,000,000.
On page 19, line 24, increase the amount by $124,000,000.
On page 19, line 25, increase the amount by $27,000,000.
On page 20, line 4, increase the amount by $61,000,000.
On page 20, line 8, increase the amount by $21,000,000.
On page 20, line 12, increase the amount by $10,000,000.
On page 20, line 16, increase the amount by $2,000,000.
On page 21, line 24, increase the amount by $223,000,000.
On page 21, line 25, increase the amount by $198,000,000.
On page 22, line 4, increase the amount by $23,000,000.
On page 22, line 8, increase the amount by $2,000,000.
On page 53, line 1, increase the amount by $347,000,000.
On page 53, line 2, increase the amount by $225,000,000.

SA 3116. Mr. NELSON of Nebraska 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:

At the appropriate place, insert the following:

SEC. ___. EARMARK ADMINISTRATIVE EXPENSES.

It is the sense of the Senate that—

(1) funds appropriated for an earmark project should be solely used for the project and not used by Federal agencies for administrative costs; and

(2) any funds not used by an earmark project should go to deficit reduction.

SA 3117. Mr. LEVIN 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 $300,000,000.
On page 17, line 23, increase the amount by $30,000,000.
On page 18, line 3, increase the amount by $111,000,000.
On page 18, line 7, increase the amount by $93,000,000.
On page 18, line 11, increase the amount by $66,000,000.
On page 24, line 24, increase the amount by $34,000,000.
On page 24, line 25, increase the amount by $26,000,000.
On page 25, line 4, increase the amount by $5,000,000.
On page 25, line 8, increase the amount by $3,000,000.
On page 27, line 23, decrease the amount by $334,000,000.
On page 27, line 24, decrease the amount by $56,000,000.
On page 28, line 2, decrease the amount by $116,000,000.
On page 28, line 5, decrease the amount by $96,000,000.
On page 28, line 8, decrease the amount by $66,000,000.

SA 3118. Ms. STABENOW 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 ALLOW FOR DEFICIT-NEUTRAL LEGISLATION THAT WOULD PROVIDE SENIORS WITH A PRESCRIPTION DRUG BENEFIT OPTION THAT IS AFFORDABLE, USER-FRIENDLY, AND ADMINISTERED DIRECTLY BY THE SECRETARY OF HEALTH AND HUMAN SERVICES.

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) provide all Medicare beneficiaries with a Medicare-administered prescription drug plan option, while preserving the private prescription drug plan options;

(2) ensure that Medicare beneficiaries pay the lowest possible prescription drug prices by directing the Secretary of Health and Human Services to negotiate with pharmaceutical manufacturers with respect to the purchase price of covered part D drugs on behalf of beneficiaries enrolled in the Medicare-administered prescription drug plan;

(3) improve the part D standard prescription drug benefit; and

(4) guarantee that Medicare beneficiaries receive the FDA-approved drugs they need by preventing prescription drug plans and MA-PD plans from ending coverage of drugs, or imposing restrictions or limitations on coverage of drugs, that were covered when the beneficiary enrolled in the plan until the beneficiary has the opportunity to switch plans, with an exception to such guarantee for brand name drugs for which there is a generic drug approved under section 505(j) of the Food and Drug Cosmetic Act that is placed on the market during the period in which the guarantee applies;

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 2007 through 2011.

SA 3119. Mr. ENSIGN 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:

SECTION 1. SENSE OF THE SENATE ON THE UNITED NATIONS HUMAN RIGHTS COUNCIL.

(a) FINDINGS.—The Senate finds that—

(1) the United Nations Secretary General stated in March 2005, ''the Commission on Human Rights suffers from declining credibility and professionalism, and is in major need of reform'' and that a fundamental problem is that, ''States have sought membership . . . not to strengthen human rights but to protect themselves against criticism or to criticize others'';

(2) the United States and other countries called for the abolition of the United Nations Commission on Human Rights and its replacement with a new Human Rights Council;

(3) current Members of the United Nations Commission on Human Rights, the primary human rights body of the United Nations, include some of the worst violators of human rights in the world, such as China, Cuba, Saudi Arabia, Sudan, Venezuela, and Zimbabwe;

(4) there are no criteria regarding the human rights record of a country for membership on the new United Nations Human Rights Council and even those countries that are found complicit in massive and sustained human rights abuses would be able to serve;

(5) even countries under sanctions by the United Nations Security Council for human rights violations or terrorism are not categorically excluded from membership on the United Nations Human Rights Council;

(6) the Government of the United States, which had been a member of the United Nations Commission on Human Rights every term since 1947, with 1 exception, has played a leadership role in efforts to promote human rights throughout the history of the United Nations Commission on Human Rights;

(7) the Government of the United States would be ineligible for membership on the Human Rights Council every 6 years;

(8) the Government of the United States formally opposed the creation of the United Nations Human Rights Council in a General Assembly session on March 15, 2006; and

(9) the Government of the United States would be required to cover 22 percent of the costs of the Human Rights Council.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Government of the United States should decline to participate on the United Nations Human Rights Council until the Secretary of State certifies to the Congress that the United Nations has passed a resolution affirming that countries found complicit in sustained human rights abuses are ineligible for membership in the United Nations Human Rights Council; and

(2) the Government of the United States should not provide any funds for the United Nations Human Rights Council until the Secretary of State certifies to the Congress that the United Nations has passed a resolution affirming that countries found complicit in sustained human rights abuses are ineligible for membership in the United Nations Human Rights Council.

SA 3120. Mr. SMITH 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. _____. TO EXPRESS THE SENSE OF THE SENATE THAT LEGISLATIVE ACTION SHOULD BE TAKEN TO INSTITUTE EQUITY UNDER THE MEDICARE PROGRAM FOR PERSONS WITH MENTAL ILLNESS.

(a) FINDINGS.—

(1) Almost 36,300,000 Americans were over age 65 in 2004, with the population projected to almost double to 71,500,000 by 2030.

(2) It is estimated that 20 percent of, or over 7 million, adults age 65 and older suffer from a mental illness and that because of population growth and an increased incidence by 2030 this number will grow to 15.7 million.

(3) 5,248 older Americans died by suicide in 2003.

(4) In 2002, older Americans comprised 12.3 percent of the population, yet represented 17.5 percent of completed suicides.

(5) Caucasian men over age 85 are at greatest risk, with a suicide rate almost 5 times higher than the national average.

(6) It is reported that among older adults, for every completed suicide, 4 attempts are made.

(7) Research shows that 20 percent of older Americans who die by suicide visited their physician within the previous 24 hours of their suicide, 41 percent within the previous week of their suicide, and 75 percent within the previous month of their suicide.

(8) The Medicare program discriminates against persons with mental illness by imposing a 50 percent copayment on outpatient mental health services compared to a 20 percent copayment for outpatient physical health services.

(9) Correcting this inequity in the Medicare program was one of the top ten White House Conference on Aging resolutions.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals in this resolution assume that Congress should act to provide mental health copayment equity to America's seniors under the Medicare program.

SA 3121. Mr. BINGAMAN (for himself and Mr. SMITH) 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:

Strike section 406.

SA 3122. Mr. TALENT (for himself, Mr. FRIST, and Mr. ALLEN) 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. LINE ITEM VETO.

It is the sense of the Senate that Congress should provide the President with a constitutionally acceptable line item veto authority.

SA 3123. Mr. COLEMAN 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 12, line 21, increase the amount by $200,000,000.

On page 12, line 22, increase the amount by $200,000,000.

On page 27, line 23, decrease the amount by $200,000,000.

On page 27, line 24, increase the amount by $200,000,000.

SA 3124. Mr. COLEMAN 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 18, line 24, increase the amount by $143,000,000.

On page 18, line 25, increase the amount by $143,000,000.

On page 27, line 23, decrease the amount by $143,000,000.

On page 27, line 24, increase the amount by $143,000,000.

SA 3125. Mr. COLEMAN 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 21, line 24, increase the amount by $128,700,000.

On page 21, line 25, increase the amount by $128,700,000.

On page 27, line 23, decrease the amount by $128,700,000.

On page 27, line 24, increase the amount by $128,700,000.

SA 3126. Mr. COLEMAN 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 14, line 21, increase the amount by $40,000,000.

On page 14, line 22, increase the amount by $40,000,000.

On page 27, line 23, decrease the amount by $40,000,000.

On page 27, line 24, increase the amount by $40,000,000.

SA 3127. 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; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. _____. RESERVE FUND FOR A COMPREHENSIVE ENTITLEMENT REFORM COMMISSION.

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 establishes a Comprehensive Entitlement Reform Commission for the purpose of conducting a comprehensive review of the Social Security, Medicare, and Medicaid programs and making recommendations to sustain the solvency and stability of these programs for future generations; 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 the period of fiscal years 2007 through 2011.

SA 3128. Mr. DOMENICI 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 17, increase the amount by $151,593,000.

On page 4, line 19, increase the amount by $156,269,000.

On page 4, line 21, increase the amount by $162,937,000.

On page 5, line 8, increase the amount by $69,093,000.

On page 5, line 10, increase the amount by $133,769,000.

On page 5, line 12, increase the amount by $155,437,000.

On page 5, line 23, decrease the amount by $69,093,000.

On page 5, line 25, decrease the amount by $133,769,000.

On page 6, line 2, decrease the amount by $155,437,000.

On page 6, line 12, increase the amount by $69,093,000.

On page 6, line 14, increase the amount by $202,862,000.

On page 6, line 16, increase the amount by $358,299,000.
On page 7, line 2, increase the amount by $69,093,000.
On page 7, line 4, increase the amount by $202,862,000.
On page 7, line 6, increase the amount by $358,299,000.
On page 13, line 4, increase the amount by $150,000,000.
On page 13, line 5, increase the amount by $67,500,000.
On page 13, line 8, increase the amount by $150,000,000.
On page 13, line 9, increase the amount by $127,500,000.
On page 13, line 12, increase the amount by $150,000,000.
On page 13, line 13, increase the amount by $142,500,000.
On page 41, strike lines 8 through 11 and insert the following:
ate may make the adjustments described in subsections (b) and (c).
(b) ADJUSTMENT FOR IMPLEMENTATION OF ENERGY POLICY ACT OF 2005.—If the Committee on Appropriations of the Senate reports a bill or joint resolution, or if an amendment is offered thereto or a conference report is submitted thereon that makes available a portion of the receipts resulting from enactment of the legislation described in subsection (a) for programs to implement of the Energy Policy Act of 2005 (Public Law 109–58), the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority and outlays by the amount provided by that measure for that purpose, but the adjustment may not exceed $150,000,000 in new budget authority in each of fiscal years 2009 through 2011.
(c) ADJUSTMENT FOR THE LAND AND WATER CONSERVATION FUND PROGRAMS AND ADDITIONAL LAND CONSERVATION PROGRAMS.—If the Committee on Appro-* * *

SA 3129. Mr. SCHUMER 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 $283,000,000.
On page 3, line 15, increase the amount by $353,000,000.
On page 3, line 17, increase the amount by $71,000,000.
On page 4, line 1, increase the amount by $283,000,000.
On page 4, line 2, increase the amount by $353,000,000.
On page 4, line 3, increase the amount by $71,000,000.
On page 4, line 13, increase the amount by $707,000,000.
On page 5, line 4, increase the amount by $283,000,000.
On page 5, line 6, increase the amount by $353,000,000.
On page 5, line 8, increase the amount by $71,000,000.
On page 17, line 22, increase the amount by $707,000,000.
On page 17, line 23, increase the amount by $283,000,000.
On page 18, line 3, increase the amount by $353,000,000.
On page 18, line 7, increase the amount by $71,000,000.
On page 53, line 1, increase the amount by $707,000,000.
On page 53, line 2, increase the amount by $283,000,000.

SA 3130. Mr. SCHUMER 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 $9,000,000.
On page 3, line 15, increase the amount by $31,000,000.
On page 3, line 17, increase the amount by $65,000,000.
On page 3, line 19, increase the amount by $95,000,000.
On page 3, line 21, increase the amount by $77,000,000.
On page 4, line 1, increase the amount by $9,000,000.
On page 4, line 2, increase the amount by $31,000,000.
On page 4, line 3, increase the amount by $65,000,000.
On page 4, line 4, increase the amount by $95,000,000.
On page 4, line 6, increase the amount by $77,000,000.
On page 4, line 13, increase the amount by $308,000,000.
On page 5, line 4, increase the amount by $9,000,000.
On page 5, line 6, increase the amount by $31,000,000.
On page 5, line 8, increase the amount by $65,000,000.
On page 5, line 10, increase the amount by $95,000,000.
On page 5, line 12, increase the amount by $77,000,000.
On page 25, line 24, increase the amount by $308,000,000.
On page 25, line 25, increase the amount by $9,000,000.
On page 26, line 4, increase the amount by $31,000,000.
On page 26, line 8, increase the amount by $65,000,000.
On page 26, line 12, increase the amount by $95,000,000.
On page 26, line 16, increase the amount by $77,000,000.
On page 53, line 1, increase the amount by $308,000,000.
On page 53, line 2, increase the amount by $9,000,000.

SA 3131. Mr. BAUCUS (for himself and Mrs. LINCOLN) proposed an amendment to the joint resolution H.J. Res. 47, increasing the statutory limit on the public debt; as follows:

At the end of the joint resolution, insert the following:
''Sec. STUDY.—(a) The Secretary of the Treasury, in consultation with the Board of Governors of the Federal Reserve System and other appropriate agencies of the United States Government, shall conduct a study to examine the economic effects of the holding of United States publicly-held debt by foreign governments, foreign central banks, other foreign institutions, and foreign individuals.
(b) The Secretary shall transmit that study to the Congress within 180 days of the date of enactment of this legislation.
(c) The study shall provide an analysis of:
''(1) for each year from 1980 to the present, the amount and term of foreign-owned debt held by the public, broken down by foreign governments, foreign central banks, other foreign institutions, and foreign individuals, and expressed in nominal terms and as a percentage of the total amount of publicly-held debt in each year;
''(2) the economic effects that the increased foreign ownership of United States publicly-held debt has on
''(A) long-term interest rates in the United States,
''(B) global average interest rates,
''(C) the value of the United States dollar,
''(D) United States capital market liquidity,
''(E) the cost of private capital in the United States,
''(F) the generation of employment in the United States through foreign affiliates, and
''(G) the growth in real gross domestic product of the United States;
''(3) (A) for each year from 1980 to the present, the effect of foreign debt on the United States income account,
''(B) the predicted effect over the next 20 years, and
''(C) the effect of the deteriorating income account on the overall United States current account deficit;
''(4) the ability of the Department of the Treasury to track purchases of publicly held debt in secondary and tertiary markets, or, if this ability does not exist, the implications of that inability for fiscal policy, monetary policy, and the predictability of capital markets;
''(5) the effect that foreign ownership of United States publicly-held debt has or could have on United States trade policy;
''(6) whether the level of United States debt owned by China may adversely affect the ability of the United States to negotiate with China regarding currency manipulation by China;
''(7) the effect of the increase of foreign holdings of United States debt held by the public on national security; and
''(8) the implicit tax burden that results from foreign ownership of United States debt held by the public, defined as the per capita amount that a United States Federal income taxpayer would pay in annual Federal income taxes to fully service such foreign debt during each of fiscal years 2006 through 2010.''

SA 3132. Mr. BROWNBACK 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. ____. RESERVE FUND FOR THE PROTECTION OF UNBORN CHILDREN.

If—
(1) the Committee on Health, Education, Labor, and Pensions 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 implements the provisions of Senate bill 51 (109th Congress) relating to the protection of unborn children; 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 years 2007 and for the period of fiscal years 2007 through 2011.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 15, 2006, at 9:30 a.m., in open session to continue to receive testimony on 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.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, March 15, 2006, at 1:30 p.m., on Innovation and Competitiveness.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, March 15 at 11:30 a.m. The purpose of this meeting is to consider pending nominations and any other pending calendar business of the Committee which may be ready for consideration.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 15, 2006, at 9:30 a.m. to hold a hearing on Post-Palestinian Election Challenges in the Middle East.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. GRASSLEY. Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor and Pensions be authorized to meet on Wednesday, March 15, 2006, at 9 a.m. on legislative items.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to 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.

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

COMMITTEE ON THE JUDICIARY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Wednesday, March 15, 2006, at 9 a.m. in The Mansfield Room, S–207 The Capitol.

Agenda

I. Nominations: Norman Randy Smith, to be U.S. Circuit Judge for the Ninth Circuit; Patrick J. Schiltz, to be U.S. District Court Judge for the District of Minnesota; Steven G. Bradbury, to be an Assistant Attorney General for the Office of Legal Counsel; John F. Clark, to be Director of the United States Marshals Service.

II. Bills: S. , Comprehensive Immigration Reform; Chairman's Mark; S. 1768, A bill to permit the televising of Supreme Court proceedings: Specter, Leahy, Cornyn, Grassley, Schumer, Feingold, Durbin; S. 829, Sunshine in the Courtroom Act of 2005: Grassley, Schumer, Cornyn, Leahy, Feingold, Durbin, Graham, DeWine, Specter; S. 489, Federal Consent Decree Fairness Act: Alexander, Kyl, Cornyn, Graham, Hatch; S. 2039, Prosecutors and Defenders Incentive Act of 2005: DURBIN, SPECTER, DEWINE, LEAHY, KENNEDY, FEINSTEIN, FEINGOLD; S. 2292, A bill to provide relief for the Federal judiciary from excessive rent charges: Specter, Leahy, Cornyn, Feinstein, Biden.

III. Matters: S.J. Res. 1, Marriage Protection Amendment: Allard, Sessions, Kyl, Hatch, Cornyn, Coburn, Brownback.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 15, 2006 at 2:30 p.m. to hold a closed briefing.

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

SPECIAL COMMITTEE ON AGING

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet tomorrow, March 15, 2006 from 10 a.m.–12 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust, Competition Policy and Consumer Rights be authorized to meet on Wednesday, March 15, 2006 at 2:30 p.m. to conduct a hearing on ''Hospital Group Purchasing: Are the Industry's Reforms Sufficient to Ensure Competition?'' in Room 226 of the Dirksen Senate Office Building.

Witness List

Panel I: Richard J. Bednar, Coordinator, Healthcare Group Purchasing Industry Initiative, Washington, DC; Mark B. Leahey, Executive Director, Medical Device Manufacturers Association, Washington, DC; S. Prakash Sethi, Professor, Baruch College, The City University of New York, New York, NY; and Mina Ubbing, President and CEO, Fairfield Medical Center, Lancaster, OH.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Wednesday, March 15, 2006, at 2:30 p.m., for a hearing entitled, ''The GAO High-Risk List: An Update.''

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support be authorized to meet during the session of the Senate on March 15, 2006, at 9:30 a.m., in open session to receive testimony on ground forces readiness in review of the Defense authorization request for fiscal year 2007.

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

EXECUTIVE SESSION

NOMINATIONS PLACED ON THE CALENDAR

Mr. COBURN. In executive session, I ask unanimous consent that the Agriculture Committee be discharged from further consideration of the following nominations, and that they be placed on the calendar: PN 1079 PN, Marc L. Kesselman; PN 1329, Linda Avery Strachan; PN 1196, Boyd Kevin Rutherford; PN 1158, Gale A. Buchanan.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

NATIONAL ASBESTOS AWARENESS DAY

Mr. COBURN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 402, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 402) designating the first day of April, 2006 as ''National Asbestos Awareness Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. COBURN. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 402) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 402

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas these fibers can cause mesothelioma, asbestosis, and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally little is known about late stage treatment and there is no cure for asbestos-related diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognosis;

Whereas the United States has substantially reduced its consumption of asbestos yet continues to consume almost 7,000 metric tons of the fibrous mineral for use in certain products throughout the Nation;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas asbestos exposures continue and safety and prevention will reduce and has reduced significantly asbestos exposure and asbestos-related diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of Americans die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975; and

Whereas the establishment of a ''National Asbestos Awareness Day'' would raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate designates the first day of April 2006 as ''National Asbestos Awareness Day.''

ORDERS FOR THURSDAY, MARCH 16, 2006

Mr. COBURN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m. on Thursday, March 16. I further ask consent that following the prayer and pledge, 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. COBURN. Mr. President, today we have made significant progress on the budget resolution. We had 10 roll-call votes on amendments to the resolution. The bill managers have done an exceptional job working through the process. That being said, we have many amendments filed, and Senators who have amendments should already be working with the bill managers.

Tomorrow will be a very busy day. Under an agreement reached this afternoon, tomorrow morning at 10:30 we will have a series of votes on the budget resolution and the debt limit bill. At 1:30, all time on the budget resolution will be deemed expired and the vote-arama will begin. Senators are reminded to stay close to the Chamber and plan their schedules accordingly.

RECESS UNTIL 9 A.M. TOMORROW

Mr. COBURN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 8:05 p.m., recessed until Thursday, March 16, 2006, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate March 15, 2006:

DEPARTMENT OF STATE

WARREN W. TICHENOR, OF TEXAS, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR, VICE KEVIN E. MOLEY.

MARK C. MINTON, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONGOLIA.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ANDREW VON ESCHENBACH, OF TEXAS, TO BE COMMISSIONER OF FOOD AND DRUGS, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE LESTER M. CRAWFORD, RESIGNED.

CENTRAL INTELLIGENCE

JOHN A. RIZZO, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY, VICE SCOTT W. MULLER, RESIGNED.

DISCHARGED NOMINATIONS

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of the following nominations and the nominations were placed on the Executive Calendar:

MARC L. KESSELMAN, OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE.

LINDA AVERY STRACHAN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

BOYD KEVIN RUTHERFORD, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

GALE A. BUCHANAN, OF GEORGIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS.

EXTENSIONS OF REMARKS

A TRIBUTE TO SHARON MARTINEZ

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ms. Sharon Martinez, of Monterey Park, CA. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Sharon was born, raised, and educated in Monterey Park. She received her bachelor's degree in public administration from the University of Southern California, and her master's degree in public administration in management from the University of Southern California.

Inspired to help residents find jobs in the community, Ms. Martinez founded SMART Staffing Services, a woman and minority owned employment agency that specializes in clerical, bilingual and promotional staffing, originally opened in Monterey Park and now located in Alhambra. SMART Staffing Services, of which Sharon is president, now serves the greater Los Angeles area including Orange, Riverside, San Bernardino, and Ventura.

Sharon's list of community involvement is impressive. A current councilmember and former mayor of Monterey Park, her past activities include serving as a board member of the Latin Business Association, West San Gabriel Valley YMCA, Monterey Park Art & Culture Commission, Library Board, national vice president of Young Adults of the League of the United Latin American Citizens, and former secretary of Hispanas Organized for Political Equality.

An appointed member of the Los Angeles County Commission on Local Government, Sharon is currently involved in the Monterey Park/Rosemead Soroptimist International, Monterey Park Rotary, San Gabriel Valley Council of Government, Monterey Park Library Foundation, the San Gabriel Valley Animal Control Authority, Boy Scouts of America—Mission Amigos District Board, Monterey Park Chamber of Commerce, and the Monterey Park Hospital Board. Sharon's goal is to have a direct voice in improving the quality of life for our community and especially to see improvements in the employment industry.

Ms. Martinez has received several awards including Assembly Member Judy Chu's 2003 Latina Business Women of the Year, Business and Professional Women's 2003 Business Woman of the Year Award, "Woman of Promise" Award, and "Latina Entrepreneur of the Year" Award. She was featured in the Los Angeles Business Journal as one of the "20 Up & Coming Latino Women."

I ask all Members of Congress to join me today in honoring an extraordinary woman of Calfornia's 29th Congressional District, Sharon Martinez.

WAIVING PASSPORT FEES FOR RELATIVES OF DECEASED MEMBERS OF ARMED FORCES

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of S. 1184, a bill that would waive the passport fees for a relative of a deceased member of the Armed Forces who is proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

The current United States passport fee is $97.00 for adults and $82.00 for children under 16. Present law allows waivers for a widow, child, parent, brother or sister to visit a grave. The proposed bill would expand the waiver to include grandparents, and it would add funerals and memorial services as well as grave site visits.

At a time of such grieving for a lost service member, the family of the fallen hero should not have to worry about paying passport fees, which can add up quickly for a family. Waiving the fee in such cases is the least that we can do.

I urge you to vote for this bill.

IN HONOR AND RECOGNITION OF ROBERT T. WOODWORTH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of my friend, Robert T. Woodworth, devoted father, grandfather, friend, United States veteran and long-time community activist, for his civic activism that continues to uplift our entire Westside Cleveland community.

Mr. Woodworth was born in Cleveland to loving parents. His father drove streetcars in the city and his mother was a loving housewife. With extended family nearby, he learned early on the significance of family and community. Mr. Woodworth has infused those vital lessons of childhood within his own family, as he continues to be a foundation of strength and support for his daughter, Rhonda, and his granddaughters, Stephanie and Samantha.

As a young adult, Mr. Woodworth enlisted in the United States Air Force, giving him the opportunity to travel the world. The languages he learned and friends that he made have never left him, transcending time and distance. He speaks fluent German, Spanish and French and remains closely connected to friends living in faraway lands. His passion for travel, community issues and global concerns parallels his passion for music. He is an avid guitarist and pianist and is an avid patron of classical music.

Mr. Woodworth's warm demeanor and quick smile easily draws others to him. His unwavering belief in community service and volunteerism is illuminated throughout Cleveland's Westside, especially within our democratic process, where his grassroots involvement continues to positively impact our neighborhoods. His leadership and diligence has been key in several political races, including his role as campaign manager for then council candidate Nelson Cintron. Councilman Cintron became the first Hispanic councilman in Cleveland's history.

Mr. Speaker and colleagues, please join me in honor, recognition and gratitude to Mr. Robert T. Woodworth. His joyous life, centering on devotion to family, friendship and community, continues to reflect warmth, energy and song—enriching and inspiring family and friends throughout our Cleveland community and far beyond.

IN MEMORY OF SHERIFF SIDNEY WARREN SHIPPY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Sheriff Sidney "Sid" Warren Shippy of Butler, Missouri. He died at the age of 57 of complications from a heart and kidney transplant.

Shippy was born in Kansas City, Missouri, the oldest of three children. After graduating from Raytown High School in 1967, he enlisted in the United States Army and served in Vietnam. He was awarded the Bronze Star, Army Commendation and Air Medal during his service.

Shippy attended Longview Community College before beginning a 33-year career in law enforcement. Shippy served with the Missouri Highway Patrol as an undercover narcotics officer, road patrolman, zone commander, and worked in the department's gaming commission. He served as an instructor to other officers and attained the highest investigation qualification, an Accident Reconstructionist. After retiring from the Patrol in 2003, he entered politics and was elected Bates County Sheriff in 2004.

Mr. Speaker, I am certain that the Members of the House of Representatives will join me in paying tribute to the outstanding public service of Sheriff Sidney Warren Shippy. He will be missed by all who knew him and I offer my heartfelt condolences to his family: his wife of 30 years, Markita; daughter, Anissa Fischer; mother, Deva Shippy; brother, Russell Shippy; and sister, Barbara Shippy.

IN MEMORY OF 1LT ALMAR LARON FITZGERALD

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. WILSON of South Carolina. Mr. Speaker, on March 4, 2006, I attended the funeral of Almar LaRon Fitzgerald, an American soldier from Lexington, South Carolina, who gave his life while serving his country in Iraq. This hero of Lexington County who graduated from The Citadel was lovingly eulogized at the Lexington Baptist Church by Pastor Ken Jumper of The Harvest Church of Lexington. Pastor Jumper, with a family of military service, provided an inspiring lesson of hope.

THE FUNERAL SERVICE OF LT ALMAR LARON FITZGERALD LEXINGTON BAPTIST CHURCH

And Jesus said to her, ''I am the resurrection and the life. He who believes in Me will live, even though he dies; and whoever lives and believes in Me will never die. Do you believe this?''

As we were singing this last song, I was reminded of this scripture where we are given the promise of eternal life. And yes, we believe this.

I would like to thank the family for allowing me the opportunity to share in these moments with them, and my thoughts and prayers are certainly with you.

If I were to say today how I really felt inside, I would have to say, ''It just ain't right''. But my part today is to bring, and I have been asked to bring, ''words of comfort''.

With that said, we must understand today that our comfort will not be found in the context of human understanding. As a pastor, I am often called upon to explain the unexplainable, but the unexplainable remains unexplained even after I have said my piece. There are no real explanations as to why a quality young man should leave life so early in the day.

However, our comfort today will be found in the context of our faith. You see that is why we came to the church, sang some hymns, called a preacher and read some scripture. We understand that in moments like these we call upon our faith—a faith that transcends our human understanding and grief.

We look to the God unseen and an eternity yet unrealized to anchor our hope. The faith I speak of today is more than just a general faith in God. It is a specific faith that finds its foundation in the person of Jesus Christ.

As I pondered my thoughts for today, I was reminded of the first family created by God. Adam and Eve, the first family, lost a son. Their son was also lost through an act of seemingly meaningless violence. And at that time, they had to deal with the emotions you and I are dealing with today—the questions of why, feelings of loss and grief, and wondering where do we go from here. They had to make some sense and reconcile these thoughts of pain, loss and grief with God and eternal things.

Today as we think of Almar LaRon Fitzgerald and the life he lived—a life that served, a life that was savored and well lived, and ultimately a life that was sacrificed—I would like for us to turn our attention to ''another Son'' that was sacrificed.

Adam and Eve had a son that was lost, and God gave them another son. They named him Seth, and it was in and through this son they were to find hope. It was through ''another son,'' Seth, that Jesus Christ was to be born. If you follow the genealogy of Christ backwards you will find this to be true. And today, it is through this Son, God's Son Jesus Christ, that you and I will find our comfort and consolation from today.

I wish I could explain the unexplainable today. Let me tell you what I do know. Let me tell you what I do know to be True, Reliable and Eternal. I know that God is Love. He is, He has been and He always will be. God created a world of peace and harmony with no violence, sickness or pain.

Unfortunately, mankind fell and chose to live their lives their own way. Therefore, we live in a fallen world today—one that has sickness, pain and death. We must be careful that we do not allow our pain and hurt to turn to bitterness against others or against the God who does love us and care for us.

For you see, it was right in the middle of this fallen world that God dropped a cross, planted it in the ground and hung His Only Son upon it. A cross that stands between heaven and earth. A cross that helps us reconcile life and eternity. A cross that helps us bear up under the burden of pain and grief. A cross where Jesus died, sacrificially giving His life for another. I remember as well, as I think of Almar' s sacrifice, there is no greater love than this, that a man would lay down his life for another. So you and I can look to this cross and find the comfort and hope we need in order to navigate this life.

We find in this cross two arenas of hope. First of all, the hope of eternal life. For all those who have accepted Christ and believe in Him, there is the promise of life after death. You see, we who believe will see Almar again. There is life beyond this life. This is the hope and comfort we can have today.

Now we have the promise of eternal life, but we also have the promise of a Comforter. Jesus promised that He would be with us. He would comfort us. He would never leave us or forsake us. So during the days and weeks ahead and during the dark nights when no one is there, He will be there. He will be with me and comfort me in my darkness and most difficult moment! Can I get a witness in the place today?

This is the hope we have: Jesus and His presence will be with me and strengthen me, day by day until 'that day'. So we look to the cross and the Son. This is where we find our hope and peace.

We also find the grace to forgive at the cross. So we must today forgive those who have hurt us.

The Bible tells us that the power of the cross removes the sting of death. Death has no hold on us. As death went to catch Almar in its grip, poof, he was gone. Death looked around and could not find him. Jesus said those who believe in me will never taste, experience, death.

And as we forgive, we find peace. Interestingly, Almar gave his life for peace. So we must forgive others, even as Jesus hung on the cross and said, ''Father forgive them, they don't understand.'' May we become peacemakers today.

Finally out of this comfort, may we find courage. The courage to get up and go on with our lives, learning to live life to its fullest. The courage to forgive others and be peacemakers. And the courage to accept Jesus Christ and forge a path through life that others can recognize and follow.

Now may the peace and grace of Jesus Christ be with us all. Amen and Amen!

A TRIBUTE TO SETA SIMONIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ms. Seta Simonian, of Glendale, California. Each year In March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our nation's women.

Ms. Simonian's community involvement demonstrates her devotion to education and art, because she believes in promoting and preserving the treasures and the beauty of Armenian culture and heritage.

Seta was born in Aleppo, Syria, and at age 11 moved to Beirut, Lebanon. Upon graduating from the American University of Beirut at the age of 22, she married Hratch Simonian. The Simonians lived and worked in Saudi Arabia for 8 years, then moved to California in 1985. Since 1987, Seta, her husband, and their two children, Karin and Sebouh, have resided in Glendale, California.

Soon after moving to California, Ms. Simonian cofounded and chaired the Hamazkayin Educational and Cultural Society of Pasadena. She is a current member of Arvest and Artee Cultural Groups of Hamazkayin, and since 1994, has been the chair of the Hamazkayin Music Committee which collaborates with artists in Armenia and releases authentic CDs and classical Armenian music. She is currently an assistant for the Hamazkayin Student Forum held in Armenia every summer. Seta served as an Anchor for Horizon Armenian TV in Glendale for three years. A cofounder of the Committee of Armenian Students in the Public Schools, she is also a member of the Armenian Cultural Foundation, Armenian Educational Foundation, Armenian International Women's Association, the National Education Association, and the California and Glendale Teachers' Associations.

Seta received her bachelor's degree in mathematics from the American University of Beirut, and a master's in education administration from California State University Los Angeles. She has a teaching diploma, a bilingual teaching certificate, and has completed an Armenian Studies program.

A wonderful role model for her students, Seta has been a teacher for over 30 years and is currently teaching math at Wilson Middle School in Glendale.

I ask all Members of Congress to join me today in honoring an outstanding woman of California's 29th Congressional District, Seta Simonian.

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

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to raise and voice my concern on this

resolution to express support for conditioning an institution of higher education's receipt of certain Federal funds on its actions to provide military recruiters with the same access to its campus and students as it provides to any other employer.

I am very proud of our military and of the courage and bravery of our military personnel. I believe in the importance of outreach, and of the ability of employers to utilize the resources of our colleges and universities. I know that the talent found at our institutions of higher education across the country is important to the success of our defenses, and that every month many of our best and brightest make the decision to defend our homeland.

I would like to caution my colleagues, however, and remind them that this is not a military issue. We value a higher education because of the learned abilities to think critically, to comprehend complex problems and issues, to analyze research and information, to evaluate the choices at hand, and to gain enough wisdom to arrive at a solution. I am hesitant to condition Federal funding for these institutions on a situation which may be their way to express a point of view and to disagree with the status quo.

To be able to freely oppose the politics of any administration is a right given to us in our own Constitution. To be able to express these opinions is, again, a right given to us in our own Constitution. Likewise, the dignity of a military career is inherent and desirable. However, I have concerns about resolutions such as this that seem to limit the ability of one party without a perceived benefit for another.

I urge my colleagues to consider this matter carefully, and to join me in celebrating both our Armed Forces and our institutions of higher education.

IN HONOR AND RECOGNITION OF BRAD NORRIS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and memory of my close friend William B. "Brad" Norris—beloved husband, father, stepfather, grandfather, brother, and close friend to the entire community. His passing marks a tragic loss to his friends, family and the people that he served in the community.

From early on, he headed the call to public service. He graduated from Culver Academy in Indiana and enlisted in the U.S. Army, He served his country with honor and courage, after which he moved to Cleveland, where he eventually joined Cleveland law firm Hahn Loeser and Parks.

Mr. Norris was truly a civil rights activist. He visited President John F. Kennedy and also volunteered with Dr. Martin Luther King, Jr. By working with the Cleveland Regional Transit Authority during the late 1960's he helped organize opposition to a freeway plan that if enacted, it would have split eastern Cuyahoga County. He represented the city of Cleveland in a lengthy antitrust lawsuit against the Cleveland Electric Illuminating Company, in which CEI attempted to put its rival Muny Light Company out of business. This would have made CEI Cleveland's only municipal electric system. This was also a topic I fought passionately for when I was the mayor of Cleveland. He also played an instrumental role in the rebirth of Cleveland's first licensed educational, non-commercial public radio station, WCPN FM

Mr. Speaker and Colleagues, please join me in honor and remembrance of Mr. William B. "Brad" Norris. We remember him and celebrate the life that he led. We have experienced a great loss in the Cleveland community, and he will be missed greatly. I extend my deepest condolences to his beloved wife, Elizabeth; his sons Jack, Todd, and Robert; his daughters, Carolyn, Pamela and Betsie; a brother; six grandchildren and his friends and colleagues. The life that he lived, and the legacy that he leaves will live on in the hearts of his family and all the lives that he touched.

IN MEMORY OF SSGT. JAY COLLADO

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. WILSON of South Carolina. Mr. Speaker, on March 3, 2006, I attended the funeral of SSGT. Jay Collado, an American soldier from Columbia, South Carolina, who gave his life while serving his country in Baghdad, Iraq. The inspiring service was conducted by Fr. Wilbroad Mwape, the Catholic Chaplain of Providence Hospital in Columbia. His message of heroism and hope was presented with great sincerity.

We have gathered here this morning to celebrate life for Jay, for we believe death is not the end of our life but in fact the beginning of a New, perfect and eternal life in God's Kingdom. Jay died honorably and I really feel honored to be part of this celebration of his life!

Death indeed is a very painful experience for all of us regardless of whatever age a beloved person died. We moan and grieve for our beloved people knowing that we will never see them again as human beings the way we are now! However, we will moan and grieve not as unbelievers but as believers in the life after death. And this is why we are here to celebrate life and not death of SSgt Jay Collado!

To the family of Jay, this is a terrible loss mostly that Jay has gone at a very young age, he was only 31! You will really moan and grieve as a family for this great loss of your beloved one. However, as we have heard from the scripture readings, death is not the end of life but a beginning of a perfect and eternal life. Jay has only passed by from our mother earth and enters into a new life where we all look forward to be. As we heard, Jesus Christ says, He is the life and the Resurrection who ever believes in him will have eternal life. This is what Jay would like each one of us to know that be is now resting eternally in God's Kingdom. Jay will always be a gift to you as a family and you will remember him in all the wonderful time you shared with him.

SSgt Jay died for a noble cause in the country of Iraqi fighting for a better life of humanity! He indeed died a hero's death, he is a hero not only for the U.S., but the whole humanity. Jay will remain a great inspiration not only to the family, U.S. Marine Corps, or his country but to humanity as whole. Jay chose to go to Iraq and fight for freedom, peace and liberty for the Iraqi people and the whole of Middle East, be would have chosen not to go if he had no love for humanity. Jay will be remembered for his spirit of sacrifice not only for the freedom, peace and liberty of U.S. but the whole humanity. He chose to risk and sacrifice his life for the love of people. This indeed is a wonderful inspiration for all of us. Let us remember Jay by imitating him, to be ready to risk and sacrifice our lives for the freedom, peace and liberty of all human beings on earth. All of us here we are enjoying the freedom, peace and liberty because of people like Jay who sacrificed their lives for us, many of whom we never knew or met!

This indeed is SSgt Jay Collado's legacy, a young man who risked and sacrificed his life for love of humanity. He is a hero; let us honor him by learning from his exemplary life!

TRIBUTE TO DR. WILLIAM BAKER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SKELTON. Mr. Speaker, let me take this opportunity to recognize the many achievements of Dr. William Allen Baker (Pg.D, Ph.D, D.Litt, Th.D, Kt.OBE), from Odessa, Missouri, who is an accomplished actor, educator, author, and philanthropist.

Dr. Baker conducted his graduate studies at the University of Hawaii at Manoa and at the University College, Wales, United Kingdom. A Rotary Foundation International Graduate Fellow, he has earned a Doctorate in Theatre History (Ph.D), a Doctor of Letters (D.Litt), a Doctorate in Theology (Th.D), and an Honorary Doctorate of Divinity (HonDD).

Previously an Associate Professor and Department Chairman at Avila University, Dr. Baker has published several books. His stage and film credits include performances in England, France, and Wales. Dr. Baker is a member of the Royal Star and Garter, the Royal British Legion, the British Society of Ethical Theory, the British Theological Institute, the American Biographical Institute, the International Society of Philosophers, Franciscans International, the Council for Parliament of the World's Religions, the Screen Actors Guild, and the American Federation of Television and Radio Artists.

Dr. Baker has been bestowed several awards and honors including the International Peace Prize, the Queen's Golden Jubilee Medal, the Magistracy Medal of Honor, and the International Professor of the Year 2005. He has been nominated for the American Medal of Honor for contributions to literature, the International Medal of Freedom, and International Writer of the Year. Dr. Baker has also been named to the BBC Hall of Fame, Top 100 Writers 2005, and Outstanding Intellectuals of the 21st Century.

Mr. Speaker, I wish to extend my congratulations to Dr. Baker for his many achievements and wish him luck in all his future endeavors.

A TRIBUTE TO PAT MAGUIRE FREEMAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise to honor Ms. Pat Maguire Freeman, of San Gabriel, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our nation's women.

Pat was born in San Francisco in 1940. Since her father was a career army officer, she was raised throughout the world, including the Philippines and Germany, where she attended high school. After attending the University of California Berkeley, she married Lee Freeman in 1961 and they moved to San Gabriel in 1965, where they currently reside. The Freemans have 3 children, Noel, Amber, Roger, and Dawn Myers, their foster daughter and seven grandchildren.

Ms. Freeman has been active in many different community organizations. Some past activities include being an Adult Leader for Methodist Youth Fellowship, a Camp Commissioner for Methodist Camp Sturtevant, and a Brownie and Girl Scout Leader. Formerly active in several Parent Teacher Associations, PTAs, for the San Gabriel Unified School District, SGUSD, she has received SGUSD's Golden Apple Award and 3 PTA awards over the years. Pat was a Leader and Steering Committee Member of 4 separate successful School Bond Measures for SGUSD in 1993, 1994, 1998 and 2002.

A member since 1996, Ms. Freeman is currently President of the San Gabriel Educational Foundation, and serves on the School Site Council for Del Mar High School. She is a San Gabriel Valley Medical Center volunteer, a member of the center's Foundation Board and Coordinator of the center's Helping Hands volunteer group. In addition, Pat serves on the San Gabriel Community Coordinating Council, leads their Holiday Basket Committee, and has held various officer positions over the years. She is a member of the San Gabriel Rotary Club, and the Women's Division of the San Gabriel Chamber of Commerce, where she received the Women's Division of the San Gabriel Chamber of Commerce's Woman of the Year Award in 1989.

I ask all Members of Congress to join me today in honoring a remarkable woman of California's 29th Congressional District, Pat Maguire Freeman.

IN HONOR AND REMEMBRANCE OF RICHARD L. DECHANT, SR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Richard L. Dechant, Sr., devoted family man, community activist, business leader, World War II veteran, and friend and mentor to many.

Mr. DeChant grew up in Avon, Ohio. His father was a steelworker and his mother ran the family farm business. He learned early on the significance of family, hard work and community. By the time he was eight years old, Mr. DeChant's mother gave him a job selling home-grown produce door-to-door. He attended St. Ignatius High School and later earned a degree in mechanical engineering from the University of Detroit. He married Marie in 1943 and together they raised five sons. They remained committed to each other until her death in 2004.

For his entire adult life, Mr. DeChant worked as a tireless promoter on behalf of Cleveland and Northeast Ohio. While working with the Cleveland Electric Illuminating Company in the 1940's, DeChant began a life-long vocation of promoting the Cleveland community. As executive director of the Greater Cleveland Growth Board, now known as the Greater Cleveland Growth Association, for nearly twenty-five years, DeChant's focused service and advocacy on behalf of his beloved community drew millions of dollars of new industry into our region. He also participated in numerous trade missions throughout Europe and Asia. Although deeply committed to his work, his family was always foremost and central in his life.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Richard L. DeChant. I offer my heartfelt condolences to his sons, Thomas (Paul), James (Lyn), Richard Jr. (Sharon), David (Terri) and the memory of Doug (Bonnie); his grandchildren, Richard III, Brett, Jimmy, Dawn, Nicole, Matt and Carli; his brothers, Robert and Donald; and his extended family and many friends. Although Mr. DeChant will be greatly missed, the joyous legacy of his life, framed by kindness, energy and an unwavering focus on family and on making a difference, will forever resound within the hearts and memories of his family and friends, and within the spirit of our entire community.

A TRIBUTE TO NANCY DONAHUE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ms. Nancy Donahue, of Temple City, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Nancy is a native Californian, born in Alhambra. She moved to Temple City with her parents when she was just 6 months old. Nancy graduated from Temple City High School where she was a majorette, song girl, Girls League President, and winner of the Daughters of the American Revolution Award for Outstanding Senior. After attending Brigham Young University, she returned to Temple City where she and her husband, Terry, have lived for over 40 years. They have one daughter, Tracy, and two grandchildren, Kody and Haylee.

Ms. Donahue had a successful 22-year career in banking, working at First Western Bank & Lloyds Bank, California. After health concerns determined that she take a different path, she became a "full-time volunteer" at Methodist Hospital of Southern California in 1986.

Nancy has been incredibly active with her volunteer work at Methodist Hospital, where she has given over 10,000 hours in service over a 20-year period. She has served on the Auxiliary Board for over 10 years, four times as the Board President, and as an ex-officio member of the Foundation Board. She acts as coordinator of the Methodist Hospital archives, correlating artifacts collected for over 100 years and works in the hospital gift shop twice a week. Nancy has been involved in the annual Holiday Homes Tour at Methodist Hospital, chairing many committees and continuing to help with fundraising efforts.

In addition to her commitments at the hospital, Ms. Donahue is an active member of the Church of Jesus Christ of Latter-Day Saints, Huntington Ward, Pasadena Stake and is currently serving as Ward Librarian. Other volunteer activities include the March of Dimes, American Heart Association, Diabetes Association and the American Red Cross. Nancy is past President of Arcadia-Monrovia and Temple City Soroptimist International and a charter member of Arcadia P.E.O. Chapter XL.

I ask all Members of Congress to join me today in honoring an outstanding woman of California's 29th Congressional District, Nancy Donahue.

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

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of the resolution to express the sense of the House 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.

Words fly in this Chamber, in the city, on a rainbow of subjects and issues, with any number of ideas and opinions. Sometimes the rhetoric can seem overpowering, even confusing, particularly when action and change is so desperately needed.

The moment of silence, however, is an arresting and poignant pause. It is a beautiful way to express respect, and pride, and honor, without the discoloration of politics.

Around the world, moments of silence are often called to mourn a national tragedy, or honor a historical benchmark. We are familiar with the visual gesture of lowering the American flag to half mast. I support the complementary gesture of pausing for a moment to reflect, to think, and to appreciate everything that our armed forces do for us around the world.

Thank you to them, our soldiers who are our children, our fathers and mothers, our brothers and sisters, our friends and protectors. I know all of my colleagues in Congress will join me in supporting this resolution.

IN HONOR AND RECOGNITION OF GOOD SAMARITAN NORBERT MAGALSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Norbert Magalski of Parma, Ohio, a noble Good Samaritan and Gulf War veteran who has lent a hand to many.

Mr. Magalski, as a trained emergency medical technician and tow truck operator has helped countless people on the roadside. Even in an age when people are too overwhelmed with their own priorities to lend a helping hand to strangers, he has made it a common practice in his life to help those who are in need of assistance on the road.

Mr. Magalski was injured last Thursday by a suspected drunk driver while helping a young woman who had veered off I–76 and into a guardrail. He suffered broken bones in his left leg, left shoulder and face. It will be several months before he fully recovers.

This man is truly one to be honored and emulated as he remains committed to lending a helping hand when needed. He is a modest and kind-hearted citizen who in spite of injury will continue to help strangers in need. His kindness and generosity is something that is not often seen in today's society. My thoughts and prayers are with him and his family for his quick recovery.

Mr. Speaker and Colleagues, please join me in honor and recognition of Norbert Magalski, whose dedication and courage in lending a hand to his fellow citizens has helped save the lives of many.

A TRIBUTE TO HELEN HANCOCK

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ms. Helen Hancock, of Alhambra, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our nation's women.

Helen Hancock was born in Indiana in 1922. She attended Nursing School at Case Western Reserve University in Ohio as well as Redlands University in California. After completing her schooling, she served 2 years in the Army Nurse Corps during World War II. Ms. Hancock moved to California in 1953 and began working at Huntington Memorial Hospital in Pasadena. In 1959, she moved to Alhambra, California.

Less than a year after her retirement in 1988 from a 35-year career in nursing administration at Huntington Hospital, and 8 years as a Member of the State Board of Registered Nursing, Helen Hancock plunged into community volunteer work. Since then she has used her extensive nursing and administrative knowledge and skills to make a significant difference in the health and well being of countless seniors and their families.

As a senior herself, Ms. Hancock desired to help other senior citizens enjoy their retirement years and began volunteering at Huntington Senior Care Network (HSCN); a Huntington Hospital community-based program that helps seniors maintain their independence. Her interview skills have added to the success of a National Council on Aging project of HSCN to enhance the health of frail seniors through increased physical activity. Helen has been a tireless advocate for seniors as a long-term care ombudsman for the Department of Aging for nearly 15 years. For nearly 25 years, she has been a resource for caregivers of Alzheimer's patients at a weekly support group, and she continues to promote Alzheimer's disease education, as well as senior services and elder abuse education, through membership in several community coalitions.

Helen is a faith community nurse coordinator for All Souls Catholic Church, as part of a program sponsored by Methodist Hospital of Southern California and All Souls Catholic Church, to improve the health of the community. She and her team conduct events that include blood pressure screenings, blood donor drives and health education presentations to reach members of their parish.

Last year, Helen was among 26 older adults honored as Outstanding California Senior Volunteer leaders by the University of California Berkeley School of Public Health.

I ask all Members of Congress to join me today in honoring a remarkable woman of California's 29th Congressional District, Helen Hancock.

HONORING RONALD HUDSON

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to pay tribute to the life of a remarkable citizen from my congressional district. Ronald Hudson, a longtime resident of Leitchfield, Kentucky, passed away February 20th at age 65. Mr. Hudson was a colorful and widely respected figure in Grayson County, having served on the Leitchfield Fire Department for 46 years, 31 of those as Chief.

In a recent feature story in the Grayson County News-Gazette, Chief Hudson described himself as "not a poster boy firefighter" when he first joined the department in 1959. With typical self deprecating humor, he described himself as "too short and too skinny, with trouble taking anything serious for any length of time." He credited the late Murrell Conklin, then Chief Emeritus of the Leitchfield Department for coaching him through his first few years, helping to mold him into a serious firefighter and public servant.

Ronald Hudson was named Chief after only 12 years of service on the department. As Chief, he was responsible for training and managing a diverse crew of firefighters, purchasing and maintaining fire apparatus, and perpetually pursuing sources of funding to keep the department running. Chief Hudson was personally responsible for countless acts of heroism throughout his four decades as a firefighter. Yet he always humbled himself with the tough reality of all emergency personnel: You can go from hero to zero and back again in a matter of seconds.

Chief Hudson's contributions to his community, staring down danger time and time again to save lives and protect the safety and comfort of his neighbors, has made Leitchfield a fine place to live for many years. Ronald Hudson's life, career, and especially his final years fighting against his own declining health, was the true epitome of courage and generosity of spirit.

In addition to his position on the Fire Department, Chief Hudson also served as Grayson County Coroner and was a member of the American Legion Post 81, the Leitchfield Masonic Lodge, and the Fraternal Order of Police. He was a veteran of the U.S. Army and owned and operated a small business from 1983 to 2002.

Ronald Hudson's distinguished life of service to his community and his country, along with his unwavering dedication to his family and fellow firefighters, is a portrait of outstanding citizenship worthy of our collective respect and appreciation. It is my great privilege to honor his memory today before the entire United States House of Representatives.

THE FEDERAL JUDGESHIP AND ADMINISTRATIVE EFFICIENCY ACT OF 2005

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SIMPSON. Mr. Speaker, article III of the Constitution states that "the judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish." At times in our Nation's history, Congress has found it necessary to realign the United States Courts of Appeals into more efficient and manageable circuits. Once again, it's time for Congress to exercise its article III powers by realigning the Ninth Circuit and creating a new Twelfth Circuit.

I am pleased to be an original co-sponsor of Judiciary Chairman SENSENBRENNER's H.R. 4093, the Federal Judgeship and Administrative Efficiency Act of 2005. In addition to creating additional federal judgeships, this legislation would divide the Ninth into two circuits. These would consist of a new Ninth made up of California, Hawaii, Guam and the Northern Marianas, and a new Twelfth with Alaska, Washington, Oregon, Montana, Idaho, Nevada, and Arizona.

Mr. Speaker, this division makes sense. Putting aside any political, historical or emotional arguments, the numbers speak for themselves. A split of the Ninth Circuit is necessary because it has become disproportionately large and unwieldy in relation to the other eleven regional circuits.

The Honorable John M. Roll, U.S. District Judge for Arizona, has recently provided me with updated statistics regarding the Ninth Circuit. This is where the Ninth Circuit stands today:

The population of the Ninth Circuit is 58 million people. This is one-fifth of the population of the United States. It is also 27 million more people than reside in the next largest circuit.

The Ninth Circuit consists of 9 states (including the most populous state), a territory, and a commonwealth. The other circuits average less than four states. No other circuit decides the law for 9 states.

As of December 31, 2005, the Ninth Circuit had nearly 17,000 pending cases, which represents 28 percent of all pending federal appeals.

According to recent statistics from the Administrative Office of U.S. Courts, the Ninth Circuit is now the slowest circuit in the country, by more than 2 months, for each of its nearly 17,000 cases, from filing of notice of appeal to disposition.

The Ninth Circuit has 28 authorized active circuit judgeships. The other 11 geographical circuits average less than 13.

It is clear from these facts that the extraordinary growth of the nine western states comprising the Ninth has resulted in an overpopulated circuit that has become a giant among the twelve circuits.

Ninth Circuit Judges O'Scannlain and Tallman hit it on the head when they wrote in the Wall Street Journal that ". . . size adversely affects not only the speed with which justice is administered, but also the quality of judicial decision making. Consistent interpretation of the law by an appellate court requires a reasonably small body of judges who have the opportunity to sit and to confer together frequently, and who can read, critique and, when necessary, correct each others' decisions. That kind of collegiality is no longer possible in a circuit of this size." This statement describes precisely why we need to split the Ninth Circuit.

With a fifth of the U.S. population living in the Ninth Circuit today, I would expect that this could easily become a fourth of the population. Today's 28 active Ninth Circuit judges will eventually become 35, then 40, 50 and so on.

The Ninth Circuit has a history to be proud of, but how long will it be before those who seek to hold onto the past glory of the Ninth come to realize that it should not be recognized for its unique solutions for coping with staggering caseloads and an inability to readily sit all judges? Under this legislation, the new Ninth and Twelfth Circuits will be recognized as individual circuits that have been given a fresh start, fresh life, and fresh collegiality with efficiencies that allow judges in the new circuits to focus on case law and not case management.

Opponents of a split have ascribed political motivations to my efforts—that I, being the author and proponent of realignment legislation, don't like the decisions of the Ninth Circuit. Well, the Ninth does make bad decisions that I don't agree with. For that matter judges appointed by Nixon, Reagan and both presidents Bush make bad decisions that I don't always agree with. Every circuit in the United States makes bad decisions that I don't always agree with. The practical effect of a court ruling is that one party will be pleased and the other disappointed.

Should a circuit be realigned, or manipulated in a manner such as "court packing" solely for political reasons? Absolutely not. However, the fact that my colleagues and I may disagree with certain rulings of the Ninth Circuit should not automatically disqualify us from seeking to realign the circuit. Ascribing political motivations to my colleagues and me is nothing more than a disingenuous smokescreen. If judges, scholars, politicians and others have spoken to me they know that my motivations are not political. My motivation is a desire for my constituents to have an efficient, expedient and manageable court that is able to apply a consistent interpretation of the law. In the meantime, my faith in the Supreme Court and its demonstrated readiness to overturn rulings of the Ninth Circuit, alleviates any fears that I have that an egregious ruling of the Ninth will not be corrected.

Of course split opponents must throw up the smokescreen that my fellow colleagues and I are politically motivated. What else can they do? It's impossible to argue against the facts. Having one-fifth of our nation's citizens in one circuit while the remaining four-fifths are in eleven circuits does not make sense. I have yet to hear split opponents or scholars state why it is good for a single circuit to have one-fifth of the nation's citizens in one circuit when the remaining four-fifths are in eleven other circuits. I do not know why having 28 percent of all pending appeals in one circuit is a sign of an effectively working court. I have not heard why it is good for a circuit to have 28 active judgeships, which is eleven more judges than the next largest circuit and more than double the circuit average of 13. I don't know why it is good for Idahoans to have their appeals heard en banc by a partial number of our court of appeals' judges when citizens in the other eleven circuits will get a hearing before all the judges of their circuit. Is this fair to citizens of the Ninth? I don't believe it is.

I look forward to reading the first article, or speech from a federal judge, politician or scholar that sets aside any reference to politics or the political motivations of others and explains why it is a good thing to have a single circuit with one-fifth of the nation's population, 28 active judgeships and a procedure for a partial number of judges to hear cases. I would also take the liberty of asking a theoretical question to that judge, politician or scholar and it goes like this—if you were to start from scratch and create 12 new circuits for our nation, would you place one-fifth of the population in just one of the twelve circuits? Please send a copy of that to my office here in Washington.

Something else I have heard is that our efforts to split the Ninth Circuit are "a threat to judicial independence". I would like to hear from any federal judge, appointed for life, whether their decisions are being influenced based on a threat that their circuit might be realigned? I find it hard to believe that judges, who at times must put their lives on the line for our country in the face of threats and intimidation by criminal defendants, are scared of politicians in Washington, D.C. Once again, please feel free to contact my office here in Washington if that is the case, I promise confidentiality.

Another thing I hear thrown about is an idea I like to call "judicial veto authority". What I'm hearing is that since a majority of the Ninth Circuit judges might not favor a split then it shouldn't go forward. I would ask the proponents of this idea, the proposition that sitting circuit judges need approve of a split before it goes forward, where this is found in Article III?

I do not believe that the composition of a circuit should be determined solely out of concern for its judges, lawyers, bar associations or even politicians. It should be determined by how best the people are served within the states it encompasses. Realigning the Ninth Circuit is about better serving the people who live and work in the nine states and two territories within its boundaries. It's about providing them with better efficiencies, a more consistent interpretation of the law based on rulings made by judges who spend more time conferring directly with one another and reading each other's decisions.

In addition, although the costs of dividing a circuit are important in these days of budgetary constraint, they should not be the reason for disregarding the benefits that would befall the citizens of nine states and two territories. Opponents of a Ninth Circuit split have made note that a new Twelfth Circuit would be costly, with some estimating as high as $21 million in additional court costs annually.

As a member of the Budget Committee it's a wonder that we are not today seeking the savings that would come from creating five larger circuits consisting of say: the Fourth and Sixth plus Georgia; the Fifth and Tenth plus Alabama and Florida; the First, Second and Third; the Eighth and Seventh; and the Ninth alone. Combining those circuits could save us upwards of $150 million a year in operating costs alone.

The reason we are not debating whether to create larger circuit courts of equal size to the Ninth is because it does not make sense to have large circuits. We already have one large court—the United States Supreme Court. I am told that there is a saying that goes "there is the Supreme Court, the Ninth Circuit, and the rest of the federal circuits." What we need now are 13 circuits of roughly equal proportion—not Snow Ninth and the 11 dwarfs.

Two other things I would mention. I have yet to hear calls for returning the Fifth and Eleventh Circuits into their original circuit. From what I know, the division that was undertaken in 1981 has settled out well. Finally, for those who are committed to the "old" Ninth—they can rest easier knowing that even after shedding seven states, the "new" Ninth will remain the largest circuit in the United States.

As we move forward with our legislation to realign the Ninth Circuit, I look forward to split opponents coming out from behind their political smokescreens and discussing the facts at hand which are indisputable—the Ninth Circuit is too large and unwieldy. No amount of technology and innovation is going to provide my constituents with the efficiency and expediency that they deserve as well. The current judges of the Ninth deserve a collegial atmosphere where they can spend time on case law and not case management.

I appreciate the leadership Chairman SENSENBRENNER has provided in our efforts and look forward to working with him in the coming year as H.R. 4093 and the Ninth Circuit realignment become a reality.

A TRIBUTE TO DR. SANDRA E. THOMAS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Dr. Sandra E. Thomas, of Altadena, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Dr. Sandra E. Thomas is a powerful and fearless leader whose personal service motto

is "Brighter Hope, With a New Vision." Highly visible in the community as a civil rights advocate, she has a way of saying what must be said without offending those around her—she always has a smile and a kind word for all who pass her way.

Born in Kansas City, Kansas, Dr. Thomas received her Bachelor of Arts and a Masters Degree from the University of Kansas and her Ph.D from Columbia University. After retiring as an engineer at Pacific Bell-SBC, she began a pilot program geared to attracting at-risk high school students to the field of engineering.

For 28 years, Sandra served as a youth counselor at the Lincoln Avenue Baptist Church, where her husband, Reverend A.D. Thomas, is Pastor Emeritus. She is currently an instructor and consultant for young adults. A foster mom for over 2 decades, Sandra was named "Outstanding Mother of the Year" at Altadena Elementary School in 1977 and Pasadena High School's "Mother of the Year" in 1979.

Dr. Thomas, a Life Member of the National Association for the Advancement of Colored People (NAACP), has been affiliated with the organization for 55 years, and serves simultaneously at all levels of the NAACP organization. She is currently an NAACP National Trainer, a Regional Officer, a California State Director and the President of the Altadena Branch of the NAACP, where she has been successful in implementing many positive changes in the Altadena-Pasadena community.

In addition to her NAACP activities, Sandra is an Altadena Town Council member, the founder and CEO of the "Quality of Life Community Center," Chairperson of the Pasadena/Altadena African-American Leaders Community Coalition, a member of the Pasadena Junior League, the Pasadena Tournament of Roses, Leadership Pasadena, the Pasadena Unified School District Non-Violence Team, and the Altadena Community Center Board of Directors.

Dr. Thomas and her husband, long-time Altadena residents, have 3 children, Michael, Vincent, Rosalyn and 6 grandchildren.

I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Dr. Sandra E. Thomas.

PERMITTING USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY

SPEECH OF

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to support the efforts to allow the United States Capitol rotunda to be used for the annual ceremony commemoration of the days of remembrance of victims of the Holocaust.

This period of genocide against the Jewish race remains one of the darkest stains on the history of humanity. It is vitally important that we take time each year to remember the victims of this horrific event. The people of the United States must never forget the tragic actions spurred by hatred, bigotry and extremism.

Having this ceremony at our Capitol rotunda is both important and symbolic. We are the beacon of democracy and freedom for the world and have been defenders of the oppressed throughout history. Our brave young men heroically crossed the Atlantic to fend off and defeat the Nazis who were bent on racial imperialism. It is fitting at this center of our Federal Government that we express our deepest gratitude to the veterans of World War II and pay our respects to all the innocent victims of the Holocaust we were not able to save.

My heart and prayers go out to all the victims of the Holocaust—those who did not survive, those who did and the families of all. Each went through an unimaginable experience, one that no one should ever have to undergo.

As both a Member of Congress and as a private citizen possessing a strong faith, I vow to always remember and respect those who suffered such a tragic fate and I support this body's efforts to do the same.

May we as a people never forgot those who have suffered nor ever let such an occurrence happen again.

HONORING ITALIAN PRIME MINISTER SILVIO BERLUSCONI

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. HYDE. Mr. Speaker, I rise today to honor and congratulate Italian Prime Minister Silvio Berlusconi on his recent speech before the joint session of the U.S. House and the U.S. Senate. I am proud to be joined in this effort by the gentlewoman from New York (Mrs. MALONEY).

When terrorists hijacked airplanes, smashing them into the Twin Towers of the World Trade Center and the Pentagon, it was the worst disaster ever perpetrated on American soil. A large part of the world reached out in sympathy to our wounded nation. Silvio Berlusconi, the Italian Premier, called for a giant rally for the Italian people to express their grief and shed their tears for the families of the victims, and to show their compassion for a nation that had been gravely wounded. It was a heartfelt expression of the pain they felt for America by hundreds of thousands of Italians who crowded into Rome's Piazza del Popolo, the place of the people.

Berlusconi's call to action was so successfully answered by the Italian people, that certain political parties of the left called for a counter rally—an anti-American rally. These parties were two Communist parties, and a third party which had been the original Communist party but had changed its name to the Democratic Party of the Left. They paraded through the streets of Rome, a small phalanx holding red flags with the iconic Communist hammer and sickle and placards denouncing America for having entered Afghanistan in pursuit of Osama bin Laden and to destroy the Al Qaeda terrorists. They shouted anti-American slogans, said blood dripped from our hands and that we were assassins. They threw the American flag on the ground, trampled it, poured gas on it, and set it afire. Nowhere in their speeches or placards was there mention of the American tragedy, nowhere mention of grief for the dead or compassion for the families. Italy is a democratic country where everyone is guaranteed the freedom of speech. They expressed their opinions, feelings, and anti-American bias.

When Silvio Berlusconi appeared, several weeks ago, before the joint session of the U.S. House and the U.S. Senate, which is a signal honor paid to a world leader, he was not invited by President Bush, as many Italian newspapers stated. He was invited by the House of Representatives and the Senate, led by DENNIS HASTERT, Speaker of the House, and Vice President CHENEY, as Presiding Officer of the Senate. The Constitution imposes a separation of powers between the legislature and the executive branch and we, the legislative branch of the U.S. Government, are proud of the independence this grants us. We invited him.

When the Italian Prime Minister stood before us and spoke, it was not to Democrats and Republicans but to all of the representatives of all of the districts of all of the states and for all of the American people. This legislative body represents the broad expanse of America and all of her people. And when we rose in a standing salute and gave thunderous applause to Prime Minister Berlusconi, it was the American people who were speaking. The American people who were exercising their right to the freedom of speech, a constitutional right in our country too. The American people gave their opinion. In standing in ovation to Berlusconi's impassioned words of friendship, we rejected the elements in Italy who had turned their back to our suffering, deploring their conduct and their opinions. We instead showed the warm feeling of affection in our hearts for the people of Italy.

TRIBUTE TO DR. BETH MARCUS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Dr. Beth Marcus, of Burbank, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our nation's women.

Dr. Marcus is a family physician in La Canada Flintridge, where she has practiced for over 10 years on the medical staffs of both Verdugo Hills Hospital and Glendale Adventist Medical Center. After completing her Family Medicine residency, she went on to complete a Fellowship in Adolescent Medicine, where she worked with adolescents struggling with poverty, family estrangement, drug abuse, homelessness and other issues.

Her patients cross the lifespan from infants to geriatric patients. Knowing that excellent medical care means going far beyond a diagnosis and a prescription, she has a remarkable capacity to bring compassion and empathy into the care she provides. She is an active advocate for patients, educating them and assisting them in obtaining social services and other sources of support to help them navigate the challenges of illness.

Beth is a member of the California Academy of Family Medicine, was the Secretary/Treasurer of the Los Angeles Chapter from 1995–2000 and a delegate to the house of delegates during those years. She is a member of the American Medical Women's Association and the Society of Adolescent Medicine. For several years she was a volunteer at the University of Southern California teaching a course titled Introduction to Clinical Medicine.

As Burbank Temple Emanu El's social action chair, Dr. Marcus has coordinated various campaigns for helping others in the Burbank, Glendale, North Hollywood area. She has arranged blood drives, collected shoes and clothing for impoverished children, gathered donations for tsunami victims and hurricane victims, filled backpacks with school supplies, assembled items for homeless women, and made sandwiches for the hungry. In addition, she volunteers in fundraising efforts for the Parent Teacher Association at Emerson Elementary School in Burbank, and is planning to implement a nutrition program at the school called Food is Elementary.

In addition to her professional and civic involvement, Beth is busy as a wife and mother, raising 2 twin boys, Adin and Jonah. She and her husband of 11 years, Dr. Jeff Ring, reside in Burbank.

I ask all Members of Congress to join me today in honoring an outstanding woman of California's 29th Congressional District, Dr. Beth Marcus.

TRIBUTE TO MAYOR BETTY FLORES

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. CUELLAR. Mr. Speaker, I rise today to honor Betty Flores, an accomplished mayor from my hometown of Laredo, Texas.

Mr. Speaker, Mayor Flores was elected mayor of Laredo in 1998. Since then, she has worked tirelessly to bring Laredo into the 21st century with success and pride. Whether it be through economic development or the rich culture Laredo is known for, Mayor Flores has been there finding ways to advance the city's agenda.

Last year, Laredo received its highest financial rating in its 227-year history. This is the consequence of Laredo being one of the Nation's largest land ports, with 74 of the Fortune 100 companies and 52 countries conducting international trade via the Port of Laredo.

Mayor Flores has earned many awards including Laredo Times Laredoan of the Year and Texas Women of the Century from the Woman's Chamber of Commerce of Texas. This is Mayor Flores's last year in office, and she will be missed.

Mr. Speaker, I am proud to have the opportunity to honor a citizen like Mayor Betty Flores.

HONORING THE LIFE OF NEW YORK STATE ASSEMBLYWOMAN SANDRA LEE WIRTH

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. HIGGINS. Mr. Speaker, today I rise to mark a very sad occasion: the passing of my former colleague in the New York State Assembly, Assemblywoman Sandra Lee Wirth.

Last Saturday, Sandra Lee lost her courageous battle with lung cancer. She undertook this fight—like all others she took on, and there were many—with the grace, poise and dignity that we all came to expect from her.

Born Sandra Lee Liberatore in West Seneca, Sandra Lee was a realtor by profession, and was President of the Greater Buffalo Association of Realtors in the early 1990s. At that time, during a county fiscal crisis, the Erie County Legislature instituted a county Real Estate Transfer Tax to fund the operation of mass transit services in Erie County. As one might imagine, Sandra Lee was appalled and swore to do something about it. She did.

Sandra Lee took on and defeated an entrenched incumbent in the Erie County Legislature. During Sandra Lee's 3 years in the County Legislature, she was a fighter for senior citizens and property taxpayers. She was also a great opponent of government waste: she refused various "perks" of the job and funded the operation of her legislative district office personally.

In 1994, the incumbent in the then-148th district seat of the New York State Assembly was retiring, and Sandra Lee jumped into the race with the same vigor that she took to the race for the County Legislature. In another heated and expensive campaign, Sandra Lee again defeated the same person she defeated for the County Legislature in this race for the Assembly.

It was in the Assembly that I got to know—and deeply respect—Sandra Lee Wirth. Although we came from different political parties and were of different generations, few people were as kind to me upon my election to the Assembly in 1998 as Sandra Lee was. We represented adjacent districts, and in addition to sharing a border, our respective communities shared many important characteristics and on local issues affecting our communities, Sandra Lee and I worked together very well.

In 2002, the legislative redistricting process was underway—and lo and behold—Sandra Lee Wirth and I were redistricted into the same Assembly district when her hometown of West Seneca was added to my Assembly district. In initial news reports, Sandra Lee was quoted as saying, "I'm running where I live, Period."

Mr. Speaker, I'm glad Sandra Lee changed her mind. Rather than contest an election against me, Sandra Lee instead chose to run in a newly created district east and south of West Seneca. She continued to serve in the Assembly until her death last week.

In 2004, Sandra Lee was forced to deal with another challenge—the illness and subsequent death of her husband Bill. When I saw Sandra Lee at Bill's wake, she spoke lovingly of "her Billy," and as she struggled through Bill's illness and her own, Sandra Lee's love of her family and her community never waned.

Every fight that Sandra Lee Wirth fought was waged with dignity and aplomb. Her commitment to public service was as strong as any I have ever witnessed. I am proud to have called her a colleague, but Mr. Speaker, I am prouder still to have called her my friend. May God ensure that she rests in peace.

A TRIBUTE TO BETTY WANG

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ms. Betty Wang, of South Pasadena, California. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Betty Wang was born in China in 1947 and moved to Taiwan with her family in 1948. She came to the United States in 1969 in order to pursue higher education at the University of Illinois. Upon graduation she and her husband, Eddie Wang, worked in Chicago for a few years, and then moved to South Pasadena in 1978.

After working briefly for a major insurance brokerage firm handling risk management for corporate clients, Betty retired in 1978 to take care of her son, Timothy. This also marked the beginning of her career as a "professional volunteer."

Betty has been involved in various community activities over the years. She began by assisting teachers in the South Pasadena Unified School District classrooms; then became involved in the Marengo Elementary School Parent Teacher Association where she volunteered in sports activities such as soccer, baseball, basketball, swimming and water polo. She was also involved with the parent organizations at Polytechnic School and was a Den Mother for the Boy Scouts of America. In addition, Ms. Wang is a long-term member of Mandarin Baptist Church in Alhambra.

Ms. Wang has been active in the South Pasadena Chinese American Club for many years, as a board member since 1989 and President in 1992. Much of the South Pasadena Chinese American Club's efforts go toward helping the South Pasadena Unified School District. She served on the Board of the Friends of South Pasadena Public Library for the past 6 years and was the President during her last year. She has continued her volunteer service to the library by serving on the Community Facilities Task Force. Betty was involved in South Pasadena's City Streetscape Committee during the Gold Line Station construction. Her latest volunteer effort is to serve on the President's Council for the Chinese Garden at the Huntington Library, Art Collections & Botanical Gardens, where she is helping to raise funds for the construction of one of the most beautiful and unique botanical projects at the Huntington Library.

WILLIE GRACE CAMPBELL—IN MEMORIAM

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Ms. HARMAN. Mr. Speaker, America recently lost one of her most influential daughters, Willie Grace Campbell. Born and raised as women's suffrage took root, Willie's unwavering commitment and passion for women's rights and civil liberties gave opportunity and inspiration to those like me who knew and loved her.

In an era where career-driven women were uncommon, Willie successfully balanced the challenge of being a mother while pursuing her commitment to education and community service. After moving to Indianapolis with her husband and three children in 1945, Willie established the city's first League of Women's Voters branch and membership quickly grew. She went on to serve as the League's State President and, in 1959, ascended to the national board as a member of the Indiana Advisory Committee of the U.S. Conference on Civil Rights.

A cornerstone of the Civil Rights Movement in the 1960s, Willie launched voter education projects in American inner cities and trained thousands of urban and suburban female voters. She participated in the first White House Conference on Civil Rights in 1965, and emerged from the conference with landmark recommendations and strategies for using litigation, in addition to legislation, to confront restrictive voting rights.

Willie expanded her advocacy in the 1970s, involving herself with the National Women's Political Caucus and the National Women's Education Fund while acting as President and Board Chairwoman of the Overseas Education Fund International. From Latin America and Africa to Washington, DC, Willie's campaign for women's equality and social justice successfully challenged the global status quo. Not surprisingly, she went on to serve on the board of Women, Law and Development International, an organization devoted to the defense and promotion of women's rights.

Even in her last days, Willie proudly served as Vice Chairwoman of the Board of Directors of the African Development Foundation, a position assigned to her by President Clinton.

Willie was a mentor, not only to me, but to many women in politics and the advocacy community. At age 90, she remained the youngest one in the group, with a ready smile, enormous energy, zest and wisdom. All who encountered her marveled at her passion and purpose.

Willie, you have raised the bar for each of us. I am honored to pay you tribute.

HONORING COACH THOMAS BILLUPS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize Coach Thomas Billups, head coach of the State Champion, Lanier High School Boys Basketball Team. I submit the following article by Bill Spencer of the Clarion Ledger Newspaper of Jackson, Mississippi.

Fiery Coach Thomas Billups has created a dynasty. Thomas Billups doesn't want to come off as boastful, even though his success may be unmatched in the history of Mississippi high school boys basketball.

He's a staunch believer in his methods, however, and who can argue with the veteran Lanier coach's incredible run?

''I'm not saying I'm the greatest coach ever,'' said Billups, whose Bulldogs (34–3) won their final 19 games and finished No. 1 in The Clarion-Ledger Super 10 rankings for the second consecutive year. ''There are a lot of good coaches out there. I'm not saying everything I do is right. But what I'm doing . . . there's been some good in it. Because look at what we've done.''

In 15 seasons, Billups has coached in 12 state finals, including eight in a row. Last Thursday, he guided the Bulldogs to a second straight Class 4A state championship, tying him with Gulfport's legendary Bert Jenkins for the most Mississippi High School Activities Association boys state titles with seven.

Lanier won again despite the graduation of McDonald's All-American Monta Ellis, who jumped to the NBA.

Billups, 53, has built a hoops machine on Maple Street in Jackson. Not even Jenkins—who won 866 games in 28 seasons—coached in eight consecutive state finals.

With a 463–73 record shouting orders from Lanier's bench, the demonstrative Billups has averaged more than 30 victories per year and won an astounding 86 percent of the time.

Billups' latest gold ball may be his most satisfying. Although senior point guard Al Graham, junior guard R.L. Horton and senior forward Kalauso Williams entered this season with some experience, most of the Bulldogs were new faces.

''We were young, but these kids wanted to be just like these Lanier teams that came through here,'' Billups said. ''They do everything I ask them to do to win a ballgame.''

Lavel Johnson, the Mississippi correspondent for the recruiting magazine Hoop Scoop, believes Billups will cherish this state crown the most.

''This was his top coaching job,'' said Johnson, who has watched Jackson basketball for 20 years. ''This title is very satisfying for him because for so many years, people have said he wins because of his talent and not because he's a good coach. If anything dispels that belief, this does.''

Billups' in-your-face style is relentless. During games, he alternates between chewing on referees and yelling at his players. Rarely does he sit. He paces the sidelines, roaring like an angry, nattily attired bear. Sometimes, he'll stop, arms folded, and scowl, staring at a striped shirt—or player—who has done him wrong.

He plays no favorites, either, and will berate a player for a mistake in a flash, whether the Bulldogs are leading by two points or 20.

''Whatever goes for one player goes for all of them,'' Billups said. ''You've got to let kids know that there's only one way, the coach's way. In my case, it's Billups' way. My style of coaching is not going to change. Kids need to know that I'm going to be in their face every practice, every game, screaming and hollering.''

Horton has come to appreciate Billups' tactics.

''He puts you through a lot,'' said Horton, who averaged about 25 points per game, scoring a career-high 50 twice. ''He makes you feel like you almost want to quit. Players ahead of me like Monta used to tell me to stick with it because it's going to make me better. He sees a player's potential before they ever see it. He brought a lot of stuff out of me that I didn't ever think I could do. He makes players work their hardest.''

For all of his bluntness, there's also a gentler side to Billups, whether he's attending church with his team or hosting a Super Bowl party.

Many have noticed, including Lee Vance, a Jackson Police Department veteran of nearly 19 years and Lanier alumnus, Class of 1976.

''The greatest tribute I've ever seen or read is what his players and former players said about him publicly, the father-figure and nurturing comments that have been made,'' said Vance, JPD's Precinct 2 commander.

Former Lanier coach N.Z. Bryant, who won one of the Bulldogs' 15 state titles in 1969, said Billups enjoys a special bond with his players.

''Coach Billups has control of his players and they respect him,'' said Bryant, now deputy director of the MHSAA. ''Young players nowadays have a tendency to have their own mind. Those kids are going to run exactly what he says.''

Coach Thomas Billups has built a winning tradition and legacy in Jackson's inner-city. The high-level, high-profile programs that Billups has put together have ignited the competitive fancies of the other inner city teams making for some of the most competitively rivaled basketball in the State. I take pride in recognizing Coach Thomas Billups and the dynasty that he has built with some of our most talented inner-city young men.

TRIBUTE TO ANGELITA ''ANGIE'' MONT O'BRIEN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ms. Angelita ''Angie'' Mont O'Brien, of Pasadena, CA. Each year in March, in recognition of Women's History Month, we pay special tribute to the contributions and sacrifices made by our Nation's women.

Born in Los Angeles, where her parents had emigrated from Spain, Angie attended Los Angeles and Pasadena public schools. She received a bachelor of arts from the University of California Los Angeles in 1953, a master's degree from California State University Los Angeles in 1963, and a California Elementary Teaching Credential.

Angie taught in the Pasadena Unified School District, PUSD, for over 40 years. During her long career, she was an elementary school teacher, a guidance counselor, a Curriculum Resource teacher and an Opportunity Room counselor. A founding member of PUSD's Adopt-A-School District Advisory Committee, she initiated and implemented the Tutoring and Homework Assistance Program for PUSD and served on many PUSD committees.

When Ms. O'Brien volunteers for an organization, she jumps in wholeheartedly, whether it's chairing a fundraising dinner, designing invitations, developing long-term plans, or helping to oversee a school bond measure. Her list of community involvement is impressive. Past activities include serving as president of the Pasadena Parent Teacher Association,

PTA, Council Board of Directors, vice president of Glenn's Hope, a Pasadena Foothill Valley YWCA board member and Altadena Christian Children's Center board member. She was a Pasadena city commissioner on the Commission on the Status of Women and the Human Services Commission. Some of the current organizations she serves include as a board member of Child Care Information Services, Pasadena City College Measure "P" Bond Oversight Committee, Women at Work, Pasadena Beautiful, Friends of the Commission on the Status of Women, Pasadena Planned Parenthood, and Delta Kappa Gamma. Angie is the vice president of the San Rafael Library Associates and the president of the Rose Bowl Bruins Board of Directors.

Angie has received many awards over the years for her service to the community, including four from the Pasadena PTA, the 1985 Pasadena Council of Women's Clubs Volunteer of the Year Award and the Pasadena YWCA Second Century Award in 1985.

I ask all Members of Congress to join me today in honoring an extraordinary woman of California's 29th Congressional District, Angelita "Angie" Mont O'Brien.

HONORING THE 60TH ANNIVERSARY OF THE SIGNAL HILL FIRE DEPARTMENT

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 60th anniversary of the Signal Hill Fire Department located near Belleville, IL.

In 1946, the city of East St. Louis advised Signal Hill residents their fire department would no longer respond outside of the city limits. At the same time, the city of Belleville said their fire department would only respond to the Country Club Place subdivision if that neighborhood was annexed into the city.

Given the choice of annexation or lack of fire protection, a group of civic-minded citizens gathered to form the Signal Hill Fire Department. In July of 1946, the voters of the proposed fire protection district approved the formation of a taxing district that would provide funding for the fire department.

Sixty years later, the courage and dedication of the firefighters, as well as the consistent support of the community are still the hallmark of this volunteer fire department.

From its earliest days, the Signal Hill Fire Department has been guided and staffed by individuals who have been highly motivated, enjoy a challenge, and are sincerely interested helping others. The call to duty has been answered by several hundred community members who have given freely of their time to protect others from the perils of fire.

Significant progress has been made though the years as the Signal Hill Fire Department has not only kept pace with new procedures and equipment but has often been at the forefront of evolving technological advances. Signal Hill became the first fire department in all of Southern Illinois to acquire a thermal imaging camera. Two years later, they were profiled by the Federal Emergency Management Agency, National Volunteer Fire Council, and the U.S. Fire Administration as an extraordinary example of recruiting and retaining volunteer firefighters. More recently, Signal Hill became the first volunteer fire department in all of St. Clair County and Southwestern Illinois to earn the distinguished ISO Class 3 rating.

The Signal Hill Fire Department has been a shining example of dedication and professionalism, made possible by the sacrifices that their volunteer firefighters and their families have made since 1946. Their compassion, valor, and unselfish acts of courage make each of them an everyday hero.

Mr. Speaker, I ask my colleagues to join me in honoring the 60th anniversary of the Signal Hill Fire Department and to wish the best to them for continued service in the future.

PATRIOT ACT ADDITIONAL REAUTHORIZATION AMENDMENTS

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. HOLT. Mr. Speaker, I rise today to oppose this bill that seeks to make much needed changes to the House approved PATRIOT Act Conference Report. What we are voting on today are "Additional Reauthorizing amendments" for the PATRIOT Act. Unfortunately, these proposed changes do not go far enough and they fail to strike the proper balance between freedom and security.

When the PATRIOT Act came before the House last year, I made clear that, as written, it failed to protect the civil liberties of the American people from the overzealous police powers of the state. That is why some United States Senators who shared my concern worked for months to draft new safeguards to prevent the abridgment of our constitutionally granted civil rights. While good-intentioned, the small concessions they were able to win do not address the vast majority of objectionable provisions in the bill and some even make it worse.

The sponsors of this legislation will say that it makes needed improvements to the PATRIOT Act. However, when read closely some of these so-called "improvements" actually make the PATRIOT Act worse. For example, one of these amendments actually creates a previously non-existent one year gag order on recipients of national security letters. Under this change, the records of library patrons are still subject to secret searches and investigators do not have to promptly inform the patron of the searches. And these changes make the PATRIOT Act worse by actually preventing librarians from challenging these searches in court for at least a full year. Currently, no period of time exists to delay judicial review of national security letters.

Robert Kennedy speaking in Georgia, a state at the center of the civil rights movement, said, "we know that if one man's rights are denied, the rights of all are endangered." What Bobby Kennedy understood, but what too many of my colleagues forget, is that we are all bound together in our collective human existence. This means that the denial of our neighbor's rights puts our own rights in jeopardy. Yet, this bill does not sufficiently change the PATRIOT Act to ensure that the liberties and freedoms of all American's are protected.

For example, even with these amendments, it would still be legal under the PATRIOT Act for police or investigators to conduct so called "sneak and peak" searches of our homes or property without being notified until long after they are gone. One might expect to hear about this type of practice in state controlled or oppressive regimes around the globe. Yet, America was founded on the principle of individual liberty and freedom.

The PATRIOT Act legalizes what previously has been considered the violation of Americans civil rights. It is flawed and we can do better.

I urge my colleague to heed the words of one of our nation's founding fathers James Madison whom I quoted the first time this bill came to the House floor. Speaking in 1788 before the Virginia Convention (not all that far from where we are today) he explained what I believe is the unanswered problem with the Patriot Act. He said, "I believe there are more instances of the abridgement of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations." As Madison said over 200 years ago, the liberty and freedoms we as Americans cherish are being eroded today not at the barricade, but in our library and at our local doctor's office. Sadly, these so-called "improvements" are not enough, and the PATRIOT Act remains fatally flawed. It is for this reason that I urge my colleagues to vote no on this bill.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Ms. LEE. Mr. Speaker, I am extremely concerned regarding the proliferation of nuclear weapons around the world in general and the threat that Iran poses in particular. I agree that we must make it a priority to prevent Iran from acquiring nuclear technologies and materials for development of nuclear weapons. That is why we must not impede any and all diplomatic means to achieve this. I voted present on H. Con. Res 345 (rollcall No. 12) because this resolution seems to foreclose some important diplomatic options towards achieving that goal.

CONGRATULATIONS TO THE TEXAS STATE CHAMPION ARGYLE GIRLS BASKETBALL TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior performance of the Argyle Girls Basketball Team on their Texas State Championship in the 2A division on March 4th, 2006.

The Eagles won the final game 51–33 to become the Texas UIL Class 2A state champions at the University of Texas' Frank Erwin Center. The championship game was their

19th consecutive win. The championship victory marked the first state championship in a team sport for Argyle High School.

This victory was a combined effort by many extremely talented athletes, and would not have been possible if it was not for the incredible sense of teamwork put forth by all athletes.

I extend my sincere congratulations to Steve Schmidt, head coach as well as Miss Chelsea Cook, Ms. Brooke Shepherd, Ms. Ally Clardy, Ms. Yvonne Glass, Ms. Kristie Krueger, Ms. Kinzie Ellis, Ms. Emma Forrer, Ms. Bailey Slough, Ms. Meagan Gonzales, Ms. Teacup Gorman and Ms. Alex Marshall, the members of the State Champion Argyle Girls Basketball Team.

TRIBUTE TO RED CROSS VOLUNTEERS

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. BEAUPREZ. Mr. Speaker, I rise today to pay tribute to the thousands of Americans who proudly call themselves Red Cross volunteers. I stand to show my support for their service to this country, their sacrifice in leaving their homes and loved ones to rush to the aid of fellow Americans in their own community, or another community hundreds, even thousands of miles away.

When you talk about the American Red Cross, you must never forget that you are talking about volunteers. More than 95% of Red Cross workers are volunteers. They are on no government payroll. They have no secret motives or hidden agendas. They are citizens in voluntary service of their fellow citizens.

March is Red Cross Month. We take the time to honor the compassion of the volunteer spirit.

In my own district, these good people are at work daily, teaching CPR, helping to collect lifesaving blood, teaching someone how to swim, and responding in the middle of the night to comfort one of their neighbors whose house has burned down. It is simply impossible to imagine our community without the Red Cross.

There is a reason why every president since Franklin Roosevelt has declared March to be Red Cross Month. This is an organization that mimics American's tendencies to help a neighbor in need, and provides an essential safety net affecting millions of lives. It has earned the right to be called a national treasure.

No one is more interested in building the best possible Red Cross than the people of the Red Cross themselves. Their only desire is to fulfill their mission of compassion and humanity—a mission they have upheld with honor for 125 years. Let us take care to guard this well-earned reputation, aiding and supporting them as they have aided and supported America.

INTRODUCTION OF THE CSRS RETIREMENT REPAYMENT TECHNICAL CORRECTION ACT OF 2006

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. VAN HOLLEN. Mr. Speaker, today I am introducing the CSRS Retirement Repayment Technical Correction Act of 2006. This bill would correct an unintended consequence that followed the enactment of the Omnibus Reconciliation Act of 1990 (Public Law 101–508) on November 5, 1990, and provide relief for federal employees who were adversely affected by that enactment.

The Omnibus Reconciliation Act of 1990 made retroactive changes to the rules related to separating federal employees. While the rules were made retroactive to October 1, 1990, the implementing regulations were not promulgated until February 1991. This four month period between the enactment of the law and the promulgation of the implementing regulations has adversely affected any federal employee who withdrew their retirement contributions during this period.

This matter was brought to my attention by Sandra Schatz Landis, my constituent who was on maternity leave from the Immigration and Naturalization Service (INS), a former bureau of the Department of Justice at the time in question. On November 5, 1990, Ms. Landis withdrew $24,439.00 in retirement contributions and was advised that if she later re-entered federal service, she could re-deposit the withdrawal without paying interest and not suffer any adverse consequences.

Unbeknownst to Ms. Landis and the personnel specialists at INS who were advising her, because ofthe enactment of the Omnibus Budget Reconciliation Act of 1990 that occurred on that very same day, November 5, 1990, employees who withdrew their retirement contributions as far back as October 1, 1990 were suddenly required to repay their withdrawn contributions with interest in order to have the prior service included in their annuity calculation. What is unfair about this is that employees had no warning that the rules under which they were making major financial decisions were changing. If Ms. Landis were to make this repayment today, she would have to refund over $58,000 of which $34,000 is interest. This is just one example of an unintended injustice that must be corrected.

The CSRS Retirement Repayment Technical Correction Act of 2006 will provide relief to those who withdrew their retirement contributions between Oct 1, 1990, when the Omnibus Reconciliation Act was enacted, and February 1991, when implementing regulations were promulgated. It is fair and reasonable legislation that needs to be enacted into law.

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

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2006

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of 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.

This resolution is an essential demonstration of our continued commitment to protecting religious freedom for all human beings throughout the world.

Mr. Speaker, this nation was built by those who escaped persecution in their own homelands. Today we continue to see people throughout the world who still can not freely practice their faith.

It is vital in order to protect the principles of freedom that this nation was founded on, that we protect the ability of each person in the United States to freely observe their religious practices. This also means that we as a nation must push other countries throughout the world to meet this same ideal standard on religious freedom.

Religious freedom is a fundamental human right as affirmed by numerous international declarations and covenants, as well as by the United Nations General Assembly. I remain hopeful that we will continue with further efforts to fight religious intolerance.

I applaud today's measure with enthusiasm and reverence.

HONORING THE ACHIEVEMENTS OF KUR KUR AND SIMON GARANG

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize and honor the achievements of two young men for whom I have the utmost respect and admiration. Mr. Kur Kur and Mr. Simon Garang, currently of Boulder, Colorado, will graduate with degrees from the University of Colorado at Boulder in May, 2006, closing one remarkable chapter in their lives and beginning another. For these two men, obtaining their degrees was more than a matter of attending classes and passing tests; it was a stunning journey from the impoverished and war-torn deserts of East Africa to the mountains of Colorado and the classrooms of CU–Boulder.

Mr. Kur and Mr. Garang were born in different parts of southern Sudan and were forced to flee to Ethiopia at the age of eight to evade Islamic militants that were driving men, women, and children from their homes. Separated from their families, the boys walked the long journey to Ethiopia seeking refuge.

They remained there until war broke out in 1991, and made another improbable and difficult journey to a refugee camp in Kenya, where they would complete their high school educations in spite of severe hunger and poverty. There Mr. Kur and Mr. Garang became aware of the possibility that they could come to the United States and work toward better lives via a special refugee program. They had lived the full experience of a group of young people that are now called ''The Lost Boys of Sudan,'' and would now open a new and hopeful chapter in their already difficult lives.

After arriving in Colorado, Mr. Kur and Mr. Garang would meet Professor Bruce Bassoff, who saw that they were extraordinarily bright and offered to help them enroll at the University of Colorado. In the fall of 2002 they did just that, studying and working hard to obtain their degrees while enjoying a rich college experience. Their upcoming graduation is the culmination not only of those efforts, but of years of a type of struggle unimaginable to most Americans.

I have every confidence that Mr. Kur and Mr. Garang will put their degrees and worldviews to great use, and I look forward to seeing what they—as well as the other five Sudanese students enrolled at CU—accomplish in the years to come. Theirs is a story of inspiration as well as a reminder of our good fortune and the struggles of those in Sudan and other parts of the underdeveloped world. I ask my colleagues to join me in congratulating Mr. Kur Kur and Mr. Simon Garang on their upcoming graduations and to wish them well in their future endeavors.

IN OPPOSITION TO TARGETED MARKETING OF REFUND-ANTICIPATION LOANS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. RANGEL. Mr. Speaker, I rise today to express my deep concern at reports of the apparent harmful impact of the marketing of high-cost refund-anticipation loans, RALs, to underserved communities.

While RALs are advertised as giving consumers quicker access to their hard-earned tax refund, it has been brought to my attention that tax refunds can be obtained almost as fast by the taxpayer to whom the refund is due as if taxpayers file online. It appears that not only are refunds not delivered with any greater expediency, but with interest rates between 40 to 700 percent and additional fees, these loans are so excessively priced that they deny the taxpayer full use of their money.

This issue is of particular interest to me as some of my constituents seem to be feeling the brunt of these loans, I have recently been informed that one of the highest concentration of refund loans in 2003 was made within the 15th Congressional District in my home community, central Harlem. Also as the Ranking Member of the Ways and Means Committee, I am concerned because according to a recent study undertaken by the Neighborhood Economic Development Advocacy Project, one quarter of New Yorkers who claimed the Earned Income Tax Credit in 2003 paid large amounts of their wages in fees related to RALs.

Low-income families need not be exploited for the gains of corporate entities. According to the IRS, 79 percent of RAL recipients in 2003 had incomes of $35,000 or less. In contrast, as the nation's largest tax-preparation chain, H&R Block experienced an 8.5 percent increase in RAL revenue for Fiscal Year 2003. While RALs are one of H&R Block's products, I expect the company to practice due diligence not only in promoting these products equally among your many locations but also in informing clients of their rights and product terms.

Mr. Speaker, I urge you during this tax season to lend your support in holding H&R Block and other tax-preparing companies responsible to equitable targeting of these high-cost loans and full disclosure of their terms.

TRIBUTE TO HARRY BROWNE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. PAUL. Mr. Speaker, America lost a great champion of liberty when Harry Browne passed away on March 1, at the age of 72. Harry had a passion for liberty and knowledge of a wide variety of subjects. His communication style, as he himself so marvelously put it, focused on converting his opponents rather than winning the argument. These attributes helped make him one of the most effective proponents of the freedom philosophy I have had the privilege of knowing. Harry's numerous books and columns, his radio and Internet broadcasts, and his speeches educated millions in sound economics and the benefits of a free society. Harry motivated many people to become activists in the movement to restore American liberties.

Harry first came to public attention in the 1970 when he penned a best-selling investment book, How You Can Profit From the Coming Devaluation, which foresaw President Richard Nixon's abandonment of the gold standard and the ways the American economy would be damaged by the inevitable resulting inflation. Harry's book helped many Americans survive, and even profit, during the economic troubles of the seventies. It also introduced millions of people to the insights developed by followers of the Austrian school of economics regarding the dangers fiat currency poses to both prosperity and liberty posed by fiat. How You Can Profit From the Coming Devaluation is generally recognized as the founding document of the hard money movement, which combined the insights of the Austrian economists with a practical investment strategy.

Harry's third book, You Can Profit from a Monetary Crisis, reached number one on the New York Times bestseller list. Other popular books by Harry include How I Found Freedom in an Unfree World, The Great Libertarian Offer, and Why Government Doesn't Work. I was pleased to write the foreword for one of Harry's books, Liberty A–Z: Libertarian Soundbites You Can Use Right Now, a collection of direct, thought-provoking, and often humorous responses to the questions advocates of the freedom philosophy face.

During the nineties, Harry worked to advance liberty as a presidential candidate, columnist, radio talk-show host, and columnist. He also hosted an internet-based talk show and founded DownsizeDC, a grassroots advocacy group whose goals are accurately summed up in its title. Even while struggling with Lou Gehrig's disease, Harry maintained a full schedule of writing, hosting his radio show, and speaking around the country.

Harry's efforts were not limited to the economic realm. He understood the threat to liberty and prosperity posed by global crusades for democracy, as well as the importance of opposing restrictions on civil liberties. Harry's outspoken defense of civil liberties and the Framers' foreign policy of nonintervention took on added importance in the last years of his life when too many self-styled advocates of liberty attempted to curry favor with the political establishment by focusing solely on issues of economic liberty or combined advocacy of low taxes and regulations with active support for militarism and restrictions on personal liberty.

In all his educational, financial, and political work Harry served as a model for everyone who works for the free society. Harry was principled and uncompromising in message, while temperate and respectful of differing opinions in delivery. He avoided the histrionics too common in our today's talk show culture, and he never personalized his arguments. Even when an opponent resorted to ad hominem attacks, Harry always kept his presentation on the high ground of ideas and principles. In conclusion, Mr. Speaker, I extend my sympathy to Harry Browne's wife, Pamela, and daughter Auburn, as well as the many he befriend in his years in the freedom movement, and I pay tribute to Harry Browne for his lifelong efforts on behalf of individual liberty.

TRIBUTE TO THE AMERICAN BURN ASSOCIATION

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I would like to call to the attention of my colleagues the immense contributions by the American Burn Association, ABA, to the fields of burn treatment, education and prevention.

Whether caused by accidents, natural disasters or potential terrorist attacks, the ABA has been integral in shaping the discussion on how this nation's burn centers should manage burn injuries. In all cases, the American Burn Association stands ready as the critical initial line of first responders. They need our support.

The ABA has more than 3,500 members in the U.S., Canada, Europe, Asia and Latin America. All of the members of the association are burn care specialists. They include physicians, surgeons, nurses, occupation and physical therapists, researchers, social workers, firefighters, emergency response personnel, and the underpinning of burn research and care—hospitals with highly specialized burn centers.

As an organization, the ABA sets the industry standards for quality care for both civilian and military treatment of burn injuries. Its research into advanced treatment for burn injuries is the foundation for the high quality of care available to our wounded soldiers in Afghanistan and Iraq. Furthermore, many of the

professionals with the medical teams currently deployed overseas are ABA members, and many more work stateside, treating the severe burn injuries that result from military conflicts.

In addition to research and treatment, the American Burn Association continually promotes educational campaigns to prevent burn injuries. Past campaigns include home safety, senior burn safety, prevention of gasoline burns, scald prevention and electrical burn prevention. They have also highlighted the value of home sprinkler systems, which are no more expensive per foot than home carpeting, and serve as a valuable preventative measure.

The ABA represents a vital national resource in the select medical community of burn care. These professionals are in every State of the Union and almost every congressional district. I have met with representatives from my region of Pennsylvania. I hope that you will meet with yours and take an opportunity to learn more about the ABA and the outstanding work they do in your own State and district.

CHILDREN'S SAFETY AND VIOLENT CRIME REDUCTION ACT OF 2006

SPEECH OF

HON. JEFF FLAKE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2006

Mr. FLAKE. Mr. Speaker, I would like to comment on section 302 of the Children's Safety and Violent Crime Reduction Act of 2006. This section is based on an amendment that I offered, and that was accepted by voice vote, to H.R. 3132, a predecessor version of the Children's Safety and Violent Crime Reduction Act, on September 14 of last year.

Section 302 is named after Kenneth Wrede, a young man who served as a police officer in West Covina, California. On August 31, 1983, Officer Wrede responded to a call about a man behaving strangely in a residential neighborhood. Wrede confronted the man, who became abusive and tried to hit Wrede with an 8-foot tree spike. Wrede could have shot the man, but instead attempted to defuse the situation. The man then reached into Wrede's patrol car and ripped the shotgun and rack from the dashboard. Wrede drew his gun and tried to persuade the man to lay down the shotgun. The man did so, but when Wrede lowered his revolver, the man picked up the shotgun again and shot Wrede in the head. Officer Wrede was killed instantly. He was 26 years old.

Officer Wrede's killer was sentenced to death in 1984, and that conviction was affirmed by the California Supreme Court in 1989. Then in 2000—17 years after Ken Wrede's murder—a divided panel of the Federal Court of Appeals for the Ninth Circuit reversed the killer's death sentence. The Ninth Circuit found that the killer's lawyer provided ineffective assistance of counsel at the sentencing phase of the trial because he did not present additional evidence of the killer's abusive childhood and chronic use of PCP.

When the Ninth Circuit handed down its ruling, Officer Wrede's mother simply noted that, "We thought we finally were close to getting this behind us. And now this." (Gordon Dillow, Long Wait for Justice Gets Worse, The Orange County Reg., May 11, 2000, at B01.) A California Deputy Attorney General denounced the court's action, commenting that "it can always be suggested a jury should have heard something else in the penalty phase of a death penalty case." (Richard Winton, Reversal of Death Penalty in Officer's Killing Decried Courts, L.A. Times, May 10, 2000, at B3.) West Covina Corporal Robert Tibbets, the original investigator at the scene of Wrede's murder, described the Ninth Circuit's decision as a "miscarriage of justice." (Id.) He had promised Officer Wrede's parents that he would accompany them to every court hearing for their son's killer. He made good on his promise. Nineteen years later, in 2002, Corporal Tibbets was there with the Wredes when their son's killer was given a second sentencing trial and was again sentenced to death.

But the Wredes now face yet another round of state-court appeals for their son's killer, and that litigation will be followed by a new a battery of federal habeas appeals. At the 2002 retrial, Ken's father noted that "my family and I had endured 19 years of trial, appeals, delays, causing us to relive the trauma of Kenny's death over and over again." The trial judge noted the absurdity of this system. He stated, "It is an obscenity to put anyone through this needlessly for 19 years. It is inexcusable for us in the system that we need to look at this case for 19 years to get it resolved. The system at some point in the line has become clogged and broken." (Larry Welborn, 19 Years and No Resolution For Parents, The Orange County Reg., Sept. 21, 2002.)

My amendment will prevent injustices such as the one inflicted on the Wredes. It will guarantee that federal jurisdiction will not be used to reverse criminal sentences and force a repeat of the litigation years after the crime has occurred, the trial has been completed, and state appeals have been exhausted—all because of an error that was already judged harmless in state proceedings, or that was never presented at all on earlier review.

It is simply ridiculous that, 17 years after a police officer was murdered, federal courts would prolong the litigation of the case of the officer's killer for this kind of reason. The error identified by the Ninth Circuit in the Wrede case had nothing to do with the reliability or fairness of the jury's conclusion that the defendant had murdered Officer Wrede. Instead, the Ninth Circuit invalidated the sentence because it thought that the trial attorney could have introduced additional evidence of the killer's use of phencyclidine. (Trial counsel already had introduced considerable evidence of such drug use during the guilt phase of the trial.) Frankly, I do not see how the fact that a defendant regularly used a dangerous drug could mitigate his criminal conduct at all. The jury in the Wrede case did not think so, nor did the state appeals courts think that additional evidence of the defendant's PCP use could reasonably have affected the jury's decision to sentence the defendant to death. The Ninth Circuit's conclusion that such an error could have made a difference in the sentencing decision obviously is a highly subjective judgment. It is not really a judgment of law, so much as a question of personal opinion and popular psychology. Such unstable judgments, at least with respect to sentencing errors that are properly subject to harmlessness review, should not be a basis for overriding duly entered state criminal sentences many years after the fact.

My amendment to this bill builds on an amendment that I filed earlier in this Congress and which has been enacted as section 507 of the USA Patriot Improvement and Reauthorization Act. That amendment guarantees that states such as Arizona and California will be given an objective evaluation of their eligibility for the streamlined and expedited habeas corpus procedures in chapter 154 of title 28. That chapter sets strict time deadlines for federal judicial action on capital habeas-corpus petitions in qualifying states, restricts amendments, and eliminates ping-pong litigation between state and federal courts over unexhausted claims. By unlocking states' access to chapter 154, my previous amendment will ensure that cases such as that of Kenneth Wrede's killer—or the infamous Christy Ann Fornoff case in Arizona—will be resolved much more quickly. My current amendment to the Children's Safety and Violent Crime Reduction Act will ensure that these types of cases are not reversed on account of claims of minor and highly subjective sentencing errors. Allegations of such errors do not relate to the defendant's culpability for the underlying offense, and they do not merit the use of federal judicial resources at this late stage of the criminal-litigation process.

My amendment is based on a legislative proposal that is part of the habeas corpus reform bill introduced by Senator KYL and Congressman LUNGREN. That broader bill has been the subject of four hearings in this Congress: two before the House Judiciary Committee's Crime Subcommittee on June 30 and November 10, and two before the Senate Judiciary Committee on July 13 and November 16.

Between its evolution from the Kyl/Lungren bill to my amendment, and again from my original amendment to the provision in the current Children's Safety and Violent Crime Reduction Act, section 302 has been modified somewhat. First, it has been expanded to also apply to those sentencing claims that the habeas applicant procedurally defaulted in the state courts. It would make no sense to limit federal review for a habeas petitioner who presented his sentencing claim in state court in a timely manner, where the error had been found harmless, but to afford unrestricted habeas review to a petitioner who did not timely and properly present his claim in state proceedings. The purpose of the procedural-default doctrine is to encourage state prisoners to abide by state procedural rules. That purpose would be undercut if the applicant presenting a defaulted sentencing claim were afforded more liberal access to federal court than the applicant who had properly presented his claim during state review.

Also, allowing defaulted sentencing claims to be heard for the first time in a federal application inevitably disrupts the federal proceedings. A defaulted claim generally will not have been considered on the merits in state court, and therefore there is no evidentiary record on which to evaluate the claim in federal court. And allowing the applicant to obtain relief on a defaulted claim in federal habeas inevitably prejudices the state. As the Supreme Court has noted, forcing prisoners to

timely present their claims in state court "affords the state courts the opportunity to resolve the issue shortly after trial, while evidence is still available both to assess the defendant's claim and to retry the defendant effectively if he prevails in his appeal." Murray v. Carrier, 477 U.S. 478 (1986). But when a federal habeas court orders a sentencing retrial on the basis of a claim that was never presented to the state courts, it often will have been many years since the original trial and the crime occurred. (In the Wrede case, the Ninth Circuit's reversal of the killer's sentence came 17 years after the crime had been committed.) During this time, witnesses often will die or disappear or their memories will fade and other evidence will become unavailable. If defaulted claims were exempted from my amendment, not only would habeas petitioners presenting such claims have better access to the federal courts than would those who followed state rules; the relief that the defaulting petitioner obtains would be more likely to mean not just a second chance to try the sentencing case, but rather would amount to a permanent bar on the state's imposition of a capital or other sentence.

Finally, I would like to respond briefly to those critics who argue that any tailoring or limits on federal habeas-corpus review constitute an unconstitutional "suspension" of the Great Writ. I would note that federal courts rejected this argument when it was made by critics of the 1996 reforms. The courts noted that Congress has the power both to expand and to retract the scope of federal collateral review of state criminal convictions. In Felker v. Turpin, 518 U.S. 651 (1996), the U.S. Supreme Court highlighted the utter lack of basis for the view that Congress is required to grant lower federal courts unrestricted power over state criminal convictions:

"The first Congress made the writ of habeas corpus available only to prisoners confined under the authority of the United States, not under state authority. It was not until 1867 that Congress made the writ generally available in 'all cases where any person may be restrained of his or her liberty in violation of [federal law].' And it was not until well into this century that this Court interpreted that provision to allow a final judgment of conviction to be collaterally attacked on habeas."

The Supreme Court concluded: "We have long recognized that the power to award the writ by any of the courts of the United States, must be given by written law, and we have likewise recognized that judgments about the proper scope of the writ are normally for Congress to make."

The U.S. Court of Appeals for the Seventh Circuit elaborated on this point in Lindh v. Murphy, 96 F.3d 856 (rev'd on other grounds, 521 U.S. 320), and explained the nature of the constitutional habeas right:

"The writ known in 1789 was the pre-trial contest to the executive's power to hold a person captive, the device that prevents arbitrary detention without trial. The power thus enshrined did not include the ability to reexamine judgments rendered by courts possessing jurisdiction. Under the original practice, "a judgment of conviction rendered by a court of general criminal jurisdiction was conclusive proof that confinement was legal * * * [and] prevented issuance of a writ." The founding-era historical evidence suggests a prevailing view that state courts were adequate fora for protecting federal rights. Based on this assumption, there was (and is) no constitutionally enshrined right to mount a collateral attack on a state court's judgment in the inferior Article III courts and, a fortiori, no mandate that state court judgments embracing questionable (or even erroneous) interpretations of the federal Constitution be reviewed by the inferior Article III courts."

The Seventh Circuit concluded: "Any suggestion that the [Constitution] forbids every contraction of the [federal habeas] power bestowed by Congress in 1885, and expanded by the 1948 and 1966 amendments, is untenable."

My amendment is a necessary and appropriate adjustment to the federal jurisdiction over state criminal convictions. I am pleased to see that it is part of the Children's Safety and Violent Crime Reduction Act.

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

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Mr. LANGEVIN. Mr. Speaker, today the House will be voting on legislation to affirm the ability of military recruiters to access college campuses. As a member of the House Armed Services Committee, I support our military's efforts to recruit some of our most promising young men and women and believe that service in our nation's armed forces is an honorable career choice. However, I question why we are considering this measure, especially as the Supreme Court unanimously upheld Congress's position a short while ago. If Congress's authority has not been challenged, why are we reiterating it?

As we have heard, a lawsuit arose when a group of colleges challenged the Congressional requirement that military recruiters be granted access to schools that receive federal funding. The schools argued that the U.S. military's policy of excluding gays and lesbians from serving openly violated their non-discrimination requirement for prospective employers on campus, and that the recruiters' presence would be interpreted as the schools' official endorsement of the military's position. The Supreme Court rejected this argument, noting that colleges and universities still maintained their right to express their opposition to the military's policies as they saw fit. The resolution of today reaffirms the very Congressional power that the Court just upheld.

Unfortunately, Congress is debating the wrong issue. Instead of celebrating a minor legal victory, we should be discussing how to end the discriminatory "Don't Ask/Don't Tell" policy that inspired the opposition from the colleges and which threatens our military readiness to this day. Since the policy's enactment in 1993, Don't Ask/Don't Tell has resulted in the discharge of nearly 10,000 service members, many of whom had language proficiency or other skills essential to the Global War on Terror. Over the past ten years, Don't Ask/Don't Tell has cost the U.S. military hundreds of millions of dollars—funds that could have gone toward obtaining additional armored vehicles and investing in other vital force protection initiatives.

Don't Ask/Don't Tell, originally conceived as a compromise, has outlived its utility and now actually harms our military readiness and its ability to perform certain essential functions. Qualified and dedicated servicemembers should not be discharged based on their sexual orientation, especially at a time when our National Guard and Reserves are serving repeated deployments. For these reasons, I am an original cosponsor of H.R. 1059, the Military Readiness Enhancement Act, which would replace Don't Ask/Don't Tell with a policy that would not allow discrimination or discharges based on sexual orientation.

Those who oppose repeal of Don't Ask/Don't Tell conveniently ignore that gay men and women already serve in the military—many with great distinction—despite the fact that they must hide their identities from those whose lives they have sworn to defend. They also ignore the fact that some of our closest allies in the Global War on Terrorism permit open service by gay men and women, and our forces regularly serve alongside theirs without incident. They also ignore numerous polls indicating that a strong majority of Americans support repeal. Our military's purpose is to protect the United States, and it must recruit the most qualified people in order to succeed. Repeal of Don't Ask/Don't Tell is consistent with that goal.

I will support H. Con. Res. 354 today because I believe we should be encouraging our nation's finest young men and women—no matter who they are or where they go to school—to join the strongest, smartest and most capable military in the world. However, such an effort is incomplete without also repealing Don't Ask/Don't Tell. I encourage all of my colleagues to cosponsor H.R. 1059 to ensure that all who are willing and able to serve may do so.

IN HONOR OF THE PREMIERE OF "WALKOUT"

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. BECERRA. Mr. Speaker, facing unfortunate injustices, relegated to second class citizenship, and anxious to see change come to their classrooms, a group of students banded together in 1968 to protest the conditions of their high schools in East Los Angeles. The civil and non-violent protest took the form of a staged and systematic "walkout," which was not only the single largest protest by high school students ever in the history of the United States, but is also recognized as the event that gave birth to the Chicano civil rights movement.

Today, I rise and pay tribute to the efforts of these students who embody change and whose memory reminds us all that peaceful, intelligent activism can right egregious wrongs. That reminder is now ever more visible as this seminal moment in civil rights history has been put to film, premiering tonight here in Washington, D.C., and on Saturday, March 18, on HBO.

Called "Walkout," the film provides a sincere and candid look at these student protests

exploring the reasons and justifications that led to such a dramatic and historic move. Executive Producer Moctesuma Esparza and director Edward James Olmos have captured the tensions and regretful reality of life for Mexican American students in the public high school system of East Los Angeles. The movie honors the memory of the struggles and obstacles to empowerment that those before us fought so hard to eradicate. Today, we pay tribute to Esparza, Olmos, HBO Films and all those who played a part in bringing this snapshot of history to life.

Mr. Speaker, only by dedicating ourselves to remembering how we compromised the civil rights and educational achievement of Latinos in the past can we renew our resolve to face the current attacks that seek to derail the future of our community. In 1968, the Mexican American community sent an unequivocal message that transcended the education system that sought to suppress them: when equality and opportunity are denied, our community will fight back to defend what is right. Through "Walkout", we celebrate this resolve.

INTRODUCING LEGISLATION AUTHORIZING FUNDING FOR THE PRIVACY AND CIVIL LIBERTIES BOARD

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce legislation authorizing $3 million annually over the next ten years for the Privacy and Civil Liberties Board. Additionally, my legislation requires the President to include a line item request in his budget proposal every year. I am pleased to be introducing this bill with the support of the Democratic Members of the House Permanent Select Committee on Intelligence.

In December 2004, President Bush signed the Intelligence Reform and Terrorism Prevention Act into law. Included in this bill was language establishing the Privacy and Civil Liberties Board, a cornerstone recommendation of the 9–11 Commission. The Commission understood that in the emotional aftermath of September 11th, it was important to provide objective oversight of the protection of our cherished civil liberties.

This oversight is the main purpose of the Privacy and Civil Liberties Board. The Board has been established to review proposed regulations and Executive Branch policies' effects on civil liberties, particularly related to the War on Terrorism.

Many saw the creation of this board as a promising step in protecting us from terrorism while maintaining the civil rights of everyone. However, more than a year after the legislation was signed into law, the Board has yet to hold its first meeting. As a matter of fact, the first Board members were only approved a year ago. Even more, because the Board is housed within the Office of the President and operates at the behest of the Administration, Congress itself is not able to appropriate $1 for its operation because we never authorized any spending. With no substantive work performed by the Board to date, it's as though the Board only exists in the spirit of the law—not in its letter. If that was Congress's true intent, then the Board might as well only exist on paper, or as an illusion in our minds. But it wasn't, and that's why this legislation is absolutely necessary.

Realize, Mr. Speaker, the most disturbing lack of support for the Board has come from the Administration itself. In the President's budget request for fiscal years 2005 through 2007 and the requests for supplemental funding, there have been no funds requested specifically for Board operations. Zero! Without this funding, the Board cannot even buy a pencil much less develop a plan to accomplish its tasks.

The Administration's failure to fund the office, coupled with the inactivity of the Board, leads one to question the commitment of the Administration to ensuring the protection of privacy and civil liberties. Does the Administration welcome an objective review on civil rights issues regarding its terrorism policies or would it rather govern in a vacuum? Would the President rather operate behind closed doors without questions from, or accountability to, any oversight board? Unchecked policies shrouded in secrecy will do nothing to help this country maintain checks and balances between safety and civil rights.

The bill I am introducing authorizes $3 million in annual funding for the Board so that Congress can do what the President has failed to do. This funding level will ensure that adequate resources are available for sufficient staff and resources to support critical statutorily mandated activities of the Board. This includes reviewing proposed regulations and policies related to countering terrorism, the implementation of laws, regulations and policies related to countering terrorism, and advising the President and department heads on matters impacting privacy and civil liberties.

It's time that we demand that the Administration stop dragging its feet on funding the Privacy and Civil Liberties Board. If civil liberties are of any concern to this body and the President then there is no reason to stall the progress of the Board by denying it the money it needs to get started. I urge my colleagues to support this legislation to fully fund the Privacy and Civil Liberties Board so that it can get about the business of protecting the liberties and security of all Americans.

TRIBUTE TO GEORGE BECKER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. VISCLOSKY. Mr. Speaker I rise today to honor George Becker, a great union leader, great American, and President Emeritus of the United Steelworkers (USW). Not only has George been a dear friend of mine, but to working men and women everywhere. They owe him a debt of gratitude for the years of service he has given not only to the labor movement, but to his country.

Retirement as the USW's International Union President in 2001 did not change his goals nor dim his vision and resolve. He continued his advocacy during his service on the U.S. Trade Deficit Review Commission. He is still fighting in his capacity as Commissioner on the U.S. China Economic and Security Review Commission to give a voice to the concerns of workers in the industries affected by our exploding trade deficit with China.

I am sure my colleagues on the Congressional Steel Caucus will join me in expressing our good fortune to have worked in close association with a man who warned us years ahead of time that the American steel industry was on the brink of collapse after the Asian financial crisis in 1998. It was George Becker's persistence and foresight that created the joint union-industry alliance "Stand Up for Steel" that fought for fair steel trade policies before Congress and two Administrations to bring the relief necessary for the U.S. steel industry to restructure and consolidate.

I remember standing with USW President Becker among hundreds of steelworkers on Capitol Hill who helped win passage of H.R. 975 in the Spring of 1999, a bill I sponsored titled the 'Stop Illegal Steel Trade Act' to impose a freeze on steel imports. The U.S. House of Representatives passed it 289 to 141, but the measure was subsequently defeated in the Senate on a procedural vote.

But the determined President Becker didn't stop fighting to save American steelworkers' jobs and the industry. He supported H.R. 808, the Steel Revitalization Act of 2001, to require a five year rollback of steel imports to pre-crisis levels, while providing assistance for retiree health care costs and establishing a $10 billion loan fund to finance steel industry modernization.

The Steelworkers Union president didn't stop at the legislative door of Congress, leading a national union-industry petition under the U.S. Foreign Trade Act to implement a Section 201 tariff on all steel imports that included a public hearing in my Congressional District of Northwest Indiana by the International Trade Commission. The ITC's investigation demonstrated the need for steel tariffs and President Bush implemented relief in 2002.

George Becker, a second-generation steelworker, rose through the ranks to become the sixth international president of the United Steelworkers (USW). He served seven years as the union's international president, elected in 1993 and 1997. He also was chair of the Labor Advisory Committee for Trade Negotiations and Trade Policy for the U.S. Department of Labor; during the Clinton Administration, he served on the President's Export Council and the U.S. Trade & Environmental Policy Advisory Committee.

He is a respected union organizer and strategist, and an internationally-known spokesman for industrial safety, workers' rights on the job and fair global trade.

Among his major accomplishments are:

Mergers with the United Rubber Workers (URW) in 1995, and the Aluminum, Brick and Glass Workers (ABG) in 1997, bringing 140,000 new members to the USW.

Launching the union's pioneering national Rapid Response Network to mobilize members and their local unions to personally contact their members of Congress and state legislatures with handwritten letters on bread & butter issues.

Establishing a USW Legislative Leadership Program in Washington, D.C., which provides member-activists with training in lobbying and political action.

On February 28, 2001, George Becker joined the ranks of one of the Labor Movement's more formidable legacies. He became

only the sixth past President of the United Steelworkers.

Born within a few yards of the Granite City Steel Mill in Illinois where he went to work at age 15, he lived and loved the life of a steelworker from his first day in an open hearth labor gang to the last day he served as International President.

His service to his country included a stint in the U.S. Marines toward the end of World War II and again during the Korean War, when he was drafted into the U.S. Army, owing to a critical shortage of light weapons infantry leaders.

USW President Becker is enjoying his 55th wedding anniversary this year with his wife Jane that began when he met her in the Ozarks of Missouri. They have three married sons and 14 grandchildren.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending George Becker for his outstanding contributions to his union and his country. His commitment to improving the quality of life for working people everywhere is unparalleled, and he should be recognized and commended.

TRIBUTE TO ALLEN R. HUGHES

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American, Allen R. Hughes, who will celebrate his 97th birthday on September 24, 2006.

Allen Hughes was born in Martinsburg, Missouri. His mother Ethel had a wonderful sense of humor and he loved her very deeply. His father William was a street car operator who purchased a 144 acre farm in Fulton, Missouri, which his boys affectionately named ''Hughes' Rock Farm'' because it appeared to be the main crop. Allen had three sisters and four brothers and the family was of modest means.

Allen Hughes married Florence Mertz in 1930. They were married for 59 years until Florence's death and they had one child Richard, born in 1937.

Allen Hughes is a 32nd degree Mason and has been a Scottish Rite member since 1936, over 69 years. He still goes to Lodge and actively participates in the Masonic Order. Mr. Hughes is a registered Democrat who has been known to occasionally stray from his party. The first time he voted was in the Presidential election of 1932. He cast his vote for FDR all four times and has never missed voting in a Presidential or off-year election since. Mr. Hughes has the highest regard for President Harry S. Truman and a profound respect for the Office of President regardless of who occupies it. His son Richard knows this first hand and has the scars to prove that if you can't say something respectful about the President, you shouldn't say anything at all. A true patriot, he takes the privilege of voting very seriously.

Allen Hughes began his career with the Endicott Johnson Shoe Company and worked as a night supervisor for Bi-State Transit in St. Louis, Missouri for 28 years. He retired in 1971 and now lives with his second wife, Sue Harness, on her farm close to Troy, Missouri.

Allen Hughes' son Richard speaks eloquently about his father; ''What I love about my father is his humor, his work ethic (I think he missed less than three weeks of work due to sickness in 46 years), his honesty (his word is his bond), his generosity and his willingness to help others less fortunate than himself, his patriotism . . . he votes, informs himself and loves this country.'' Richard tells me, ''If I could go to the 'Father Store' and pick any father, I would pick Allen R. Hughes.''

Mr. Speaker, I ask my colleagues to join me in honoring a national treasure and an exemplary American. As Allen Hughes celebrates his 97th birthday, we extend to him our best wishes as well as our gratitude for all he's done for our country. He is a true patriot, a loving husband and the best father in the world to his great son Richard. Because of solid citizens like Allen Hughes, our democracy is strong and our country is decent.

INCLUDE APPROPRIATIONS FOR LIBERIA

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Ms. SCHAKOWSKY. Mr. Speaker, Ellen Johnson Sirleaf has opened a new chapter in Africa's history as its first female head-of-state. Her election marks a turning point for Liberia, a long-time ally of the United States, which has recently been debilitated by war, corruption, and civil strife. I met with President Sirleaf in Liberia three weeks ago and I know she has the skills and vision it will take to rebuild Liberia and bring hope to its people.

In her inaugural speech, President Sirleaf promised to give Liberian women ''prominence in all affairs of our country.'' The 21st Century could well be the century of the woman, not only in Liberia, but around the world. In the past year, first female heads of state were elected in Liberia, Chile, and Germany, and Finland re-elected its first female president. A recent U.S. poll showed that 92 percent of Americans are ready to elect a female president. But for now, Liberia is a step ahead of the United States.

The U.S. and Liberia have long shared close ties, dating back to 1819, when Congress appropriated $100,000 that helped lead to the founding of the country. The end of Liberia's civil war and President Sirleaf's election present a unique opportunity to maximize the close ties between our countries.

I support Congressman JESSE JACKSON and Chairman JIM CLYBURN's call to include appropriations for Liberia in the President's supplemental request. President Bush has committed to spreading democracy around the world. This is a unique opportunity to build a democracy in a nation that is starting anew. Rewarding Liberia for its democratic progress would send the right signal to other African nations.

President Sirleaf still faces many challenges and will need our support to succeed. Despite its small gross national income, Liberia has $2.56 billion in outstanding international debt. HIV/AIDS is spreading at an increasing rate and 708,000 Liberians, just under a third of the population, receive food assistance each month. U.S. assistance to Liberia has decreased in recent years; it will have to increase for President Sirleaf to meet these humanitarian needs.

President Sirleaf will also need help building democracy. Consolidating the Comprehensive Peace Agreement of 2003 and pursuing transitional justice against war criminals remain immediate priorities. The U.S. should offer its diplomatic backing to encourage other states in the region to help Liberia find resolution.

In her inaugural address, President Sirleaf committed to a new era of democracy, economic renewal, and good governance for Liberia. Upon her second state visit to the United States, we welcome President Sirleaf and offer our support for her mission to lead Liberia to better times.

CONGRATULATING GENEVIEVE AGUILAR

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today in order to honor and congratulate an outstanding young woman in my district who has recently been recognized as one of the top youth volunteers in Colorado for 2006. Genevieve Aguilar of Boulder was recently honored as a Distinguished Finalist for the 11th Annual Prudential Spirit of Community Award, an honor bestowed on the most active and dedicated young volunteers in the state.

Genevieve was honored this year for her work as a tutor and mentor for young Hispanic students. At the age of seventeen, this young woman finds the time to teach other students organizational and study skills so that they can achieve success in high school and beyond. This selflessness is made all the more remarkable by the fact that Genevieve is making her way through Boulder High School herself and undoubtedly faces all of the same pressures that every other student faces. Despite these pressures, and through her steady devotion to her community and her fellow students, Genevieve is able to teach us all a lesson in humanity, service, and volunteerism.

The Prudential Spirit of Community Awards were designed to ''emphasize the importance our nation places on service to others, and to encourage young Americans of all backgrounds to contribute to their communities.'' I can think of no better way to honor the work that Genevieve has done to help her fellow students learn and grow, and I am sure that her example serves to inspire those students to give back to their communities in kind. I look forward to seeing what Genevieve Aguilar accomplishes in the future, and I ask my colleagues to join me in recognizing and honoring her accomplishments.

A TRIBUTE TO HELEN JORDAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Helen Jordan, a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding

leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Helen Jordan has been a MSW caseworker that counseled substance-abusing mothers, an administrative supervisor and a Program Director at the New York Urban League's child welfare programs. For almost twenty years, she has worked with and for the families in East Flatbush, East New York and Brownsville communities of Brooklyn. The New York Urban League's mission ". . . to promote opportunities and to help African Americans, individuals, families and communities achieve their full potential . . ." is the mission that Helen has adopted for herself.

Born in New York City, 75 years ago, to Addie and Pearlie Thomas of South Carolina, Helen is the oldest of three children. Her father and mother, janitors for various Harlem tenements, taught Helen that education was the key to liberation and she never let go of the vision of a college education. Helen earned a Bachelor's degree in Social Welfare and a Master's degree in Social Work at Adelphi University's School of Social Work after she had married Eugene Jordan and their four children Stephanie, Eugene III, Vance and Kevin, were adults. She has 10 grandchildren and two great-grandchildren. A Licensed Clinical Social Worker, she thinks that no one should ever stop learning. Helen still attends conferences and workshops related to her work. God has worked many wonders in her life including the privilege of being the Program Director at Service to Families and the Chairperson of the Brownsville-East New York Child Welfare Neighborhood Network and she gives Him all the praise and honor. She is a member of the Greater Allen Cathedral in Jamaica. NY.

Helen has had memberships in several organizations that advocate for children and families to be the very best that they can be such as The Black Task Force on Child Abuse and Neglect, which educated communities and organizations about the results of child abuse and neglect; National Association of Social Workers; National Association of Black Social Workers; National Black Child Development Institute, an organization that educates educators about the importance of a child's education; Coalition of Brooklyn Program Directors; New York Foster Care Reform Initiative, an organization that seeks to transform the educational training of foster care parents; African American Task Force Against Violence Towards Women; Neighborhood Family Services Coalition; and the Institute for Community Living, Inc.'s Neighborhood Advisory Board. She is also a member of the 369th Kermit Drowery Ladies Auxiliary.

"Giving back" is very important to Helen. She has been a field instructor and a faculty advisor to many social work students at various graduate schools. She has also been an adjunct professor at Adelphi University's School of Social Work's Manhattan Center.

At 75 years of age, Helen says that although there is a lot of work being done to improve the lives of our children and their families, there is still so much more work to be done, that she has no idea when she will retire.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Helen Jordan, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Helen Jordan's selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

TRIBUTE TO NATIONAL KIDNEY MONTH

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. McDERMOTT. Mr. Speaker, as Congress recognizes National Kidney Month, I join my colleagues in their efforts to increase awareness about the devastating effects of kidney disease. More than 400,000 Americans must receive life-saving dialysis three to four times each week because their kidneys have failed. In addition, more than 20 million citizens have chronic kidney disease, which is the precursor to kidney failure. Patients with kidney disease experience a gradual deterioration of kidney function that eventually progresses to kidney failure. Patients may live with the disease 10 or more years without outward symptoms before their kidneys fail. Once a patient develops kidney failure, his or her kidney function is so low that without dialysis or kidney transplantation death will occur from accumulation of fluids and waste products in the body.

Recognizing the need to educate my colleagues on kidney disease, I founded and co-chair the Congressional Kidney Caucus with my colleague Representative MARK STEVEN KIRK. Members of the Kidney Caucus are especially concerned about the growing prevalence of this disease.

Mr. Speaker, the leading causes of this disease is diabetes and high blood pressure, which as you are no doubt aware also disproportionately affect African Americans and Latino Americans. Given that early kidney disease has no symptoms, most people do not realize that their kidneys are about to fail. Therefore, it is critically important to increase awareness of the dangers of kidney disease, especially among the African American and Latino American communities. Individuals with high blood pressure and diabetes should ask their doctors to run simple blood and urine tests that can detect kidney disease.

If treated early, individuals with kidney disease will experience an improved quality of life and be able to maintain more daily life activities, including keeping their jobs. In addition, preventing kidney failure and improving care will result in substantial savings for the taxpayer.

I applaud the efforts of my colleagues to raise awareness about this important issue and to show support for Americans living with kidney disease. We must act now to help Americans learn more about this deadly disease and how to prevent its development and progression to kidney failure.

A TRIBUTE TO SHIRLEY ANN McRAE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Shirley Ann McRae, a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Shirley Ann McRae earned her Bachelor's degree in Organizational Management from Nyack College. She also earned Advanced Certificates in Labor Relations from Cornell University's New York State School of Industrial and Labor Relations. Prior to retirement, Ms. McRae worked for MTA's New York City Transit. She was the Senior Director of Employee Programs and Registrations within the Employee Development Unit of the Office of Human Resources.

Shirley Ann McRae is passionate about community service. She has gone above and beyond the call of duty. Since 1996, Ms. McRae has been an active member of Brooklyn Community Board #2; serving as Chairperson of the Board for the last 4 years. Preceding her appointment to Chairperson of the Board, Ms. McRae was involved in many community board committees including a leadership position as Chairperson of the Open Space Subcommittee.

Ms. McRae currently serves on the board of directors for the Brooklyn Bridge Park Coalition and was also on the executive board of directors of the Atlantic Center Homeowner's Association since its creation and acted as the board's president for the last 6 years. Ms. McRae is a member of the Fort Greene Association, the Central Fulton Street Business Improvement District Steering Committee, the Community Action Board representing Region #10—Brooklyn Neighborhood Development Areas 1, 2, and 4.

A patron of the arts, Ms. McRae also serves on the board of directors for the Brooklyn Academy of Music Local Development Corporation and the Creative Outlet Dance Theatre of Brooklyn.

Shirley Ann McRae continues to give wholeheartedly to the Brooklyn community. Her dedication and time given to our community are a phenomenal achievement. She has truly made a strong positive impact and for that I ask that we recognize and give thanks to Shirley Ann McRae for her wonderful contribution to our community.

Mr. Speaker, please join our community in honoring Shirley Ann McRae for her dedication and outstanding service to our community.

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

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Mr. HOYER. Mr. Speaker, I strongly support this important Resolution offered by the gentleman from New Jersey (Mr. SMITH), urging the Russian Federation to fully protect the freedoms of all religious communities without distinction, whether registered or unregistered, as stipulated by the Russian Constitution and international standards.

It is undoubtedly true that the Russian Federation has made democratic progress since the breakup of the former Soviet Union. However, there is legitimate cause for concern that Russia is backsliding on some of the most basic democratic values, including the fundamental and inalienable human right to worship God according to the dictates of one's own conscience.

As this Resolution points out, registration is critical for religious groups to fully enjoy their religious freedoms. In fact, many of the rights and privileges afforded to religious communities are contingent upon registration.

Yet, some religious communities have been unjustly denied registration or had their registration improperly terminated. Other religious communities refuse to seek registration on theological or other grounds. In addition, there have been arson attacks on unregistered Protestant churches, with little or no effective response to bring the perpetrators to justice. And, in some areas of the Russian Federation, law enforcement authorities have carried out violent actions against believers from unregistered communities peacefully practicing their faith.

These actions are counter to values that democratic society's embrace and they are simply unacceptable.

As the former Chair and Ranking Democrat on the Commission on Security and Cooperation and Europe, I am well aware of the history of religious persecution and discrimination in Russia. In fact, when I served as Chairman of the Commission, I frequently met with religious dissidents and their families in the former Soviet Union. For example, during a Congressional delegation trip in 1988, Congressman SMITH and I met with Russian Baptists at the Hotel Pulkovo in Leningrad and with Father Gleb Yakunin at his apartment in Moscow. I also met with numerous Soviet Jewish refuseniks, some of whom were prosecuted for teaching Jewish traditions and history.

This Resolution, among other things, urges the Russian Federation to ensure full protection 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. In addition, it urges the Russian Federation to vigorously investigate acts of violence against unregistered religious communities.

Mr. Speaker, I know there is sometimes a temptation to look upon Resolutions such as this one as mere words on paper without significant meaning. However, we know from experience that we must never under estimate the power of our democratic ideals and values.

The truth is, the signing of the Helsinki Final Act in 1975—with its emphasis on respect for human rights—was instrumental in focusing attention on human rights abuses, including religious persecution, in the former Soviet Union. And, the attention on these abuses was such an embarrassment to the former Soviet government that it slowly, if grudgingly, began to address them.

Today, we must be no less vigilant in holding the Russian government to account for these on-going abuses.

I urge my colleagues to vote for this Resolution.

EXTENDING NORMAL TRADE RELATIONS TREATMENT TO UKRAINE

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2006

Mr. WAXMAN. Mr. Speaker, today we have the opportunity to recognize Ukraine's great strides since its emergence from the Iron Curtain. Indeed, the ''Orange Revolution'' ignited by the fraudulent elections of 2004 demonstrated the commitment of the Ukrainian people to a democratic future. By graduating Ukraine from Jackson-Vanik and extending Permanent Normal Trade Relations (PNTR), we can help consolidate the Ukrainian government's adherence to this path.

The Jackson-Vanik amendment, enacted in 1974, originally focused on free emigration, but it became a symbol for all basic human rights including political freedom, freedom from religious discrimination, and freedom for the press. While its candidacy for Jackson-Vanik graduation demonstrates Ukraine's significant progress on these issues, there are still major areas where further improvement is necessary.

Specifically, the Ukrainian government and President Yushchenko must do more to live up to their pledge to fight anti-Semitism and condemn all ethnic and religious discrimination.

Over the past several years, Ukraine's largest private university, known in Ukraine as MAUP, has become a hotbed of anti-Semitic activity. In 2005, the school hosted an anti-Zionist conference featuring white supremacist David Duke and other Holocaust deniers from around the world and its President fervently supported the President of Iran's call for the destruction of Israel. The school has published and distributed ''Mein Kampf' and ''The Protocols of the Elders of Zion,'' and leading figures at the school have petitioned to bar Jewish organization in Ukraine and ban Jewish texts.

It is important that the Ukrainian government and President Yushchenko's ''Our Ukraine'' party have strongly condemned the university leaders. The Ministry of Education and the Ministry of Foreign Affairs have called the school's activities unlawful. The time has come for the government to reexamine the school's certification and prosecute those responsible for violating Ukraine's anti-incitement laws.

In addition, the government must take action to return communal religious property confiscated during the Soviet era through a standardized, timely, and transparent process.

Jackson-Vanik graduation is an important step forward in the strategic relationship between the United States and Ukraine. But it is by no means an end to the need for scrutiny of Ukraine's adherence to fundamental human rights values. As a member of the Congressional Ukraine Caucus and a co-chair of the Congressional Task Force Against Anti-Semitism, I support this legislation, but I believe it is vital that we continue pushing Ukraine in the right direction.

A TRIBUTE TO MERCEDES DESORMEAUX NARCISSE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mercedes Desormeaux Narcisse, Esq., a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Mercedes Desormeaux Narcisse was born in Haiti and moved to Brooklyn as a teenager. From high school on, Ms. Desormeaux Narcisse was completely educated in New York. Growing up, she attended South Shore High, Tilden High, New York City Technical College and St. Joseph College.

Ms. Desormeaux Narcisse is currently the CEO and owner of Statewide Medical and Surgical Supplies Inc., located in the heart of Brooklyn. Preceding her exceptional accomplishments at Statewide, she was in charge of medical and surgical supplies for over 10 years. In addition, Ms. Desormeaux Narcisse is a registered Nurse and worked in the profession of home care, emergency room/trauma, neurology, and renal/oncology for over 15 years. In that time she was employed at several major hospitals in Queens and Brooklyn.

Ms. Desormeaux Narcisse holds extensive certificates for Orthotic fitting, ACLS, Chemotherapy, Peritoneal Dialysis, HIV Therapy, Wound Care, Infection Control and non-violent crisis intervention.

Mercedes Desormeaux Narcisse is an active participant in the community. She is currently president of the 41st Assembly District Democratic Club, which she has been a member of for the last five years. Ms. Desormeaux Narcisse is also President of Canarsie by Choice and has played a vital role in revitalizing the Avenue L Merchant Association. Additionally she sits on various boards and committees including Community Board 18, the Lions Club, Canarsie Bridges and the Brooklyn Chamber of Commerce. Of particular importance to Ms. Desormeaux Narcisse is her local ''Toys for Tots'' chapter called ''Brooklyn Toys for Tots.'' Working closely with New York City Councilman, Lew Fidler, and his Chief of Staff, Bryan Lee, at the 41st Assembly District Democratic Club, the Brooklyn Toys for Tots collected over 1,700 toys for the area's less fortunate children.

Ms. Desormeaux Narcisse's actions have not gone without recognition in the community. In 2005, the Friends of New York City Assemblyman, Nick Perry, honored Ms. Desormeaux Narcisse for her outstanding service to the community. Ms. Patricia Trim and her ''Trim for Tots'' organization also honored Ms. Desormeaux Narcisse for her continuing work in the community and continuing to ''work in making life easier for underprivileged kids.''

Mercedes Desormeaux Narcisse has played the role of loving mother, caring nurse, successful businesswoman and compassionate community member. Her vivacious and affectionate character has won the hearts of many. Today, we applaud Ms. Desormeaux Narcisse for her devoted and unselfish character. Her commitment and empathy for our community is above and beyond and for that I ask that we recognize this phenomenal woman today.

Mr. Speaker, please join our community in honoring Mercedes Desormeaux Narcisse for her dedication and outstanding service to our community.

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

SPEECH OF

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 14, 2006

Mr. McINTYRE. Mr. Speaker, I am very pleased that the House is considering H. Con. Res. 190 today, that urges the Russian Federation to protect fully the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards. As stated in the resolution, the United States throughout its history 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. I completely agree. The ''first right'' of religious freedom must be respected, and so this resolution is of critical importance.

The Russian Federation is an OSCE participating State and has freely committed to protect this right, so that all may freely profess and practice the religion or belief, either alone or in community with others. Russia has promised to do this through numerous OSCE documents, but also in its own constitution. Article 28 of the Russian constitution 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.''

Unfortunately, this fundamental right is not always observed, especially for groups that are not registered with the government. For groups denied registration, who have had their registration stripped, or refuse registration on religious grounds, the lack of registration means they experience significant difficulties in enjoying their religious liberties. Registration is critical for religious groups to enjoy fully their religious freedoms, as many rights and privileges afforded to religious communities are contingent on obtaining registration.

In addition to discrimination by local authorities, in the last two years there have been more than ten arson attacks estimated on unregistered Protestant churches. At a Helsinki Commission hearing that I attended last year on problems facing unregistered religious groups in Russia, I was troubled to learn of the lack of effective action by law enforcement to bring the criminals to justice. The perpetrators of these hateful acts have gone unpunished, with police and other officials turning a blind eye. In the worst cases, law enforcement personnel have actually been the persecutors, carrying out violent actions against individuals from unregistered communities who are only wishing to practice peacefully their faith.

In closing, the Russian Federation is urged to do more, to ensure that all may fully enjoy their religious liberties. I therefore urge my colleagues to support H. Con. Res. 190.

A TRIBUTE TO DR. MANANA PETROV

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Dr. Manana Petrov, a distinguished member of the Brooklyn community. I am honored to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Dr. Manana Petrov was born in the former Soviet Union during the height of the Cold War. Upon graduation from high school, Dr. Petrov enrolled in Rostov Medical Institute. When Dr. Petrov's family was forced to move to the Georgia Republic, she transferred and graduated from the Tbilisi Medical Institute. Dr. Petrov worked as a physician in the former Soviet Union until she, her husband and her daughter immigrated to the United States. Driven by the need to put food on the table, Dr. Petrov passed all of her medical exams within a year of immigrating to the U.S. Following the completion of her medical exams, Dr. Petrov began her residency at the Brooklyn Hospital working tirelessly to support her family.

In 1997, Dr. Petrov successfully passed her licensing exam and is currently Double-Board Certified in Internal Medicine and Hospice and Palliative Care. She has been serving as the attending physician at Brooklyn Hospital for the last 9 years. During her time at Brooklyn Hospital, Dr. Petrov has served as an outstanding role model for aspiring doctors and was nominated as the ''Best Teaching Attending.'' Additionally, in 2000, she was appointed Medical Director of Hospice of New York and in 2003, she was named the Assistant Professor of Clinical Medicine at the Brooklyn Hospice Center. Also in 2003, Dr. Petrov opened her own practice in Brooklyn, NY and is faithfully serving her patients to this day. Dr. Petrov has also worked for the last 5 years as an Associate Program Director in an Internal Medicine Program and boasts two publications in medical journals.

Dr. Manana Petrov is an inspiration to not only those in the medical profession, but to our entire community. She has overcome numerous obstacles to realize her dream of becoming a doctor. Dr. Manana Petrov encompasses the true identity of a role model in today's society and for that I ask that we applaud her accomplishments and contribution to our community.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Dr. Manana Petrov, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Dr. Manana Petrov's selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

Mr. Speaker, please join our community in honoring Dr. Manana Petrov for her dedication and outstanding service to our community.

HONORING THE LIFE OF BRIAN J. SCHOFF

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. DAVIS of Tennessee. Mr. Speaker, I rise today to pay my respects to Corporal Brian J. Schoff for his service to a grateful nation. Corporal Schoff may have given his life in defense of his country, but his soul and spirit will live on to the many who knew him. During a funeral procession in Manchester, Tennessee hundreds of people stood outside their homes and along the road to honor their fallen soldier.

Corporal Schoff, a member of 2nd Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division, was awarded a posthumous promotion from Private First Class to Corporal, a Purple Heart, the Bronze Star, and Good Conduct Medal for his service.

While I didn't know Corporal Schoff personally, I do know the quality of our soldiers serving in Iraq, Afghanistan, and around the globe. They are caring, patriotic, God-fearing men and women. I wish to extend my heartfelt appreciation to Brian Schoff for his selfless sacrifice. May he live on in eternal happiness with his Lord in heaven.

Corporal Schoff is survived by his father, Brian L. Schoff; his mother, Cathy Odle; his stepfather, Kenneth Odle; stepsisters, Alicia Burgess and LaDawn Mauk; stepmother, Debra Schoff; and his half-sister, Brianna Schoff.

A TRIBUTE TO ROBIN KELLY SHEARES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Robin Kelly Sheares, Esq., a distinguished member of the Brooklyn community. Robin Sheares was born in Harlem to the late Gloria and Herman Sheares. At the tender age of 6, her family moved to Bedford-Stuyvesant and ever since she has been a member of the Brooklyn community.

A proud graduate of the public school system, Robin has been an attorney for nearly 20

years. She is experienced in housing, criminal and civil law. In her nearly 20 years as an attorney, she has been an administrative law judge, an instructor, as well as an arbitrator. She is active in Brooklyn, working with community-based organizations, religious institutions, and youth mentoring groups.

Robin Kelly Sheares is an active member of the Wayside Baptist Church and her Block Association. At Wayside, she works closely with the Sunday School and Youth Ministry. Robin's other memberships include, but are not limited to, the Metropolitan Black Bar Association, the Brooklyn Women's Bar Association and the Brownstoners of Bedford-Stuyvesant, Inc.

Robin has been dedicated to the Noel Pointer Foundation and the New York Road Runner's Club. Robin is often called upon as a guest lecturer and career day speaker. She has even addressed students at her alma maters, Public School 309 and Junior High School 57. Although, Robin has no biological children, she has nurtured a number of youth and is a strong advocate for children and parents rights as evident by her work with the Brownstoners's Education Task Force and her alma maters: Brooklyn Technical High School and Ithaca College.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Robin Kelly Sheares, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Robin Kelly Sheares' selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

INTRODUCTION OF THE DISTRICT OF COLUMBIA HATCH ACT REFORM ACT OF 2006

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Ms. NORTON. Mr. Speaker, with Government Reform Committee Chairman TOM DAVIS, I am introducing the District of Columbia Hatch Act Reform Act of 2006 to eliminate the discriminatory treatment of the District of Columbia under the federal Hatch Act. This bill would retain federal Hatch Act authority concerning prohibited partisan and political activity that applies to every state because of the receipt of federal funds and importantly, would require the District to enact its own local version of the Hatch Act barring similar local violations, to become effective. Such a bill would, of course, automatically be held over for Congressional review for 30 legislative days as required by the Home Rule Act, typically affording several months before a District law may become effective, more than ample time for review and compliance with this bill. The House recognized that the present federal Hatch Act jurisdiction over D.C. was obsolete by removing this federal responsibility several years ago, but the Senate failed to act accordingly. Local Hatch Act violations in the District are rare, but the District needs its own Hatch Act to fully account and be responsible for local violations, with which a local objective body would be most familiar and should bear the cost of alleged violations.

This bill will leave in place the federal Hatch Act restrictions on the use of official authority as it relates to elections; the solicitation, acceptance, or receiving of political campaign contributions; and the prohibitions on running for public office in partisan elections and the use of on-duty time and resources to engage in partisan campaign. activity. My bill would remove only the federal Hatch Act jurisdiction that applies solely to the District of Columbia and would require the District to have its own local Hatch Act, like every other jurisdiction, instead of requiring the Office of Personnel Management and its Special Counsel to spend time on investigation, fact-finding and judgment of unfamiliar local matters. The District will bear this local responsibility and a dual inequity—denigration of local government at the expense of the federal government—would end.

A TRIBUTE TO KIM BEST SIMMS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Kim Best Simms.

Kim Best Simms, the eldest child of Albert and the late Martha Best, has actively served our community for many years. She began serving the community via the Bedford-Stuyvesant Restoration Corporation. While serving at the Corporation, she worked in the community outreach centers where she conducted blood pressure checks and audio screenings, provided housing assistance and employment referrals and helped coordinate community outreach projects. She has received numerous awards including the Special Congressional Award, City Council Citation Award, State Senator Velmanette Montgomery Outstanding Community Service Award, Appreciation Award, NYC Sanitation Achievement Award, and the 79th Precinct Council Outstanding Community Service Award:

Kim Best Simms has been employed with the Department of Sanitation for many years. She is currently a Staff Analyst with the Department of Sanitation and has served in various capacities. In addition, she has also worked for the New York State Department of Mental Health for 13 years. She is a very talented individual with expertise in mortgage financing underwriting, real estate, and secretarial/computer technology, mental health, purchasing procurement, analytical, loan auditing, and management. She has certifications/licenses/degrees in the following areas: Contract Administration, Information Technology, Computer Technology, Specification Writing, Price & Cost Analysis, Real Estate, Guardian and Court Evaluation, AMAP, Foster Parenting, Royal Business College, OES, Amaranth, Citizens Police Academy, Procurement Planning and Management, and National Mortgage Underwriting.

As a Community Advocate, she loves working with people and serving her community. She especially enjoys mentoring teenagers as well as nurturing children. A devoted parishioner of St. Gregory's Church in Brooklyn, Kim is devoted to her church family and excellently serves the community via the church.

Mr. Speaker, Kim Best Simms is an outstanding leader and pillar of our community and most deserving of this tribute.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 16, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 17

9 a.m.
Judiciary
Business meeting to consider pending calendar business.
S–207, Capitol

MARCH 28

9 a.m.
Judiciary
To resume closed hearings to examine war time executive power and the FISA Court; to be followed by an open session.
SH–219

9:30 a.m.
Indian Affairs
To hold hearings to examine the settlement of Cobell v. Norton.
SR–485

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine Federal Aviation Administration budget and the long term viability of the Aviation Trust Fund.
SD–562

Health, Education, Labor, and Pensions
Bioterrorism and Public Health Preparedness Subcommittee
To hold hearings to examine public health infrastructure.
SD–430

Appropriations
Energy and Water Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for Bureau of Reclamation.
SD–138

2:30 p.m.
Judiciary
To hold hearings to examine judicial nominations.
SD–226

Commerce, Science, and Transportation
National Ocean Policy Study Subcommittee
To hold hearings to examine offshore aquaculture.
SD–562

Health, Education, Labor, and Pensions
Retirement Security and Aging Subcommittee
To hold hearings to examine Older Americans Act.
SD–430

MARCH 29

9:30 a.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine U.S. nonproliferation strategy and the roles and missions of the Department of Defense and the Department of Energy in nonproliferation in review of the defense authorization request for fiscal year 2007 and the future years defense program.
SR–222

Indian Affairs
Business meeting to consider pending calendar business.
SR–485

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine the importance of basic research to United States' competitiveness.
SD–562

2 p.m.
Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
To hold hearings to examine state regulation of violent video games and the first amendment.
SD–226

2:30 p.m.
Armed Services
Strategic Forces Subcommittee
To hold hearings to examine missile defense programs in review of the defense authorization request for fiscal year 2007.
SR–222

MARCH 30

10 a.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
To hold an oversight hearing to examine National Polar-Orbiting Operational Environmental Satellite System.
SD–562

Appropriations
Energy and Water Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for Yucca Mountain/EM/Office of Safeguards and Security.
SD–138

Veterans' Affairs
To hold hearings to examine the legislative presentations of the National Association of State Directors of Veterans Affairs, the AMVETS, the American Ex-Prisoners of War, and the Vietnam Veterans of America.
SD–106

2 p.m.
Armed Services
Personnel Subcommittee
To hold hearings to examine reserve component personnel policies in review of the defense authorization request for fiscal year 2007.
SD–106

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine competition and convergence.
SD–562

Energy and Natural Resources
Water and Power Subcommittee
To hold hearings to examine S. 1577, to facilitate the transfer of Spearfish Hydroelectric Plant Number 1 to the city of Spearfish, South Dakota, 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, 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, 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, South Dakota, 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 H.R. 3812, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River.
SD–366

APRIL 4

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine Federal Aviation Administration funding options.
SD–562

APRIL 5

9:30 a.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine Department of Defense's role in combating terrorism in review of the defense authorization request for fiscal year 2007 and the future years defense program; to be followed by a closed session.
SR–222

Indian Affairs
To hold hearings to examine the problem of methamphetamine in Indian country.
SR–485

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Sergeant at Arms and U.S. Capitol Police Board.
SD–138

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine the 2005 wildfire season and the Federal land management agencies' preparations for the 2006 wildfire season.
SD–366

3 p.m.
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine improving contractor incentives in review of the defense authorization request for fiscal year 2007.
SR–222

APRIL 6

10 a.m.
Commerce, Science, and Transportation
National Ocean Policy Study Subcommittee
To hold hearings to examine offshore aquaculture, focusing on current proposals to regulate offshore aquaculture operations, discuss research in this field being conducted off the coasts of New England and Hawaii, and the impacts that expanded aquaculture operations would have on fishermen, seafood processors, and consumers.
SD–562

3:30 p.m.
Armed Services
Strategic Forces Subcommittee
To hold hearings to examine military space programs in review of the defense authorization request for fiscal year 2007.
SR–222

APRIL 26

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine fostering innovation in math and science education.
Room to be announced

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings to examine the progress of construction on the Capitol Visitor Center.
SD–138

MAY 3

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Printing Office, Congressional Budget Office, and Office of Compliance.
SD–138

MAY 17

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine accelerating the adoption of health information technology.
Room to be announced

MAY 24

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings to examine the progress of construction on the Capitol Visitor Center.
SD–138

JUNE 14

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine alternative energy technologies.
Room to be announced

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2145–S2223

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 2415–2425, and S. Res. 402. **Pages S2201–02**

Measures Passed:

National Asbestos Awareness Day: Senate agreed to S. Res. 402, designating the first day of April 2006, as ''National Asbestos Awareness Day.'' **Pages S2222–23**

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 S2146–84**

Adopted:

Kyl/Cornyn Amendment No. 3068, to designate $2 billion in immigration- and homeland security-related funding for interior enforcement purposes, including, but not limited to: federal detention bed spaces and personnel; implementation of an expanded and user-friendly Electronic Employment Verification System; and, additional worksite enforcement personnel, including additional immigration enforcement agents, forensics auditors, fraud agents, intelligence research assistants, employer outreach assistants, and others. **Pages S2146–48**

By 60 yeas to 38 nays (Vote No. 44), Santorum Amendment No. 3050, to increase funding for the Community Development Block Grant Program. **Pages S2153, S2154–58, S2173–74**

By 90 yeas to 8 nays (Vote No. 46), 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. **Pages S2146, S2175–76**

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 S2146, S2177**

By 76 yeas to 22 nays (Vote No. 48), Grassley Amendment No. 3073, to establish a reserve fund to allow for deficit-neutral legislation that would provide for an extension of the Medicare part D enrollment period. **Pages S2152–53, S2153–54, S2177–78**

By 54 yeas to 44 nays (Vote No. 50), Wyden (for Snowe/Wyden) Amendment No. 3004, to ensure that any savings associated with legislation that authorizes the Secretary of Health and Human Services to use the collective purchasing power of 40,000,000 Medicare beneficiaries to negotiate the best possible prices for prescription drugs provided through part D of title XVIII of the Social Security Act in fallback plans, by private drug plans (if asked) and in other circumstances, but not permitting a uniform formulary or price-setting, is reserved for deficit reduction or to improve the Medicare drug benefit. **Pages S2165–68, S2178–79**

Rejected:

By 45 yeas to 53 nays (Vote No. 43), 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 S2146, S2172–73**

By 43 yeas to 55 nays (Vote No. 45), 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 S2146, S2174–75**

By 43 yeas to 53 nays (Vote No. 47), 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 S2146, S2176–77**

By 49 yeas to 49 nays (Vote No. 49), Nelson Amendment No. 3009, to establish a deficit-neutral

reserve fund to protect Medicare beneficiaries who enroll in the prescription drug benefit during 2006. **Pages S2148–52, S2178**

By 44 yeas to 53 nays (Vote No. 51), Byrd Amendment No. 3086, to preserve a national intercity passenger rail system by providing adequate funding of $1.45 billion for Amtrak in Fiscal Year 2007 and to fully offset this additional funding by closing corporate tax loopholes.

Pages S2168–70, S2179–80

By 39 yeas to 59 nays (Vote No. 52), Santorum/Specter Amendment No. 3015, to provide an additional $550,000,000 for Amtrak for fiscal year 2007.

Pages S2170–72, S2180–84

Withdrawn:

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 S2146, S2171**

Pending:

Specter Amendment No. 3048, to increase the advance appropriations allowance in order to fund health, education and training, and low-income programs. **Page S2146**

Reid (for Clinton/Reid) Amendment No. 3115, to increase funding in fiscal year 2007 by $347 million to restore funding or provide increased funding over fiscal year 2006 for programs and policies that support the delivery of contraceptive services and medically accurate information in order to reduce the number of unintended pregnancies, including Title X of the Public Health Service Act, and to restore funding or provide increased funding over fiscal year 2006 for programs that help women have healthy pregnancies and healthy children, including the Child Care Development Block Grant, Maternal and Child Health Block Grant, Healthy Start, and the Special Supplemental Nutrition Program for Women, Infants, and Children paid for by closing corporate tax loopholes. **Page S2180**

A unanimous-consent agreement was reached providing that at 1:30 p.m., on Thursday, March 16, 2006, all time under the Act expire.

A unanimous-consent-time agreement was reached providing for further consideration of the budget resolution at 9 a.m., on Thursday, March 16, 2006; provided further, that the time from 9:30 a.m. to 10:30 a.m., be equally divided between the Chairman and the Ranking Member; following which, Senate proceed to votes in relation to certain amendments proposed thereto; Senate then will continue debate on the budget resolution until 1:30 p.m., with the time equally divided; and that at 1:30 p.m., Senate begin a series of additional votes on certain amendments to be proposed thereto. **Page S2184**

Debt-Limit Extension: Committee on Finance was discharged from further consideration of H.J. Res. 47, increasing the statutory limit on the public debt, and the Senate then began consideration of the joint resolution, taking action on the following amendment proposed thereto: **Pages S2184–95**

Pending:

Baucus/Lincoln Amendment No. 3131, to require a study of debt held by foreigners. **Pages S2193–95**

A unanimous-consent agreement was reached providing for further consideration of the resolution on Thursday, March 16, 2006, with a vote on or in relation to Baucus/Lincoln Amendment No. 3131 (listed above), followed by a vote on final passage of the joint resolution. **Page S2184**

Nominations Received: Senate received the following nominations:

Warren W. Tichenor, of Texas, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

Mark C. Minton, of Florida, to be Ambassador to Mongolia.

Andrew von Eschenbach, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services.

John A. Rizzo, of the District of Columbia, to be General Counsel of the Central Intelligence Agency. **Page S2223**

Nominations Discharged: The following nominations were discharged from the Committee on Agriculture, Nutrition, and Forestry, and then placed on the Executive Calendar:

Marc L. Kesselman, of Tennessee, to be General Counsel of the Department of Agriculture, which was sent to the Senate on November 16, 2005, from the Senate Committee on Agriculture, Nutrition, and Forestry.

Gale A. Buchanan, of Georgia, to be Under Secretary of Agriculture for Research, Education, and Economics, which was sent to the Senate on January 18, 2006, from the Senate Committee on Agriculture, Nutrition, and Forestry.

Boyd Kevin Rutherford, of Maryland, to be an Assistant Secretary of Agriculture, which was sent to the Senate on January 27, 2006, from the Senate Committee on Agriculture, Nutrition, and Forestry.

Linda Avery Strachan, of Virginia, to be an Assistant Secretary of Agriculture, which was sent to the Senate on February 17, 2006, from the Senate Committee on Agriculture, Nutrition, and Forestry.

Pages S2222, S2223

Messages From the House: **Page S2200**

Measures Referred: **Pages S2200–01**

Executive Communications: Page S2201

Executive Reports of Committees: Page S2201

Additional Cosponsors: Pages S2202–04

Statements on Introduced Bills/Resolutions: Pages S2204–07

Additional Statements: Page S2200

Amendments Submitted: Pages S2207–21

Authorities for Committees to Meet: Page S2222

Record Votes: Ten record votes were taken today. (Total—52) Pages S2173–80

Recess: Senate convened at 9 a.m., and recessed at 8:05 p.m., until 9 a.m., on Thursday, March 16, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S2223.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF THE NAVY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2007 for the Department of the Navy, after receiving testimony from David C. Winter, Secretary of the Navy; Admiral Michael G. Mullen, USN, Chief of Naval Operations; and General Michael W. Hagee, Commandant of the Marine Corps.

APPROPRIATIONS: LEGISLATIVE BRANCH

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2007 for the Secretary of the Senate, and Architect of the Capitol, including an update on the progress of the Capitol Visitor Center, after receiving testimony from Emily Reynolds, Secretary of the Senate; Alan Hantman, Architect, Steven Ayers, Acting Chief Operating Officer, and Robert C. Hixon, Jr., Capitol Visitor Center Project Executive, all of the Office of the Architect of the Capitol; and Bernard Ungar, Director, Physical Infrastructure, and Terrell Dorn, both of Government Accountability Office.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the proposed defense authorization request for fiscal year 2007, focusing on ground forces readiness, after receiving testimony from Lieutenant General James J. Lovelace, Jr., USA, Deputy Chief of Staff for Operations and Plans, United States Army; Lieutenant General Jan C. Huly, USMC, Deputy Commandant, Plans, Policies, and Operations, United States Marine Corps; Lieutenant General John R. Vines, USA, Commanding General, XVIII Airborne Corps; and Lieutenant General John F. Sattler, Commander, United States Marine Corps Forces Central Command, Commanding General, I Marine Expeditionary Force.

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 F136 Alternate Engine Program, after receiving testimony from Gordon England, Deputy Secretary of Defense; Admiral Robert F. Willard, USN, Vice Chief of Naval Operations; General John D.W. Corley, USAF, Vice Chief of Staff, United States Air Force; General Robert Magnus, USMC, Assistant Commandant of the Marine Corps; and Rear Admiral Steven L. Enewold, USN, Program Executive Officer, Joint Strike Fighter Program, United States Navy.

INNOVATION AND COMPETITIVENESS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine proposed legislation to provide a national innovation initiative, and related proposals for assuring America's leadership and competitiveness in the 21st century, after receiving testimony from Senators Baucus and Lieberman; Deborah L. Wince-Smith, Council on Competitiveness, Washington, D.C.; Craig R. Barrett, Intel Corporation, Santa Clara, California; John E. Kelly III, IBM Corporation, Somers, New York; and Norman Augustine, Bethesda, Maryland.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 476, to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act, with an amendment in the nature of a substitute;

S. 1829, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands;

S. 1830, to amend the Compact of Free Association Amendments Act of 2003, with amendments;

H.R. 562, to authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the man-made famine that occurred in Ukraine in 1932–1933;

H.R. 3443, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; and

The nominations of Raymond L. Orbach, to be Under Secretary for Science, Alexander A. Karsner, to be Assistant Secretary for Energy Efficiency and Renewable Energy, and Dennis R. Spurgeon, to be Assistant Secretary for Nuclear Energy, all of the Department of Energy, and David Longly Bernhardt, to be Solicitor of the Department of the Interior.

THE MIDDLE EAST

Committee on Foreign Relations: Committee concluded a hearing to examine Post-Palestinian election challenges in the Middle East, focusing on Hamas, a designated terrorist organization, which was victorious in the Palestinian Legislative Council elections in January 2006, after receiving testimony from Lieutenant General Keith W. Dayton, U.S. Security Coordinator, Department of State; and James D. Wolfensohn, Quartet Special Envoy for Gaza Disengagement, Dennis Ross, Washington Institute for Near East Policy, and Robert Malley, International Crisis Group, all of Washington, D.C.

GAO HIGH-RISK LIST

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing 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, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; and Clay Johnson III, Deputy Director for Management, Office of Management and Budget.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported 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, with an amendment in the nature of a substitute.

INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION ACT

Committee on Indian Affairs: Committee concluded a hearing 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, after receiving testimony from William P. Ragsdale, Director, Bureau of Indian Affairs, Department of the Interior; Robert McSwain, Deputy Director, and Jon Perez, Director, Division of Behavioral Health, both of Indian Health Service, Department of Health and Human Services; James H. Burrus, Jr., Acting Assistant Director, Criminal Investigative Division, Federal Bureau of Investigation, Department of Justice; Ron Suppah, Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs; Terry L. Cross, National Indian Child Welfare Association, Portland, Oregon; and Paul D. Steele, Morehead State University Center for Justice Studies, Morehead, Kentucky.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of proposed legislation providing for comprehensive immigration reform, but did not complete action thereon, and will meet again on Thursday, March 16.

HOSPITAL GROUP PURCHASING

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine hospital group purchasing, focusing on whether the industry's reforms are sufficient to ensure competition, after receiving testimony from Richard J. Bednar, Healthcare Group Purchasing Industry Initiative, and Mark B. Leahey, Medical Device Manufacturers Association, both of Washington, D.C.; S. Prakash Sethi, City University of New York Baruch College, New York, New York; and Mina Ubbing, Fairfield Medical Center, Lancaster, Ohio.

GENDER RETIREMENT DISPARITY

Special Committee on Aging: Committee concluded a hearing to examine eliminating retirement income disparity for women, focusing on the financial security of America's women, after receiving testimony from Jean Chatzky, Money Magazine, Briarcliff Manor, New York; Cindy Hounsell, Women's Institute for a Secure Retirement, Barbara B. Kennelly, National Committee To Preserve Social Security and Medicare, Jack L. VanDerhei, Employee Benefit Research Institute, and Karyne Jones, The National Caucus and Center on Black Aged, Inc., all of Washington, D.C.; Sara C. Hart, CNF Service Company, Portland, Oregon; and Lynn Rollins, New York, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 4960–4971; and 2 resolutions, H. Con. Res. 358 and H. Res. 728, were introduced.

Pages H1058–59

Additional Cosponsors: **Pages H1059–60**

Reports Filed: Reports were filed today as follows:

H.R. 1176, to provide immunity for nonprofit athletic organizations in lawsuits arising from claims of ordinary negligence relating to the passage, adoption, or failure to adopt rules of play for athletic competitions and practices (H. Rept. 109–393); and

H.R. 1871, to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations, with an amendment (H. Rept. 109–394).

Page H1058

Chaplain: The prayer was offered by the guest Chaplain, Rev. Larry R. Hayward, Pastor, Westminster Presbyterian Church, Alexandria, Virginia.

Page H977

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, March 14th:

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, by a yea-and-nay vote of 411 yeas to 1 nay with 1 voting "present", Roll No. 42; and **Pages H991–92**

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, by a yea-and-nay vote of 412 yeas to 2 nays, Roll No. 44.

Pages H1008–09

Recess: The House recessed at 12:49 p.m. for the purpose of receiving Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia. The House reconvened at 3:44 p.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. The House will resume consideration of H.R. 4939 following the Joint Meeting.

Pages H995, H998

Joint Meeting to receive Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia: The House and Senate met in a joint session to receive Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia. She was escorted into the Chamber by a committee comprised of Representatives Boehner, Putnam, Boozman, Fortenberry, Leach, Ros-Lehtinen, Royce, Smith of New Jersey, Wilson of South Carolina, Flake, Pelosi, Clyburn, Lewis of Georgia, Payne, Waters, Watt, Kennedy, Kilpatrick, Lee and Watson; and Senators Frist, Stevens, Lugar, Martinez, Durbin, Feingold, and Reed. **Pages H995–98**

Recess: The House recessed at 3:45 p.m., and reconvened at 4:44 p.m. **Page H998**

Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006: The House began consideration of H.R. 4939, to make emergency supplemental appropriations for the fiscal year ending September 30, 2006. Further consideration will continue tomorrow, March 16th.

Pages H992–95, H999–H1008, H1009–25, H1026–47

Agreed to:

Millender-McDonald amendment that decreases and increases funding relating to the Defense Health Program; **Page H1013**

Shays amendment that designates funding for the Community Action Program; **Pages H1016–17**

Kirk amendment that increases funding for the DEA; **Page H1022**

Jackson-Lee of Texas amendment which pertains to section 3013, regarding funds appropriated relating to the consequences of Hurricane Katrina and other hurricanes of the 2005 season as pertains to expenses as a result of legally voting in any officially designated election of the Gulf Coast region.

Page H1046

Rejected:

Gilchrest amendment that strikes section 3011 (by a recorded vote of 38 ayes to 377 noes, Roll No. 43); and **Pages H1002–05, H1008**

Jackson-Lee of Texas amendment that strikes and inserts certain language regarding the disallowance of requirement waivers as it relates to low and moderate incomes; **Pages H1044–45**

Withdrawn:

Souder amendment (no. 1 printed in the Congressional Record of March 14) that was offered and subsequently withdrawn that sought to change language in the following areas relating to ''Drug Interdiction and Counter-Drug Activities, Defense'', after the dollar amount, reduce funding. In the item relating to ''International Narcotics and Law Enforcement'', after the dollar amount, increase funding; **Pages H1013–14**

Engel amendment that was offered and subsequently withdrawn that sought to increase funding to the Bilateral Economic Assistance; **Pages H1014–16**

Garrett amendment that was offered and subsequently withdrawn that sought to strike lines relating to Department of State's Democracy Fund, reduces funding for the Diplomatic and Consular Programs, and strikes language in the bill relating to Educational and Cultural Exchange Programs; **Page H1017**

Hinojosa amendment (no. 3 printed in the Congressional Record of March 14) that was offered and subsequently withdrawn which sought to designate funding for the United States Section of the International Boundary Water Commission, United States and Mexico; **Page H1024**

Melancon amendment that was offered and subsequently withdrawn which sought to insert a new title, entitled,''Title IV—Louisiana Hurricanes Agricultural Disaster Relief''; **Pages H1039–43**

Jackson-Lee of Texas amendment that was offered and subsequently withdrawn that sought to increase reconstruction funding; and **Pages H1043–44**

Jackson-Lee of Texas amendment that was offered and subsequently withdrawn that sought to insert language regarding disaster loans and the SBA. **Pages H1046–47**

Point of Order sustained against:

Sabo amendment that sought to amend the Defense Production Act by inserting a new section 3011A; **Pages H1005–08**

Salazar amendment (no. 2 printed in the Congressional Record of March 14) that sought to increase funding for Department of Veterans Affairs, Departmental Administration, General Operating Expenses; **Pages H1021–22**

Brady amendment that sought to insert language pertaining to data used be the most timely and accurate data available relating to damages from such hurricanes; **Page H1036**

Brady amendment that sought to increase funding for the long-term recovery of areas that are housing victims of Hurricane Katrina; **Pages H1036–37**

Brady amendment that sought to increase funding for the recovery, rebuilding, and relief of the State of Texas from the consequences of Hurricane Katrina and other hurricanes; **Pages H1037–38**

Brady amendment that sought funding under the heading ''Department of Housing and Urban Development'' Community Development Fund; and **Pages H1038–39**

Conaway amendment that sought to insert language regarding the funding for the Low-Income Home Energy Assistance Program. **Page H1047**

Agreed by unanimous consent that no amendments may be in order during further consideration of H.R. 4939 except those contained in a list which was submitted to the desk. Agreed to without objection. **Page H1025**

H. Res. 725, providing for consideration of the bill was agreed to by a recorded vote of 218 ayes to 200 noes, Roll No. 41, after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 192 nays, Roll No. 40. **Pages H980–91**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration of the measure will resume tomorrow, March 16th:

Making available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006: S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006. **Pages H1047–51**

Tax Relief Act of 2005—Motion to Instruct Conferees: The House began consideration of the Tanner motion to instruct conferees on H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006. Further consideration will resume tomorrow, March 16th. **Pages H1051–55**

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H990, H990–91, H991, H1008, and H1008–09. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:53 p.m.

Committee Meetings

REVIEW FEDERAL CROP INSURANCE PROGRAM

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review the Federal Crop Insurance System. Testimony was heard from the following officials of the USDA: Keith Collins, Chief Economist and

Chairman, Federal Crop Insurance Corporation; and Eldon Gould, Administrator, Risk Management Agency; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Marketing and Regulatory Programs. Testimony was heard from the following officials of the USDA: Chuck Lambert, Acting Under Secretary; and Jeremy Stump, Acting Deputy Under Secretary, both with Marketing and Regulatory Programs; Lloyd C. Day, Administrator, Agricultural Marketing Service; W. Ron DeHaven, Administrator, Animal and Plant Health Inspection Service; James E. Link, Administrator, Grain Inspection, Packers and Stockyards Administration; and W. Scott Steele, Budget Officer.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on DOE, Nuclear Waste Disposal. Testimony was heard from Paul Golan, Acting Director, Office of Civilian Radioactive Waste Management, Department of Defense.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on the Fish and Wildlife Service. Testimony was heard from H. Dale Hall, Director, U.S. Fish and Wildlife Service, Department of the Interior.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Centers for Disease Control and Prevention. Testimony was heard from Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention, Department of Health and Human Services.

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 held a hearing on the SBA. Testimony was heard from Hector V. Barreto, Administrator, SBA.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—U.S. CENTRAL COMMAND

Committee on Armed Services: Held a hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the U.S. Central Command. Testimony was heard from the following officials of the Department of Defense: GEN John Abizaid, USA, Combatant Commander, U.S. Central Command; and Eric S. Edelman, Under Secretary (Policy).

MILITARY FAMILY PROGRAMS

Committee on Armed Services: Subcommittee in Military Personnel held a hearing on the Military Resale and Morale, Welfare Morale, Welfare and Recreation Overview. Testimony was heard from the following officials of the Department of Defense: Leslye A. Arsht, Deputy Under Secretary, Military Community and Family Policy; MG Paul Essex, USAF, Commander, Army and Air Force Exchange Service; RADM Robert E. Crowley III, USN, Commander, Navy Exchange Service Command; BG John A. Macdonald, USA, Commanding General, U.S. Army Community and Family Support Center; RADM Wayne G. Shear, Jr., USN, Vice Commander, Navy Installations Command; Patrick B. Nixon, Acting Director and Chief Executive Officer, Defense Commissary Agency; Michael P. Downs, Director, Personal and Family Readiness Division, Headquarters, U.S. Marine Corps; and Arthur J. Myers, Director, Air Force Services; and public witnesses.

NAVY SHIPBUILDING/FLEET PLAN

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on evolving Navy missions and the role of surface and subsurface combatants. Testimony was heard from the following officials of the Department of Defense: VADM Lewis W. Crenshaw, Jr., USN, Deputy Chief of Naval Operations, Resources, Requirements, and Assessments (N8), MG Gordon C. Nash, USMC, Director, Expeditionary Warfare Division (N75), U.S. Marine Corps; RADM Bernard J. McCullough, USN, Director, Surface Warfare (N76); RADM Thomas J. Kileline, Jr., USN, Director, Air Warfare Division (N78), and RADM Joseph A. Walsh, USN, Director, Submarine Warfare Division (N77), all with the Department of the Navy; and Ronald O'Rourke, Specialist in National Defense, Congressional Research Service, Library of Congress.

WAR ON TERROR: INTERAGENCY

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on Implementing the Global War on Terror Strategy: Overcoming Interagency Problems. Testimony was heard from public witnesses.

YUCCA MOUNTAIN PROJECT STATUS

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled ''Status of the Yucca Mountain Project.'' Testimony was heard from Clay Sell, Deputy Secretary, Department of Energy.

HEALTHCARE SERVICE COSTS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''What's the Cost? Proposals To Provide Consumers With Better Information About Healthcare Service Costs.'' Testimony was heard from Representatives Lipinski and Emanuel; former Speaker of the House of Representatives Newt Gingrich of Georgia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported the following bills: H.R. 4411, amended, 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; and H.R. 4912, Rural Health Care Capital Access Act of 2006.

Will continue tomorrow.

NATION'S WATER INFRASTRUCTURE

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled ''Strengthening the Nation's Water Infrastructure: The Army Corps of Engineers' Planning Priorities.'' Testimony was heard from Douglas W. Lamont, Deputy Assistant Secretary, Project Planning, Department of the Army; Anu Mittal, Director, Natural Resources and Environment, GAO; and public witnesses.

FEDERAL EMPLOYEES HEALTH CARE

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled ''Improving the Quality of Healthcare in the FEHBP.'' Testimony was heard from David Powner, Director, IT Management Issues, GAO; and former Speaker of the House of Representatives Newt Gingrich of Georgia; and public witnesses.

OMB'S LINE OF BUSINESS INITIATIVE

Committee on Government Reform: Subcommittee on Government Management, Finance and Accountability held a hearing entitled ''OMB's Financial Management Line of Business Initiative: Too Much Too Soon?'' Testimony was heard from Linda Combs, Controller, Office of Federal Financial Management, OMB; and public witnesses.

PARK SERVICE WATERCRAFT RULES

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled ''Taking on Water: The National Park Service's Stalled Rulemaking Effort on Personal Watercraft.'' Testimony was heard from Karen Taylor-Goodrich, Associate Director, Visitor Resource Protection, National Park Service, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology approved for full Committee action the following bills: H.R. 4942, Promoting Antiterrorism Capabilities Through International Cooperation Act; and H.R. 4941, amended, Homeland Security Science and Technology Enhancement Act of 2006.

DEPARTMENT OF HOMELAND SECURITY MANAGEMENT AND OPERATIONS IMPROVEMENT ACT OF 2006

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight, approved for full Committee action, as amended, the Department of Homeland Security Management and Operations Improvement Act of 2006.

IRAN FREEDOM SUPPORT ACT

Committee on International Relations: Ordered reported, as amended, H.R. 282, Iran Freedom Support Act.

The Committee approved a motion directing the Chairman to request that the following resolutions be considered on the Suspension Calendar: 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, amended, 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.

NORTHERN IRELAND PEACE PROCESS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Europe and Emerging Threats held a joint hearing on the Northern Ireland Peace Process: Policing Advances and Remaining Challenges. Testimony was heard

from Mitchell B. Reiss, Special Envoy of the President and the Secretary of State for the Northern Ireland Peace Process, Department of State; and public witnesses.

UNREST IN SOUTH ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Unrest in South Asia: Recent Developments in Nepal and Sri Lanka. Testimony was heard from Donald A. Camp, Principal Deputy Assistant Secretary, South Asian Affairs, Bureau of South and Central Asian Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H.R. 4698, amended, 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; and H. Res. 724, Honoring Leonidas Ralph Mecham, Director, Administrative Office of the United States Courts and Secretary of the Judicial Conference of the United States.

The Committee also approved pending Committee business.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported H.R. 4882, Vietnam Veterans Memorial Visitor Center Deadline Enforcement Act.

The Committee also began markup of H.R. 4200, Forest Emergency Recovery and Research Act.

INDIAN GAMING REGULATORY ACT AMENDMENTS TO RESTRICT OFF-RESERVATION GAMING

Committee on Resources: Held a hearing on H.R. 4893, To amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming. Testimony was heard from James Cason, Associate Deputy Secretary, Department of the Interior; and Philip N. Hogen, Chairman, National Indian Gaming Commission.

ONLINE FREEDOM OF SPEECH ACT

Committee on Rules: Testimony was heard from Chairman Ehlers and Representatives Shays, Bass, Hensarling, Millender-McDonald and Allen, but action was deferred on H.R. 1606, Online Freedom of Speech Act.

LEGISLATIVE LINE ITEM VETO ACT

Committee on Rules: Subcommittee on the Legislative and Budget Process held a hearing on H.R. 4890, Legislative Line Item Veto Act of 2006. Testimony was heard from Representatives Ryan of Wisconsin and Lewis of California; Joel D. Kaplan, Deputy Director, OMB; and Donald B. Marron, Acting Director, CBO.

UNDERGRAD SCIENCE-MATH ENGINEERING EDUCATION

Committee on Science: Subcommittee on Research held a hearing on Undergraduate Science, Math and Engineering Education: What's Working? Testimony was heard from public witnesses.

SBA BUDGET AND REAUTHORIZATION

Committee on Small Business: Held a hearing on the issues confronting the Small Business Administration in the upcoming fiscal years. Testimony was heard from Hector V. Barreto, Administrator, SBA.

MISSOURI RIVER ENVIRONMENTAL MANAGEMENT

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing entitled "The Missouri River and Its Spring Rise: Science or Science Fiction?" Testimony was heard from Senator Talent; BG Gregg F. Martin, USA, Commander and Division Engineer, Northwestern Division, U.S. Army Corps of Engineers; Mitch King, Regional Director, Mountain-Prairie, U.S. Fish and Wildlife Service, Department of the Interior; Mike Wells, Deputy Director, and Chief of Water Resources, Department of Natural Resources, State of Missouri; and public witnesses.

RAIL INFRASTRUCTURE LOAN PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Railroads held a hearing on Implementation of the Recently Expanded Rail Infrastructure Loan Program. Testimony was heard from Joseph H. Boardman, Administrator, Federal Railroad Administration, Department of Transportation.

OVERSIGHT—EDUCATION BENEFITS

Committee on Veterans' Affairs: Held an oversight hearing on education benefits for the total military force. Testimony was heard from the following officials of the Department of Defense: T. F. Hall, Assistant Secretary, Reserve Affairs; Bill Carr, Acting Deputy Under Secretary, Military Personnel Policy; LTG James R. Helmly, USA, U.S. Army Reserves; LTG

John A. Bradley, USAF, U.S. Air Force Reserves; LTG John W. Bergman, USMC, U.S. Marine Corps Reserves; MG Ronald Young, USA, Acting Director, U.S. National Guard Bureau Joint Staff; RADM Craig McDonald, USN, U.S. Navy Reserves; and RADM Sally Brice-O'Hara, USCG, U.S. Coast Guard Reserves, Department of Homeland Security.

LONG-TERM ACUTE CARE HOSPITALS

Committee on Ways and Means: Subcommittee on Health held a hearing on Long-Term Acute Care Hospitals. Testimony was heard from Herb B. Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Mark E. Miller, Executive Director, Medicare Payment Advisory Commission; and public witnesses.

UNEMPLOYMENT BENEFIT OVERSIGHT

Committee on Ways and Means: Subcommittee on Human Resources held a hearing Regarding New Research on Unemployment Benefit Recipients. Testimony was heard from Sigurd Nilsen, Director, Education, Workforce, and Income Security Issues, GAO.

Joint Meetings

TAX RELIEF EXTENSION RECONCILIATION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, but did not complete action thereon, and recessed subject to the call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D225)*

H.R. 4515, to designate the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the "Corporal Jason L. Dunham Post Office". Signed on March 14, 2006. (Public Law 109–180)

COMMITTEE MEETINGS FOR THURSDAY, MARCH 16, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Forest Service, 9:30 a.m., SD–124.

Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Transportation and Amtrak, 9:30 a.m., SD–138.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine an overview of democracy programs, 2 p.m., SD–138.

Committee on Armed Services: to hold hearings to examine military strategy and operational requirements in review of the defense authorization request for fiscal year 2007 and the future years defense program; to be followed by a closed session in SH–219, 8:30 a.m., SH–216.

Subcommittee on Strategic Forces, to hold hearings to examine Global Strike Plans and programs in review of the defense authorization request for fiscal year 2007, 3:30 p.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Disaster Prevention and Prediction, to hold hearings to examine impacts on aviation regarding volcanic hazards, 10:30 a.m., SD–562.

Full Committee, business meeting to consider pending calendar business, 3 p.m., S–128, Capitol.

Committee on Environment and Public Works: to hold hearings to examine the Great Lakes Regional Collaboration's strategy to restore and protect the Great Lakes, 10 a.m., SD–628.

Committee on Finance: Subcommittee on International Trade, to hold hearings to examine Cuno and competitiveness, 9:30 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine reauthorization of Public Health Security and Bioterrorism Preparedness and Response Act relating to enhancing public health and medical preparedness, 10:30 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine understanding the obligation of Funds Transparency Act, focusing on the need for earmark reform and legislation that would be an important step toward achieving such reform, 9:30 a.m., SD–342.

Committee on the Judiciary: business meeting to consider the nominations of Patrick Joseph Schiltz, to be United States District Judge for the District of Minnesota, Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit, 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, David F. Kustoff, of Tennessee, to be United States Attorney for the Western District of Tennessee, proposed comprehensive immigration reform, 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, S.J. Res. 1, proposing an

amendment to the Constitution of the United States relating to marriage, and S. Res. 398, relating to the censure of George W. Bush, 9 a.m., SD–226. Subcommittee on Constitution, Civil Rights and Property Rights, business meeting to consider S.J. Res. 12, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, 1:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine the homeless programs administered by the VA, 10 a.m., SR–418.

House

Committee on Armed Services, hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the U.S. Southern Command, 9 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on Fiscal Year 2007 National Defense Authorization Budget Request for space activities, 1 p.m., 2212 Rayburn.

Subcommittee on Tactical Air and Land Forces, hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the Department of the Navy and the Department of the Air Force Aviation Acquisition Programs, 2 p.m., 2212 Rayburn.

Committee on the Budget, hearing on the Key Budget Process Reforms, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''Mine Safety and Health: A Congressional Perspective,'' 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Legislative Proposals To Promote Electronic Health Records and a Smarter Health Information System,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, to mark up the following: H.R. 3997, Financial Data Protection Act of 2005; 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, hearing entitled ''Leave No Computer System Behind: A Review of the 2006 Federal Computer Security Scorecards,'' 10 a.m., 2154 Rayburn.

Committee on Homeland Security, Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, to continue markup of H.R. 4439, Transportation Security Administration Reorganization Act of 2005, 10 a.m., followed by a hearing on H.R. 4954, Security and Accountability for Every Port Act, 10:30 a.m., 311 Cannon.

Committee on International Relations, hearing on the Status of Reform and Fraud Investigations at the United Nations, 10:30 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Human Rights and International Operations, hearing on Monitoring Respect for Human Rights Around the World: A Review of the Country Reports on Human Rights Practices for 2005, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism and Homeland Security, oversight hearing on United States v. Booker: One Year Later—Chaos or Status Quo? 10:30 a.m., 2141 Rayburn.

Committee on Resources, hearing on H.R. 4857, To better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973, 3 p.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, oversight hearing on the Department of the Interior and United States Forest Service Budgets for Fiscal Year 2007 Energy and Mineral Programs, 10 a.m., 1334 Longworth.

Subcommittee on Fisheries and Oceans, oversight hearing on the Impact of Hurricanes Katrina and Rita on the National Wildlife Refuge System, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, oversight hearing entitled ''National Park Service business strategies, including the development and implementation of National Park Service business plans,'' 2 p.m., 1324 Longworth

Committee on Science, Subcommittee on Environment, Technology, and Standards, hearing on EPA's Fiscal Year 2007 Science and Technology Budget Proposal, 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Regulatory Reform and Oversight, hearing on the State of Small Business Security in a Cyber Economy, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways, Transit and Pipelines, oversight hearing on Pipeline Safety, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, oversight hearing on the accuracy of benefits information provided to, and the quality of service received by, individuals calling into the Veterans Benefits Administration, 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on the Use of Tax-Preferred Bond Financing, 10:30 a.m., 1100 Longworth.

Subcommittee on Social Security, to continue hearings on Social Security Number High-Risk Issues, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, briefing on Global/Updates, 9 a.m., H–405 Capitol.

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, to consider the Select Committee's Supplemental Report and Document Annex, 1:15 p.m., 2154 Rayburn.

Next Meeting of the SENATE

9 a.m., Thursday, March 16

Senate Chamber

Program for Thursday: Senate will continue consideration of S. Con. Res. 83, Congressional Budget Resolution, with votes on certain amendments to occur thereon. At 10:30 a.m., Senate will vote on Baucus Amendment No. 3131 to H.J. Res. 47, Debt-Limit Extension, followed by a vote on final passage of the joint resolution; following which, Senate will then vote on certain amendments to be proposed to S. Con. Res. 83 (listed above), relating to avian flu. At 1:30 p.m., Senate will proceed to a series of additional votes in relation to certain amendments to S. Con. Res. 83.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 16

House Chamber

Program for Thursday: Continue consideration of H.R. 4939—Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Open Rule, Complete Consideration); and consider H.R. 1606—Online Freedom of Speech Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Beauprez, Bob, Colo., E373
Becerra, Xavier, Calif., E376
Burgess, Michael C., Tex., E372
Costello, Jerry F., Ill., E372
Cuellar, Henry, Tex., E370
Davis, Lincoln, Tenn., E381
English, Phil, Pa., E374
Eshoo, Anna G., Calif., E378
Flake, Jeff, Ariz., E375
Garrett, Scott, N.J., E369
Harman, Jane, Calif., E371
Hastings, Alcee L., Fla., E377
Higgins, Brian, N.Y., E370
Holt, Rush D., N.J., E372
Hoyer, Steny H., Md., E380
Hyde, Henry J., Ill., E369
Jackson-Lee, Sheila, Tex., E363, E364, E366, E373
Kucinich, Dennis J., Ohio, E363, E365, E366, E367
Langevin, James R., R.I., E376
Lee, Barbara, Calif., E372
Lewis, Ron, Ky., E367
McDermott, Jim, Wash., E379
McIntyre, Mike, N.C., E381
Norton, Eleanor Holmes, D.C., E382
Paul, Ron, Tex., E374
Rangel, Charles B., N.Y., E374
Schakowsky, Janice D., Ill., E378
Schiff, Adam B., Calif., E363, E364, E366, E366, E367, E368, E369, E370, E371
Simpson, Michael K., Idaho, E367
Skelton, Ike, Mo., E363, E365
Thompson, Bennie G., Miss., E371
Towns, Edolphus, N.Y., E379, E379, E380, E381, E381, E382
Udall, Mark, Colo., E373, E378
Van Hollen, Chris, Md., E373
Visclosky, Peter J., Ind., E377
Waxman, Henry A., Calif., E380
Wilson, Joe, S.C., E364, E365

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