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House of Representatives

The House met at 12:30 p.m.

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 4, 2006.

I hereby appoint the Honorable TIM MURPHY to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

ADMINISTRATION SHOVELS

Mr. DEFAZIO. Mr. Speaker, well, it is budget week here in Washington and on the Republican side of the aisle they are issuing shovels.

Now, the shovels here in Washington have two purposes. One is to shovel certain substances to obscure what they are really doing, and the other is to dig the debt hole of the United States of America, the indebtedness of the American people, yet deeper while languishing programs that are important to average folks while the wealthy get more.

This budget would reserve substantial funding for tax cuts for the richest among us. It would reserve tax cuts so that we can extend the tax where people who own stock that pays dividends would pay a much lower rate of tax than an American who works for, say, $30,000 a year in wages and salary.

It would extend the capital gains tax cuts which again primarily benefit people over $300,000 a year. For someone who earns, 50, $60,000 a year, the average tax break in capital gains is $50 since we exempt people's principal residence. That is where most middle class people have their capital. They do not have a whole lot of other investments. They are kind of struggling to get by. This budget is not going to help.

This budget would borrow every penny. We are taxing working people more than we need to collect money for Social Security. The theory is that money is being set aside to pay for the retirement of the baby boom, the coming change in the demographics of the society, the crisis the President talked about in funding Social Security.

Well, what are the President and Republicans doing with the $192 billion extra we will collect in Social Security taxes this year only from people who earn $94,000 a year or less? They are going to spend it. They are going to spend part of it on tax cuts for people who earn a heck of a lot more than $94,000 a year.

This deficit-producing budget is going to do an incredible disservice to our Nation. It will give us a new record and, of course, there have been many records under the Bush administration, and this will set the record of the five consecutive years of largest deficits in the history of the United States, from the small government folks down there at 1600 Pennsylvania Avenue.

Now, true, a lot of it is done in emergency supplementals. They cannot anticipate. This budget, for instance, says, unlike the President who says it will be a future President who decides when and if the United States withdraws from Iraq, the Republican budget, as honest as the day is long, says that we will spend $50 billion next year on Iraq and Afghanistan. Of course, that is quite a bit less than half of what we spent this year. So maybe they know something the President does not know and America does not know about the withdrawal timetable, or maybe it is more dishonest bookkeeping where we will have yet another unanticipated expense for the war in Iraq and the ongoing problems of pacifying Afghanistan.

So this budget is rife with these sorts of things. The total deficit this year will be $543 billion, including borrowing $192 billion of hard-earned money that is going to pay for supposedly future Social Security retirement. And over 5 years they are going to raise the debt of the United States of America. Again, it has been raised. Four times in the last 5 years, the debt ceiling has been raised. It is a 65 percent increase in the indebtedness of the United States of America.

This President has accumulated more foreign debt than the 42 Presidents that preceded him in office. Record after record after record is falling to the Republican leadership and the Republicans in the White House, something that they can be proud of. All so they can feed tax cuts for people who earn over a million bucks a year. That is really a great way to run a country.

They are anticipating with this budget, again even with dishonest bookkeeping, that we will be up to $11.3 trillion of debt by 2011. That would be about $27,000 for every American. $27,000 of debt. That would have more than doubled the debt since George Bush took office. Doubling the debt in that short period of time is, again, quite an accomplishment. It took 42 Presidents and more than 200 years to accumulate a significant debt and the President is going to manage to double it in a mere 5 years.

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So hopefully we can take away the shovels, we can pull aside the veils, we can reveal to America what is going on and we can pass a budget that meets the priorities of the American people, not a privileged few.

PUBLIC BROADCASTING

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

Mr. BLUMENAUER. Mr. Speaker, more than 87 million Americans tune into public television each week and 30 million listen to public radio. And they depend on this Congress to provide some of the economic resources so that in every community across the country people can listen to those thousand public radio and television stations for programs that inform and inspire.

For help with reading, job training, for the latest digital services, for local news and information, for dozens of other reasons. These stations around the country determine their own program schedules. They often produce their own programming. We, in Oregon, are immensely proud of Oregon Public Broadcasting for its award winning programming. They respond to community needs and leverage local support that is so important.

While the Corporation for Public Broadcasting distributes its annual appropriations from Congress in accordance to a statutory formula for which almost 72 percent of the funds go directly to local public radio and television stations, the Federal appropriations while it only accounts for 15 percent of the entire costs, it leverages critical investments from State and local governments, from universities, businesses and foundations, and most important, from millions of viewers and listeners of public television and radio. They add their dollars to this core vital Federal support, writing checks to allow the public broadcasting to continue. However, we have faced issues of major reduction in this funding which would have immediate and severe impacts on our community and constituents.

Last month, 126 bipartisan Members signed a letter in support for $430 million in funding for the Corporation for Public Broadcasting. This is a modest amount by reckoning of the vast sums that are thrown around here in Washington, DC, but it has a critical impact. It is going to be essential that we provide the core funding for the Corporation For Public Broadcasting and hopefully retain the practice of advanced funding which costs the Treasury nothing but gives public broadcasting certainty over time so that they can plan on allowing for the changes and development that they need.

There has been a modest request that has been suggested, $30 million above the fiscal 2006 funding. This is going to not even cover the additional electricity costs that public television must bear to operate both a digital and analogue transmitter. That transition to digital technology is also important for Congress to focus on. It is not cheap.

Public broadcasting has led the way. They have raised more than $1.1 billion from all sources for this purpose. We are asking for a little additional money, an increase of $10 million this year. This can have a critical impact, not just on the clarity of the broadcast that is received by people in their homes, but there is also an opportunity to replace and update the television interconnection system, known as the Next Generation Interconnection System, that the Department of Homeland Security has been testing as a foundation for a new digital emergency alert system. Not just better service for people at home, but an important potential addition to our homeland security.

Last but by no means least deals with educational technology. In the No Child Left Behind legislation passed in 2001, Congress authorized two programs, Ready to Learn and Ready to Teach. Ready to Learn harnesses television's universal reach to improve early childhood learning, while Ready to Teach uses technology to develop more highly-qualified teachers to measurably increase student standards. It is important to make sure that we support Ready to Learn, which received a small increase last year, focused on literacy and teacher professional development. Ready to Teach last year actually sustained a cut. It is requested that funding for both programs be increased in fiscal 2007 to $32 million for Ready to Learn and $15 million for Ready to Teach.

Last year we had to come to the floor with a strong bipartisan vote where 87 Republicans joined with every single Democrat to restore Draconian cuts to public broadcasting. This year it is more important than ever for education, for the Public Broadcasting Service, and for national security that we not have to go through that effort.

I urge my colleagues to look carefully at the requests that have been made for public broadcasting and join with us this year in assuring a strong funding base that will leverage hundreds of millions of dollars across America and provide the services Americans deserve.

REMEMBERING MARTIN LUTHER KING, JR.

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

Mr. LEWIS of Georgia. Mr. Speaker, 38 years ago Martin Luther King, Jr., was taken by from us by an assassin's bullets. He had gone to Memphis, Tennessee to call for economic justice for working people in America and for the sanitation workers there.

Mr. Speaker, it is difficult for me to find the right words to express my feelings about Martin Luther King, Jr. He was a man, my friend. He was my inspiration, my leader, my colleague, and my brother.

Martin Luther King, Jr., more than any other American of the 20th century had the power to bring people together to do good, black and white, rich and poor, young and old, Protestant, Catholic and Jews.

He could inspire with his words, with his vision, and his leadership. He could fill ordinary people with the extraordinary vision that they had the power to build a new, more fair, more just America.

His message was love. His weapon was truth. His method was creative nonviolence. And his goal, Mr. Speaker, was the Beloved Community, a community of justice, a Nation at peace with itself. In a sense he spoke a strange language, a philosophy of passive resistance to evil and the use of nonviolence in the struggle for good.

He was far too advanced in his concepts of love and peace for the violent times in which he lived, perhaps too advanced for us to understand even today. But, Mr. Speaker, the assassins of Martin Luther King, Jr., did not kill the dream of peace. They did not kill the dream of an open society. They did not kill the dream of a Beloved Community.

The movement that Martin Luther King, Jr., led was too right. It was too necessary to be buried with his body. We know that his voice was stilled 38 years ago today, but his message of love, of peace, and of the good society continue to resonate all around the world.

Mr. Speaker, we here in the people's House, we know that Dr. King's dream has not been fulfilled. But that is why it must be our task to renew our commitment to the values of his vision, the values of peace, love and justice.

If Dr. King were here today he would say we must find a way to support courageous legislation, legislation that will redirect the priorities and the tremendous resources of this Nation, not to oppress but to uplift, not to divide but to bring together, not to enslave but to set free. He would say we must use the resources of this great Nation, our talents, our minds, and our votes to work for the good of all humankind.

Through the life of Martin Luther King, Jr., through his noble efforts, he injected new meaning and new dignity into the very veins of our society. We are a better people. We are a better Nation because he lived.

□ 1245

GLOBAL WARMING

The SPEAKER pro tempore (Mr. MURPHY). Pursuant to the order of the House of January 31, 2006, the gentleman from New Mexico (Mr. UDALL)

is recognized during morning hour debates for 5 minutes.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to discuss the urgent need for the House of Representatives to address global warming. As you can see from last week's cover of Time magazine, both popular and scientific consensus indicate that the United States must act now to mitigate this problem.

In fact, a poll released yesterday by Environmental Defense indicates that more than 70 percent of Americans polled believe that global warming is real and a problem that they are willing to do something about.

Mr. Speaker, it is time for a national policy on global warming. America must lead the global effort. As I speak, our colleagues in the other chamber are holding a day-long conference on this issue. They have also debated legislation and had several votes on bills designed to curb greenhouse gas emissions. It is time, in fact it is long overdue, for the United States House of Representatives to join the debate.

In my home State of New Mexico, we may already be seeing the dramatic effects of global warming. In the drought seasons of 2002 and 2003, we had major die-offs of our State tree, the pinon. Scientists predict that this major die-off is only the prelude to life in a warmer future. Also, as seen in this picture, dramatic melting has already been seen in icecaps, glaciers and sea ice on both poles and in high mountain regions across the globe. Scientists are in almost unanimous agreement that these events are directly related to the build-up of carbon dioxide in the atmosphere from the burning of fossil fuels.

Mr. Speaker, last week the Honorable TOM PETRI and I introduced H.R. 5049, the Keep America Competitive Global Warming Policy Act. Our bill will help America curb our emissions and spur innovation to keep us in the global technological lead. The bill is an economy-wide, upstream, cap-and-trade policy that covers all greenhouse gas emissions.

However, to provide some certainty to the economy, the bill provides for an unlimited number of additional safety valve allowances. These allowances will be sold by the Treasury Department at a fixed and reasonable price, which will escalate over time. The escalation of the safety valve price is tied to the emissions-control activities of the five largest developing country greenhouse gas emitters. This will ensure that the rest of the world joins us in this effort. In that way, our policy will not put America at a global disadvantage.

We know that there may be less emissions reduction with a safety valve than without one. However, the cost certainty and the modest starting up cost of the safety valve allowances provide assurance this policy will not result in undue economic harm. We believe it is better to have a policy that works slowly yet surely rather than one that might prove economically unworkable.

Many companies, including the largest utility in my home State of New Mexico, have expressed the need for a safety valve in any mandatory greenhouse gas emissions control legislation.

While the safety valve and a cap-and-trade program are critical to the short-term success of curbing emissions, conservation, research and technology are some of the long-term solutions of global warming. Our bill creates an advanced research projects agency inside the Department of Energy. The goal of the E-ARPA is to explore the truly out-of-the-box, high-risk, high-payoff research that will be necessary if we are to get to a low or no carbon dioxide or greenhouse gas world.

Mr. Speaker, we know that despite our best efforts some will probably be negatively impacted by this policy. That is why our legislation allocates allowances to those people, entities and localities that may incur dislocations because of this legislation.

Finally, we also set aside allowances for auction that will be used to ensure that the legislation is revenue neutral.

Mr. Speaker, this bill is modest, certain and efficient. It commits America to reducing its greenhouse gas emissions by having emitters internalize the costs associated with global warming. This monumental step of putting a price on all greenhouse gases will stabilize emissions and eventually reduce them and finally put the United States on the road towards curbing the effects of global warming.

I urge my colleagues in the House to cosponsor this comprehensive and economically rational legislation and help break the stalemate that exists on the global warming issue.

NATIONAL PUBLIC HEALTH WEEK

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

Mr. HONDA. Mr. Speaker, I rise today in honor of National Public Health Week. Since 1995, national, State and local public health professionals highlight an important public health issue every April to raise awareness about leading health problems affecting our Nation.

This year, the theme of National Public Health Week focuses on what is called the ''built environment,'' which refers to building healthy communities to protect and enhance our children's life.

The built environment is any infrastructure with which children come in contact on a daily basis including homes, schools, parks, roads, walkways and businesses.

Enhancements to the built environment include access to primary health services, regular physical activity, safe places to play, and safe routes to walk or bike to school, smoke-free communities and homes, and toxin-free schools.

Health challenges include the quality of and access to schools and housing, economic opportunities, social capital, air and water, and opportunities for physical activity.

As Chair of the Congressional Asian Pacific American Caucus, I am particularly concerned about how the built environment affects communities of color, native communities, and linguistically isolated communities.

Members of these communities are more likely to live, work, and play in environments which have detrimental health effects, often vastly disproportionate to their percentage of the population.

For example, asthma is one of the major causes of illness and disability in the United States. Although asthma is only slightly more prevalent among minority children than among whites, it accounts for three times the number of deaths.

Low socioeconomic status, exposure to urban environmental contaminants, and lack of access to medical care contribute to the increase of deaths in minority communities.

African Americans living in low-income neighborhoods have particularly high rates of asthma, as do Native Hawaiians living in Hawaii.

America must invest more resources and be more creative in order to eliminate racial and ethnic health disparities.

We need to provide access to health care for the 45 million uninsured, more than half of whom are racial and ethnic populations.

We need to provide linguistically and culturally competent services, and we need to stop gutting the health care safety net.

Neighborhoods and communities across the United States are segregated by race and socioeconomic status, which exacerbates the underlying social and economic inequities that perpetuate health inequities. Without significant investment in the built environment for children and underserved communities, these health inequities will continue.

I am pleased to see that the American Public Health Association, the leading public health organization in the United States, has been able to disseminate the message about the interconnectedness between health and the built environment, and hope that this reality is integrated into the public health debate.

I look forward to working with all those involved with National Public Health Week to ensure policies to promote all children's health.

RECESS

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

Accordingly (at 12 o'clock and 55 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Lord God of the Jewish-Christian scriptures, You call forth Your people to move out from blood-stained doorways into the wandering freedom of the desert, until they found a promised land.

By the spirit You led Jesus into the desert to discover Your living presence through fasting and prayer.

Guide Your people in these days of grace in and through the political ways of Congress. May the trials of argumentative discussions and the discipline of compromise lead Your people across the barren land of uncertainty. Shape within them new resolves of faithful service, and open for them paths of greater justice and new-found peace.

Help us, O Lord, to renew the covenant of old which makes us Your own, even now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

DEMOCRATS AND CONFUSING SENIORS ABOUT MEDICARE

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

Ms. FOXX. Madam Speaker, I rise today to discuss the new Medicare prescription drug benefit. Under this historic program, seniors are receiving the drugs they need at reduced cost. So far, more than 27 million Medicare beneficiaries are now getting coverage and saving money on their prescription drugs. Even more amazing is that 380,000 new beneficiaries are signing up each week.

This is a program that is working for most seniors, and any early problems are quickly being corrected. The new drug coverage offers more and better choices at a lower cost. Premiums have been lowered to an average of $25 a month, down from the $37 that was previously estimated. Yet Democrats continue their coordinated campaign of confusion. On the one hand they are telling seniors that the prescription drug program is a disaster, and then in the same breath they are urging them to sign up. Mr. Speaker, this reminds me of someone turning to you and saying, ''Hey, this milk tastes bad. Try it.''

Seniors are hearing from Democrats that the milk is bad, yet they are being asked to taste it. It is no wonder some seniors are confused. I would be, too.

MAKING THE TAX CUTS PERMANENT

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

Mr. KELLER. Madam Speaker, I rise today to give the American people some straight talk on why we need to make the tax cuts permanent. As tax day rapidly approaches, President Bush urged Congress to make the tax cuts permanent, and with good reason. If Congress does not make the tax cuts permanent, a family of four in central Florida making $50,000 would see their taxes go up by nearly 50 percent.

It is no accident that we have a strong and vibrant economy today. During President Bush's first term, Congress acted to lower income tax rates across the board, cut taxes on capital gains and dividends, and eliminate the marriage penalty.

Now, what have we seen as a result? We have seen 5 million new jobs created in the last 2½ years. We have seen an unemployment rate that is lower than the average unemployment rate in the 1970s, 1980s, and 1990s. We have seen home ownership rise to 69 percent, the largest record in history. So don't believe the hype. Our government has received more revenue after the tax cuts than we received before the tax cuts. Let's make these tax cuts permanent and keep our economy strong.

CONGRATULATIONS TO NORTH COLLEGE HILL TROJANS

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

Mr. CHABOT. Madam Speaker, at this time last year I predicted that I would be standing here once again to congratulate Coach Jamie Mahaffey and his North College Hill Trojans. Well, they proved me right after winning back-to-back Division III Ohio State high school basketball championships.

Just this past weekend, North College Hill captured its second State championship with a convincing 90–73 triumph over Cleveland Villa Angela-St. Joseph. The victory topped off an impressive 26–1 season, including a number three national ranking by USA Today and a unanimous number one ranking in the final Ohio Associated Press State poll.

The Trojans made their road to Columbus look easy, defeating their opponents by an average of 33 points a game and knocking off the reigning Division I State champions from Ohio and Kentucky. In fact, statistics like these have already brought calls for a three-peat next year.

It gives me great pleasure to congratulate the North College Hill Trojans, the players, coaches, parents, fans, teachers, and administrators on bringing the championship back to the Cincinnati area. We are very proud of you, North College Hill.

AMERICAN FLAGS BANNED AT HIGH SCHOOL

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

Mr. POE. Madam Speaker, students at Skyline High School in Colorado are banned from waving the American flag. The principal is reported as saying, ''These flags were being used as a symbol of bigotry, a symbol of hostility. They were being used to inflame different groups, and we're not going to tolerate that.''

This principal is more concerned about hurting the feelings of people illegally in the U.S. than he is about Americans' freedom of expression. This principal is obviously unaware the flag was offensive to the British who were also illegally in the U.S. When the British reinvaded the United States in 1814 and were illegally on American soil, they marched on Washington waving the British flag, and they burned this very building. The British then sailed upriver to Fort McHenry and were offended by this defiant American flag that was flying. They tried to shoot it down, but Old Glory flew, and we have it down the street in the National Archives, bullet holes and all. We got our National Anthem from the glory of the Star Spangled Banner at Fort McHenry.

The American flag cannot be banned in America. How absurd. What flag do you fly there at that high school, the white flag of surrender so as not to offend anyone illegally in the United States? Good thing the commander at Fort McHenry didn't care about what the British thought and was proud to be an American. And that's just the way it is.

RESPECTING CAPITOL POLICE

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

Mrs. MILLER of Michigan. Madam Speaker, last week we finally saw the Democratic Party roll out their ideas about how we should secure America,

and they put a very heavy emphasis on how important they thought it was to support our first responders.

How ironic it was, then, on that very same day to hear allegations that a Democrat Member of this House struck a Capitol Police officer, and how disheartening to hear the response of the Democratic leader of this House. It was, she said, no big deal.

To those who might agree with the Democrats that allegedly assaulting a Capitol Hill Police officer is no big deal, I would respectfully remind them that just a few years back two members of the Capitol Police were shot and killed in the line of duty by a deranged man who was trying to attack the majority whip, and that during moments of danger and evacuation Capitol Police stand their posts while the rest of us seek to secure ourselves and the safety of others.

This is only my second term here, so the Capitol Police don't always recognize me and occasionally they do check my identity. They stop me and check my identity. No problem.

Madam Speaker, I wish to go on record as supporting the jobs that the brave men and women in the Capitol Police do to protect all of us, and let me just say to them thank you.

MEDICARE PART D

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

Mr. GINGREY. Madam Speaker, I rise and share yet another story of success regarding the Medicare part D prescription drug benefit. Today I would like to tell you about Lola Squires of Cedartown, Georgia.

Lola is a widow and lives on a fixed income. As you can imagine, every dollar of her monthly budget is precious to her livelihood. Due to chronic illness, Lola was paying $1,000 a month for her prescription drugs, which used up almost all of her income.

Lola is now enrolled in a Medicare part D plan. As my office was assisting her, we learned that she did qualify for the extra help due to her limited resources, and I am happy to report, as of today, Lola is paying a mere $27 a month for her medication. $27 a month. That is a saving of more than $900 every month for Lola.

Madam Speaker, the Medicare part D success stories are pouring in. Seniors have until May 15 to enroll in a plan without penalty; so in the next few weeks, it is absolutely essential that Congress put real people over partisan politics and help our seniors get the medicine they need to stay well.

INDONESIA IS A STRATEGIC FRIEND

(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. Madam Speaker, as supporters of freedom confront terrorism worldwide, it is appropriate to recognize the Republic of Indonesia's extraordinary efforts to advance democracy. Newly appointed Ambassador Sudjadnan Parnohadiningrat recently made a convincing presentation in the Washington Diplomat regarding the significance of his country, which is the world's third largest democracy of over 220 million and the world's largest Muslim population which spreads across 17,000 islands.

Despite al Qaeda terrorist attacks and economic collapse, and the catastrophic tsunami, Indonesia has rebounded with fair and free elections and an economic growth rate from 5.5 to 6 percent annually. America is fortunate to be a friend and partner of Indonesia, a dynamic nation which joins us in working for regional peace and winning the war on terrorism.

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

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 motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

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

PROVIDING FOR THE APPOINTMENT OF PHILLIP FROST AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. EHLERS. Madam Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 81) providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read as follows:

H.J. RES. 81

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Manuel L. Ibanez of Texas on May 4, 2006, is filled by the appointment of Phillip Frost of Florida. The appointment is for a term of 6 years, beginning on the later of May 5, 2006, or the date of the enactment of this joint resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

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

House Joint Resolution 81 provides for the appointment of Phillip Frost to serve on the Board of Regents of the Smithsonian Institution.

This 17-member board, which governs the Smithsonian Institution, is comprised of the Chief Justice and Vice President of the United States, three Members each from the House and Senate, and nine citizens who are nominated by the Board and approved jointly in a resolution of Congress.

Our first regent nominee, Phillip Frost, founded Ivax Corporation, and has served as the Chief Executive Officer and Chairman of the Board since 1987; he also served as President of Ivax from 1991 to 1995. Before founding Ivax, Dr. Frost chaired the Department of Dermatology at the Mount Sinai Medical Center of Greater Miami from 1972 to 1990. His other work involved joining the University of Miami School of Medicine faculty in 1966. Among his many accomplishments, Dr. Frost was named the 2001 National Entrepreneur of the Year by Ernst & Young.

A native of Philadelphia, Dr. Frost attended the University of Paris from 1955 to 1956. He received his Bachelor's Degree from the University of Pennsylvania and his medical degree from the Albert Einstein College of Medicine in New York in 1961.

Dr. Frost and his wife Patricia, who currently serves as Chair of the Smithsonian National Board, have displayed a genuine commitment to the arts through personal leadership and philanthropy. In 1986, they gave their entire 113-piece collection of American abstract art to the Smithsonian American Art Museum.

Dr. Frost has experience serving on a variety of boards and possesses significant fiscal experience with matters of government oversight.

□ 1415

I believe the Smithsonian can benefit greatly from Phillip Frost's financial, educational, and leadership experience. And I urge my colleagues to support House Joint Resolution 81.

Madam Speaker, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield myself such time as I may consume.

I too rise in support of House Joint Resolution 81 to appoint Dr. Phillip Frost of Florida for a 6-year term as a citizen regent of the Smithsonian Institution.

Dr. Frost, who is a medical doctor, is a noted collector of American abstract art and a philanthropist, who, since 1987, as was mentioned, has served as the chairman of the board and CEO of the IVAX Corporation, which develops and markets pharmaceutical products.

Dr. Frost and his wife, Patricia, gave their 113-piece collection of American abstract art to the Smithsonian American Art Museum in 1986. In another major philanthropic donation, they previously gave a $33 million gift to the University of Miami for its school of

music. Subsequently, the school of music was named after Dr. Frost and his wife, Patricia.

Dr. Frost's broad background in medicine, science, business, and culture will be a valuable asset to the Smithsonian.

And, Madam Speaker, just as a personal aside, I have a personal relationship with Dr. Phil Frost. He is a renowned philanthropic contributor both in the community in south Florida and across this country. I have worked with him on several projects and also would like to note his deep commitment and involvement in the Jewish community in south Florida, and I am privileged to be able to stand before this House today and ask unanimous support for this resolution.

I urge my colleagues to support House Joint Resolution 81 so that this joint resolution can be signed into law before the May meeting of the Smithsonian regents.

Ms. ROS-LEHTINEN. Madam Speaker, I rise in support of House Joint Resolution 81, which appoints Dr. Phillip Frost as a Citizen Regent of the Board of Regents of the Smithsonian Institution. Dr. Frost and his wife Patricia have long been ardent supporters of the arts, especially in my Congressional District of South Florida.

Dr. Frost grew up living above his father's shoe store as a child in Philadelphia. While in college at the University of Pennsylvania, he traveled to Paris for a year to study French Literature. While in Paris, his life long commitment to the arts began.

Dr. Frost came to South Florida to complete a one-year senior residency at Jackson Memorial Hospital in Miami. Fortunately for South Floridians, he has remained for over forty years, In 1966, he joined the faculty of the University of Miami School of Medicine. From there he moved on to Mount Sinai Medical Center in 1972, chairing their Department of Dermatology until 1990.

Dr. Frost's success in medicine translated into business, and he has used his success to enhance the South Florida Community. Dr. Frost has distinguished himself nationally as a business leader. It came as no surprise that in 2001; he received the National Ernst & Young Entrepreneur of the Year Award.

Dr. Frost's contributions to our community in South Florida have been invaluable. Dr. Frost has been a huge supporter of the University of Miami's Music Department, which is now named after he and his wife.

In 1993, Florida International University presented him with an honorary degree for his many contributions in medicine, business, and community service. He also has been a strong advocate of the Miami Art Museum.

I would like to commend Dr. Frost for his dedication to enriching the lives of South Floridians through the arts. I urge my colleagues to support House Joint Resolution 81 and promote Dr. Frost as a Citizen Regent of the Board of Regents of the Smithsonian Institution.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and pass the joint resolution, H.J. Res. 81.

The question was taken.

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

Ms. WASSERMAN SCHULTZ. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. EHLERS. Madam 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 H.J. Res. 81.

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

There was no objection.

PROVIDING FOR THE REAPPOINTMENT OF ALAN G. SPOON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. EHLERS. Madam Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 82) providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read as follows:

H.J. RES. 82

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Alan G. Spoon of Massachusetts on May 4, 2006, is filled by the reappointment of the incumbent for a term of 6 years. The reappointment shall take effect on May 5, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

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

House Joint Resolution 82 provides for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

Alan Spoon has served as a member of the Smithsonian's National Museum of Natural History Board of Regents since 2000 and, by all accounts, has done an excellent job. His diverse background in finance, management, and technology has served the institution very well. We would be privileged to have him continue to serve as a member.

Mr. Spoon has a unique skill-set, stemming from his 25 years of service in various dynamic business atmospheres. Mr. Spoon currently serves as a managing partner of Polaris Venture Partners, which invests in Internet-related businesses, networking, biotechnology, and medical technology.

Prior to his position with Polaris, he served in a variety of capacities at The Washington Post Company. These included positions as president, chief financial officer, chief operating officer, president of Newsweek, head of newspaper marketing, and head of corporate business development.

Prior to serving on the Board of Regents, Mr. Spoon served on the National Museum of Natural History's Board of Directors. Mr. Spoon received his BA at M.I.T., his MS at M.I.T.'s Sloan School of Management, and his JD from Harvard Law School.

In light of his distinguished service with the Smithsonian Institution, I urge my colleagues to support House Joint Resolution 82 and reappoint Mr. Spoon to an additional 6-year term.

Madam Speaker, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield myself such time as I may consume.

I too support H.J. Resolution 82 to reappoint Alan G. Spoon of Massachusetts for a new 6-year term as a citizen regent of the Smithsonian Institution.

I want to mention that my colleague, the Hon. Congressman BARNEY FRANK, joins me in the support of this resolution as well.

Alan Spoon was previously appointed to the Board of Regents by Congress in 2000. He is a member of the executive committee of the board and chairman of the Finance and Investment Committee. As was mentioned, Mr. Spoon is the managing partner of Polaris Venture Partners, an investment company, and was previously president of The Washington Post Company. Prior to that experience, Mr. Spoon also served as president of Newsweek magazine, an impressive accomplishment. He also brings previous experience to the Smithsonian as a member of the National Museum of Natural History's advisory board.

I believe the Smithsonian will continue to benefit from Alan Spoon's financial, marketing, and management background and continuing experience on the Board of Regents.

I urge my colleagues to support House Joint Resolution 82 so that this joint resolution can be signed into law before the May meeting of the Smithsonian regents.

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

Mr. EHLERS. 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 Michigan (Mr. EHLERS) that the House suspend the rules and pass the joint resolution, H.J. Res. 82.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EHLERS. Madam 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 H.J. Res. 82.

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

There was no objection.

RECOGNIZING THE 20TH ANNIVERSARY OF THE CHERNOBYL NUCLEAR DISASTER

Mr. LEACH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 703) recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant.

The Clerk read as follows:

H. RES. 703

Whereas April 26, 2006, marks the 20th anniversary of the Chernobyl nuclear disaster;

Whereas serious radiological, health, and socioeconomic consequences for the populations of Ukraine, Belarus, and Russia, as well as for the populations of other affected areas, have been identified since the disaster;

Whereas the Chernobyl Forum, an initiative launched by the International Atomic Energy Agency and supported by the World Health Organization, the United Nations Development Program, and other United Nations agencies, as well as by the governments of Ukraine, Belarus, and Russia, examined the scientific evidence of the human health affects and the environmental impact of the Chernobyl nuclear disaster;

Whereas the findings of the Chernobyl Forum, issued in September 2005, significantly added to the understanding of the health consequences and economic impact caused by the Chernobyl nuclear disaster;

Whereas the Chernobyl Forum found that approximately 5,000,000 people live in areas of Ukraine, Belarus, and Russia that were contaminated by radioactivity;

Whereas the populations of the affected areas who were exposed as children have experienced significant increases in thyroid cancer;

Whereas the lives and health of people in the affected areas continue to be heavily burdened by the aftermath of the Chernobyl nuclear disaster;

Whereas numerous charitable, humanitarian, and environmental organizations from the United States and the international community are committed to overcoming the extensive consequences of the Chernobyl nuclear disaster;

Whereas the United States has sought to help the people of the affected areas through various forms of assistance;

Whereas humanitarian assistance and public health research into the consequences of the Chernobyl nuclear disaster will continue to be needed in the coming decades when a large number of latent health effects are expected to emerge;

Whereas the United States strongly supports improving nuclear safety in Ukraine;

Whereas, in 1997, the United States, the European Union, and Ukraine developed the Shelter Implementation Plan for the purpose of protecting people and the environment from the dangers of the large quantity of highly radioactive material contained in the Chernobyl nuclear power plant;

Whereas as the United States is the largest single country donor to the Chernobyl Shelter Fund, which was created with the purpose of funding the Shelter Implementation Plan, having pledged a total of $203,000,000; and

Whereas the most critical component of the Shelter Implementation Plan will be the construction of a new shelter designed to better protect people and the environment from the radioactive remains of the Chernobyl nuclear power plant: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 20th anniversary of the Chernobyl nuclear disaster and expresses sympathy for the ongoing effects of the disaster, including adverse health consequences and deaths;

(2) calls upon national and international health organizations to focus their research into the public health consequences of the Chernobyl nuclear disaster into areas identified by the Chernobyl Shelter Fund, so that the global community can benefit from the findings of such research;

(3) supports continued United States assistance to the Chernobyl Shelter Fund, the Shelter Implementation Plan, construction of a facility to store spent nuclear fuel, and other efforts to mitigate the consequences of the Chernobyl nuclear disaster; and

(4) urges other countries and the European Union to continue to provide assistance to the Chernobyl Shelter Fund, the Shelter Implementation Plan, construction of a facility to store spent nuclear fuel, and other efforts to mitigate the consequences of the Chernobyl nuclear disaster.

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

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of H. Res. 703, a resolution introduced by Congressman ELTON GALLEGLY, the chairman of the Subcommittee on Europe and Emerging Threats of the House International Relations Committee. House Resolution 703 recognizes the 20th anniversary of the Chernobyl nuclear disaster and supports continued efforts to control radiation and mitigate the adverse health consequences related to this terrible accident.

I would like to commend Mr. GALLEGLY for his hard work on this resolution as well as that of Mr. WELDON of Pennsylvania; Ms. KAPTUR of Ohio; Mr. LEVIN of Michigan; as well as our distinguished ranking member, Mr. LANTOS of California, for their great interest in ensuring that the international community lives up to its obligations to assist Ukraine and other countries in the region to overcome the continuing health, environmental, and economic problems caused by the Chernobyl accident.

In just a few weeks, on April 26, the world will mark the 20th anniversary of the Chernobyl power plant accident, the most devastating civilian nuclear disaster in human history. This disaster caused serious radiological, health, and socioeconomic consequences for the people of Ukraine, Belarus, and Russia. Millions of people, children in particular, suffered severe and debilitating health defects and were forced to flee from their homes.

Although 20 years have passed, the lives and health of individuals within the affected areas continue to be heavily burdened by the aftermath of the nuclear disaster. Ukraine must not only provide care for those affected but also ensure that the radioactive waste and environmental destruction from the explosion do not pose a threat to the region.

The sarcophagus currently encasing the remnants of the destroyed reactor is in disrepair and may collapse at any time. In response to this emergency, the United States, the European Union, and Ukraine developed the Shelter Implementation Plan for the purpose of protecting people and the environment from the large quantity of highly radioactive material contained in the reactor.

The most critical component of the Shelter Implementation Plan will be the construction of a new shelter designed to better protect the surrounding area from leakage of radioactive remains. The total cost of the shelter could well be in excess of $1 billion. In addition, Ukraine must still deal with the health and economic impact of the Chernobyl disaster, including the treatment of thousands of people who were exposed as children and have experienced significant increases in thyroid cancer.

This legislation expresses the sympathy of the House for the ongoing effects of the disaster. In addition, H. Res. 703 calls upon the U.S. and other countries to continue to provide assistance for the construction of a new shelter and a facility to store spent nuclear

fuel, and other efforts to mitigate the many adverse consequences of the Chernobyl disaster.

Madam Speaker, Ukraine is an important ally of the United States. Since the Orange Revolution, our bilateral relationship has been characterized by closer cooperation on trade issues, the strengthening of democratic institutions, and the fight against the proliferation of weapons of mass destruction. It is important that the House go on record in support of the Ukrainian people in their effort to overcome the negative economic and social impact resulting from this tragic accident.

Again, I would like to commend the work of Congressman GALLEGLY on this issue and for the introduction of this important resolution.

Madam Speaker, I urge the support of House Resolution 703.

Madam Speaker, I reserve the balance of my time.

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

I rise in support of this resolution.

April 2006, marks the 20th anniversary of the catastrophic accident at the Chernobyl nuclear power plant in Ukraine. At the time of this disaster, Ukraine was still under the iron domination of the Soviet Union. When the accident occurred, we saw the stock Soviet response to all major disasters: cover it up, regardless of the consequences to the innocent civilians living in the region. It was not until radioactive particles were being detected in Finland that the Soviets were forced to admit that the Chernobyl reactor No. 4 was burning.

While the authorities were engaged in a political coverup, scores of brave rescue and emergency workers were attempting to douse the burning reactor and hastily construct a concrete cover over the reactor, the so-called sarcophagus that is now in danger of collapse.

According to a United Nations study, Madam Speaker, more than 200,000 emergency workers were exposed to high levels of radiation and some 2,200 will ultimately die from radiation-caused illness during their lifetimes.

The Chernobyl accident also caused some 4,000 cases of thyroid cancer, the majority of which have occurred in individuals who were children or adolescents at the time of the accident.

On December 15, 2000, with the encouragement of the United States and the international community, the President of Ukraine decided to shut down the last functioning reactor at Chernobyl, thus effectively closing the entire nuclear plant and putting an end to a shameful Soviet legacy.

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The Soviet response to the Chernobyl disaster should serve as an important reminder to future generations of the folly of totalitarian regimes and the need to ensure that democracy remains at the core of our foreign policy. Instead of covering up toxic chemical slicks traveling silently down China's waterways towards crowded cities, Beijing should move towards openness and transparency to save lives; and rather than pretending that the destruction of 700,000 homes in Zimbabwe was a clean-up operation, Zimbabwe's totalitarian leaders should be empowering the young people in these slums to become the next generation of democratic leaders in southern Africa.

Madam Speaker, the Chernobyl disaster has many lessons for our age, and our resolution is an important reminder of the importance of freedom and democracy worldwide. I urge all of my colleagues to support this resolution.

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

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today in strong support of this resolution. It is important to not only remember those that perished in this terrible tragedy, but to keep in mind that individuals in the affected area are still suffering.

Although the world's worst nuclear disaster occurred at Chernobyl nuclear power station in Northern Ukraine, the wind carried 70 percent of the radioactive material into the neighboring country of Belarus. This disaster has impacted the region economically, socially, and medically.

I would like to recognize the efforts of Chernobyl Children's Project International, a not-for-profit organization that works with the people of Belarus to help them overcome the lingering effects of the Chernobyl nuclear disaster. This organization provides humanitarian and medical aid to over three million children the United Nations recognizes as suffering from the Chernobyl disaster. In addition, I would like to recognize Children of Chernobyl which is an organization that works to provide a respite from ongoing exposure to radiation by bringing children to the United States to stay with host families for the summer.

In my district, Annandale United Methodist Church has worked with Children of Chernobyl since 1993. Annandale area host families have opened their homes and hearts and allowed children from the effected region to stay with them for the summer to get some much needed rest. These children significantly benefit from the clean water, healthy food, fresh air, and love that Annandale area families provide. The children return to their homes with a new understanding of American culture as well as new clothes, shoes and other necessities. During the children's visit, Northern Virginia area doctors donate their time to provide the children with medical care, dental checkups and vision and orthopedic care.

It is important that here in America we continue to support the recovering from the Chernobyl disaster. Twenty years after this tragic accident, we are observing the devastating affects of long term exposure to radiation, and I urge my colleagues to support this important resolution.

Mr. LEVIN. Madam Speaker, I rise in strong support of this resolution marking the 20th Anniversary of the Chernobyl nuclear disaster. I am proud to be a co-sponsor of this important legislation.

On April 26th, 1986 the Chernobyl Nuclear Facility's Reactor Number Four exploded, releasing over 100 tons of radioactive material in what remains the world's worst nuclear accident. We may never know the full extent of the damage this accident has done to the health of people living in the surrounding areas or to the environment. It is clear, though, that the deaths attributable to the Chernobyl disaster number in the thousands and that millions of people in Ukraine, Russia and Belarus have been exposed to radioactive contamination.

It is important as we remember the victims of Chernobyl that we also recognize the ongoing consequences of the disaster and the work that still needs to be done. We must continue to help those people in the areas affected by radioactive fallout. The populations exposed to this fallout have experienced significant increases in thyroid cancer, still births and birth defects, as well as economic hardship resulting from the impact of the disaster on local economies.

The United States must also continue to support the Chernobyl Shelter Fund and the Shelter Implementation Plan. A new shelter for Reactor Number 4 is essential to mitigating further health and environmental consequences from the radioactive materials inside the facility. To date, the U.S. has pledged over $200 million to the Shelter Fund, helping to ensure that this work will be completed.

The resolution before us supports these efforts, and recognizes that although this disaster occurred two decades ago, there is still much more we must do to help the Government of Ukraine and the affected populations cope with its consequences. I urge all of my colleagues to support it.

Mr. WELDON of Pennsylvania. Madam Speaker, 20 years ago the world witnessed one of the last crimes of the Soviet communist regime against its own people. The biggest nuclear catastrophe in human history was kept secret from Soviet civilians, who were exposed to massive amounts of radiation that exceeded the medically tolerable norm by 100 times.

On April 25–26, 1986, many firefighters sacrificed their lives to put out the huge fire caused by the explosion. Thirty-one died. Their heroism prevented a European Hiroshima.

In 1986, the Soviet Government let millions of people in Ukraine, Belarus and Russia conduct their daily lives as usual—completely unprepared, unwarned, and unprotected. On May 1, 4 days after the catastrophe, citizens of Kiev, Minsk, Gomel, and dozens of other cities went outdoors celebrating Labor Day, an official holiday in the Soviet Union. Only days later the civilian population was gradually informed of the disaster's extent.

By that time, millions of people, including infants and children, had received high doses of radiation. Dozens were doomed to suffer painful deaths in the years to come. Thousands are still coping with health problems caused by exposure during those tragic days, including thyroid and breast cancer, and tumors. The ultimate prognosis for millions remains unclear.

20 years later, grave danger remains at Chernobyl. 200 tons of highly radioactive nuclear waste in Reactor #4 remains separated from the outside world by a ''Shelter'' that was determined to be reliable only until 2006.

Today's occasion is an opportunity for all people of goodwill to commemorate Chernobyl

victims—both civilians, and the brave individuals who sacrificed their lives to save those exposed to radiation.

European nations and Japan should follow the U.S. example and live up to their pledge to contribute to creation of the Shelter–2. This barrier would be effective for another 100 years, and has been approved by the Ukrainian government and international experts. The cost is estimated to be $1 billion, which is a small price to pay given the price-tag in dollars and lives of another radiological disaster.

Ms. KAPTUR. Madam Speaker, as the world prepares to commemorate the 20th anniversary of the Chernobyl nuclear disaster, I rise in support of the H. Res. 703 Recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant. I applaud the leadership of Congressmen GALLEGLY, HYDE, LANTOS and WEXLER on this important issue.

Twenty years ago this month, a human error triggered an explosion at the Chernobyl Power Plant's Reactor No. 4, causing the worst civilian nuclear catastrophe in the history of mankind, one which transcended geographic boundaries. Immediately after the explosion, increased levels of radiation were registered as far as Japan and the United States. The hardest hit were the people of Ukraine, Belarus, and western Russia, collectively taking close to 70 percent of the radioactive fallout.

The scope of devastation that followed was truly unprecedented. More than 600,000 emergency workers, liquidators, risked their lives putting out the reactor's inferno that raged for 10 days while exposing themselves to extremely high and deadly doses of radiation. Hundreds of thousands of people were forced to leave their homes because of radioactive contamination. More than 5 million people in Ukraine, Belarus and western Russia found themselves coping with life in towns and villages contaminated by iodine and cesium. Thousands of square miles of agricultural land and forests had to be removed from use because of contamination.

Twenty years after the initial fallout, Chernobyl has not been relegated to history books. Twenty years later, it continues to cause human suffering, environmental and economic hardship.

The disaster at Chernobyl has triggered a well documented epidemic of thyroid cancer, particularly among those who were infants and teenagers at the time of the explosion. Long latency periods for other types of cancers and ailments suggest that the toll on human health in the affected populations is a developing story, and not a thing of the past.

The consequences to the environment, as well as agriculture are equally devastating. Shortly after the fallout, short-lived iodine deposits onto vegetation entered into the food supply, mainly through milk, delivering large doses of internal radiation to consuming public. As for long-lived long-lived cesium, that will remain a problem for decades to come.

The Chernobyl disaster has been causing tremendous economic hardships as well, with Ukraine and Belarus spending up to 5 percent of their respective GDP on mitigation of its consequences. Environmental and economic degradation in the affected regions, increased health care costs, loss in productivity of human capital add to the heavy burdens of Chernobyl's enduring legacy.

As scientists and researchers continue their pursuit of a greater understanding of Chernobyl's long term consequences on human health and environment, it is important that we avoid closing the page on Chernobyl by rushing to speedy conclusions. Instead, I join many of my constituents in urging caution in accepting as definitive and conclusive some of the findings of the IAEA-led Chernobyl Forum report, particularly in the area of health consequences. Our Ukrainian colleagues in particular, encourage long term commitment to researching and analyzing Chernobyl's legacy. The whole world stands to benefit as together, we advance our understanding of man-made environmental disasters of this scope.

Another important aspect of Chernobyl's legacy is its impact on energy policy choices that are before the Government of Ukraine. It is my belief that Ukraine's long term energy security is not feasible without renewed emphasis on renewable energy. We share the same concerns in U.S., and both of our countries share great potential for development of bio-fuels, and other renewable energy technologies, such as fuel-cells, wind power.

It is also critically important that we address the issue of completing the Shelter Implementation Plan with the urgency and efficiency it deserves. President Yuschenko has highlighted this priority in his address to the Joint Session of the U.S. House of Representatives and Senate. It is often said that the next Chernobyl can be Chernobyl itself—the decaying concrete-and-steel sarcophagus, hastily constructed after the accident to secure the Reactor No. 4, has an estimated warranty of 20 years. That time is now, as the structural integrity of the encasement causes great concern. It is not just an Ukrainian issue, but indeed an issue of European security. As the largest single country donor to the Chernobyl Shelter Fund, the U.S. provides important leadership in this multi-national donor effort. I urge the redoubling of efforts by all stakeholders to the Shelter Implementation Plan to ensure its timely completion.

The Congressional Ukrainian Caucus is stepping up to the plate in commemorating the somber milestone of the 20th anniversary of Chernobyl. I am grateful to my colleagues and our Caucus Co-Chairs, Congressmen WELDON, LEVIN and BARTLETT, for their strong leadership and support in organizing events commemorating Chernobyl's anniversary. They include a special commemorative photo exhibit Chernobyl: 20 which documents the human experience there over the past 20 years, looking through the lenses of the world's top photographers. The exhibit is scheduled to open at the Rayburn Foyer on April 26, 2006 at 10 a.m.; an in-depth briefing, scheduled for April 27, 2006, 2 p.m–6 p.m, will explore a broad range of Chernobyl issues, including impact on human health and agricultural/food systems, environmental, economic and social rehabilitation in the affected regions, U.S. and international assistance, Chernobyl Shelter Implementation Plan progress; and finally, the Congressional reception honoring the tireless work of NGOs dedicated to improving human condition in the effected regions, scheduled for the evening of April 27, 2006, 6 p.m.–8 p.m.

The U.S. has provided assistance in remediation efforts in the aftermath of the catastrophe, followed by technical, humanitarian and economic assistance in the subsequent years that. One of the objectives of the briefing on Chernobyl is to review past U.S. assistance to the countries stricken by Chernobyl disaster, and identify current priorities that require continued commitment and financial support.

Life in the Chernobyl affected regions of Ukraine, Belarus and western Russia would have been a much more difficult challenge were it was not for the tireless work of many NGOs that go wherever they see human needs and opportunities to improve people's lives. Many lives were not just improved, but saved, because of the work of such organizations as Children of Chernobyl Relief and Development Fund and Chernobyl Children's Project International. This month, these charities send multi-million dollar convoys and airlifts of valuable medical equipment and medicine to Ukraine and Belarus, over the past decade bringing more than $100 million worth of medical supplies to those in need. This example of human compassion and resilience in the face of adversity is truly a hopeful sign for all survivors of the Chernobyl catastrophe.

I am submitting for the RECORD the respective statements of Children of Chernobyl Relief and Development Fund and Chernobyl Children's Project International in connection with H. Res. 703.

Finally, I would like to mention the political dimension of this catastrophe. When the nuclear reactor at Chernobyl blew up 20 years ago, Ukraine, Belarus, Russia and other countries were part of the closed Soviet society, one where secrecy prevailed and freedom was denied. In my view, there was a direct link between the inefficiencies of the Soviet system, indeed its criminal disregard for the environment and for its citizens, and the disaster we commemorate today. In many ways, Chernobyl was a wake-up call for the Soviet Union, for the world. We dare not fall asleep again. We must continue to support Ukraine's democracy and ease her transition to the European Union; we must align ourselves with the brave people of Belarus who are trying to advance their own beleaguered country; and must build a strong relationship with Russia so that the authoritarian practices of the past that led to such disastrous results can be transformed to a more open, hopeful society, whose future will be of unlimited potential.

The occasion of the Chernobyl' s 20th anniversary offers a unique opportunity to step back in time and reflect on fragility of human life as we interact with powers of nature and technology. Let us be thoughtful and mindful of the lessons of Chernobyl in our everyday actions.

CHILDREN OF CHORNOBYL RELIEF FUND

The Children of Chornobyl Relief and Development Fund wishes to add its support to House Resolution No. 703: ''Recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant''.

For the past sixteen years our organization has been working to address the human legacy of the world's worst environmental accident. Relying almost exclusively on private contributions, CCRDF has delivered over $53 million dollars worth of medical supplies, state-of-the-art technology and physician training programs to help save the lives of children stricken with thyroid cancer, leukemia, birth defects, and early childhood diseases.

The children who are undergoing treatment in our 20 partner hospitals offer painful but eloquent testimony to the critical need for continuing medical aid to the Chornobyl survivors. It is now well established that the nuclear disaster caused an epidemic in thyroid cancer beginning in the 1990s. Children and adults who were exposed to radioactive iodine were stricken at a rate of 80 times higher than normal. Over 9,000 additional children in Ukraine have been diagnosed with precancerous conditions. But thyroid cancer is just one of many health problems confronting the Chornobyl communities. Fully one-third of all children in some provinces suffer from endocrine disorders or tumors that require medical or surgical intervention. Children who live in contaminated territories suffer from immune deficiencies and depleted levels of killer-T cells at a much higher rate than children from relatively clean zones.

Recent studies by Ukrainian and Israeli scientists have shown that the children born to Chornobyl nuclear cleanup workers—the so-called ''liquidators'' have a seven-fold increase in chromosome damage as compared to their siblings born prior to the Chornobyl accident. There is growing evidence that birth defects have doubled in the wake of Chornobyl, and the rate of some birth defects, such as spina bifida and cataracts are even higher. The Ukrainian-American Association for the Prevention of Birth Defects under the direction of an eminent geneticist from Alabama—Dr. Wolodymyr Wertelecki has been tracking birth defects among a very large population of newborns in the provinces of Rivne and Volyn in northwestern Ukraine. They have found an epidemic of spina bifida, and a wide range of other deformities that are ordinarily extremely rare. Although USAID has discontinued funding for Dr. Wertelecki's research centers, we believe that his program has proven its value. The next stage could be even more important as Dr. Wertelecki's team is developing programs to reduce the incidence of birth defects through prenatal programs and the introduction of folic acid into local foodstuffs.

The United States could play a vital role in creating a nationwide birth defects registry in Ukraine and Belarus. Our government could also help to save the lives of thousands of youngsters who are born each year with congenital heart defects by providing training and technology to diagnose these life-threatening conditions at birth or in early childhood,

We have seen how even modest investments can have a dramatic impact on infant survival and cancer remission rates at several of our partner hospitals. In Kharkiv Children's Hospital No. 16, for instance, the recovery and remission rates for childhood leukemia have improved from a dismal 5 per cent in 1991 (a virtual death sentence) to 75 per cent in 2004 thanks to the installation of modern equipment such as a blood cell separator and a full protocol of chemotherapeutic agents. We have created model neonatal intensive care units in Poltava and Lviv and Dnipropetrovsk, where infant mortality has dropped by as much as 45 to 80 per cent, even as the hospitals began to take on a larger volume of infants with more difficult pathologies. By raising the standard of care, we have also stimulated citizen initiatives, private philanthropy and indigenous government programs that were virtually unheard of during the Soviet era.

Thanks to the generous support of the Ukrainian-American community, and thanks to corporate donors such as John Deere, Monsanto, Philip Morris and UMC, we have been able to bring doctors the tools and training they needed to achieve quantum leaps in the kind of care they can provide their patients.

Unfortunately, Chornobyl's legacy is likely to endure long after this 20th Anniversary. We have to remember that the 20-year latency period for many forms of cancer is just beginning to toll, and already, Chornobyl liquidators are dying of oncological illnesses at a rate almost triple the rate of working age males in Ukraine. Of the 34,000 liquidators who have died in Ukraine to date, 25% died of various forms of cancer as compared to a rate of 9% for most Ukrainians. Our colleagues at the National Institute of Pediatrics and Obstetrics and Gynecology in Kyiv have found evidence of cesium-137 and strontium-90 in placentas and breastmilk, showing that newborn infants are being directly exposed to highly dangerous radioactive materials at their most vulnerable stage. We need to remember that the half-life for these elements is 30 years, so they will be with us for many years to come.

In the coming years, the United States Government should make significant efforts to strengthen Ukraine's medical infrastructure, and to invest in better maternal and children's health. We must also provide funding for independent research studies that will look at a wide range of other health problems such as the accumulation of radionuclides in the gastro-intestinal tract of youngsters who live in areas contaminated with radioactive materials.

For our part, we will do everything in our power to reduce the impact of Chornobyl by giving Ukrainian children a fighting chance to overcome even the most daunting illnesses. We thank you for your consideration.

ALEXANDER B. KUZMA
Executive Director

CHERNOBYL CHILDREN'S PROJECT INTERNATIONAL,
New York, NY.

Chernobyl Children's Project International supports House Resolution No. 703: ''Recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant.''

Chernobyl Children's Project International has worked with health care institutions and communities in Belarus for fifteen years. A partnership between Ireland and the United States, we have delivered over $70 million in humanitarian and medical aid. Working with citizens of Belarus, we provide a children's cardiac surgery program, community care programs for disabled children, nursing and therapeutic programs and training, foster homes and hospice services.

In Belarus, 1.8 million people continue to live in radiation-contaminated zones—over 420,000 of them children. Our work keeps us in close contact with scientists, researchers, NGOs and physicians in Belarus who have first hand knowledge of the social, economic, and health needs of the communities they serve. They observe and have documented increases in cancer, birth defects, and cardiac and immune disorders since the Chernobyl disaster. Data from experts and health professionals in the affected regions is often overlooked by their counterparts in the West. The Belarusian Academy of Sciences reports that among children, morbidity, sicknesses have increased by almost one-third, new cancers by 1.5 times, and blood diseases by 1.5 times. Sixty to 70 percent of Belarusians who live in contaminated zones who have been checked at the Belarusian Institute of Radiation Medicine have critical levels of radiation in their bodies.

Although the link between the Chernobyl disaster and thyroid cancer has by now been firmly established, it is important to note that it took years for this epidemic to emerge. Screening and early intervention programs have thus been able to minimize but not erase the human toll of thyroid cancer. The first warnings were sounded by the medical and NGO communities in Belarus and Ukraine well before the link between the disease and the disaster were widely acknowledged, and in fact initial reports of increases were dismissed.

The latency period for the emergence of many cancers is 20+ years, and today respected researchers and clinicians are voicing concern over the emergence of birth defects, non thyroid cancers and blood and immune disorders.

The Chernobyl Forum report made an important contribution to the understanding of the consequences of the Chernobyl disaster by highlighting the complex interplay of factors that impact the quality of life in Chernobyl affected regions, and by encouraging the international community to focus on projects that address poverty, lack of economic opportunity, inadequate health care, and environmental degradation. While we support this holistic approach, it is far too soon to say that we know all there is to know about the long term health effects of Chernobyl. We strongly submit that the U.S. Government and the international community must acknowledge the need for further research and to continue to examine the health effects of the Chernobyl disaster.

KATHY RYAN,
Executive Director/USA.

Mr. KUCINICH. Madam Speaker, I rise in support of H. Res. 703, but I feel compelled to qualify my support to ensure the people of Ukraine continue to receive support in the wake of this tragedy.

To understand the gravity of the worst nuclear accident in history, let's review what happened on April 26th, 1986. While testing the reactor, a series of mishaps led to a large chemical explosion that resulted in the 1,000-ton cover blowing off the top of the reactor.

Ultimately, fifty tons of uranium fuel from the reactor core vaporized immediately, and were blasted high into the atmosphere; a further 70 tons of uranium and 900 tons of highly radioactive graphite were dispersed into the area around the reactor, starting more than 30 fires; the 800 tons of graphite that remained in the reactor core caught fire at once, creating a radiological inferno that would burn for 10 days, sending a continuous plume of lethal radionuclides roiling into the sky.

The Soviet government would wait nearly three full days before acknowledging that an accident had taken place, and did so only after the drifting plume set off radiation alarms in a nuclear plant in Sweden. Nine million people were exposed to radiation in Belarus, Russia and Ukraine.

The contaminants, which included plutonium isotopes with a half-life of 24,360 years, eventually traveled around the globe, depositing radioactive material as far away as the lakes of Japan and the hill farms of north Wales. The long-lived radioactivity released was more than 200 times that of the atomic bombs dropped on Hiroshima and Nagasaki.

The economic consequences of the accident remain a massive burden on the countries most affected; Belarus and Ukraine continue to spend around 6% of their Gross National Product on trying to deal with the consequences of the accident.

I have concerns with the following clause in H. Res. 703 because it sanctions an attempt to downplay the health effects on millions of innocent people.

"Whereas the findings of the Chernobyl Forum, issued in September 2005, significantly added to the understanding of the health consequences and economic impact caused by the Chernobyl nuclear disaster;"

The Chernobyl Forum study understates the health consequences of Chernobyl. The authors excluded more than 30,000 anticipated cancer deaths from the collective doses in all other countries in the Northern Hemisphere. Over 6,000 thyroid cancer cases have been diagnosed so far in Belarus, Russia and Ukraine, and more are anticipated. Recent scientific studies are revealing an increased incidence of solid cancers, including breast cancer, as well as cardiovascular and ophthalmic effects. These effects have long latency periods of more than 20 years.

In the Rivne region of Ukraine, 310 miles west of Chernobyl, doctors say they are coming across an unusual rate of cancers and mutations. There is a 30 percent incidence rate amongst people in the highly radiated areas that have physical disorders, including heart and blood diseases, cancers and respiratory diseases. Nearly one in three of all the newborn babies have deformities.

It took some 600,000 workers for recovery and clean-up operations, all of them exposed to high levels of radiation. Studies show that almost 35,000 people who took part in the cleanup of Chernobyl have died in the years since the catastrophe. The rate of death from cancer was nearly three times as high as in the rest of the population.

The conflicting scientific studies suggest much more research needs to be done. But it is essential that we do not minimize the effects of this disaster without cause.

I am concerned that any effort to downplay the effects of this disaster may jeopardize the U.S. financial commitment to Ukraine and the innocent victims. I cannot support anything that might permit the U.S. to abandon the Belarus, Russia and Ukraine victims of Chernobyl.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 703.

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. LANTOS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

EXPRESSING SUPPORT FOR GOOD FRIDAY AGREEMENT AND CONTINUED POLICE REFORM IN NORTHERN IRELAND

Mr. LEACH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 744) expressing support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process.

The Clerk read as follows:

H. RES. 744

Whereas the Good Friday Agreement, signed on April 10, 1998, in Belfast, was endorsed in a referendum by the overwhelming majority of people in Northern Ireland and the Republic of Ireland;

Whereas the parties to the Good Friday Agreement made a clear commitment to ''partnership, equality, and mutual respect'' as the basis for moving forward in pursuit of lasting peace in Northern Ireland;

Whereas the parties to the Good Friday Agreement also affirmed their ''total and absolute commitment to exclusively democratic and peaceful means'' in pursuit of lasting peace in Northern Ireland;

Whereas inclusive power-sharing based on these defining qualities is essential to the viability and advancement of the democratic process in Northern Ireland;

Whereas paramilitary activity by both traditions in a democratic society undermines the trust and confidence that are essential in a political system based on inclusive power-sharing in Northern Ireland;

Whereas on September 26, 2005, the International Independent Commission on Decommissioning (IICD) confirmed the Irish Republican Army had destroyed its full arsenal of weapons;

Whereas the Good Friday Agreement called for police reform and establishment of a ''new beginning'' in policing in Northern Ireland with an effective, accountable, and fair police service capable of attracting support from the entire community, maintaining law and order, and adhering to the principle of the protection of human rights;

Whereas the new Police Service of Northern Ireland (PSNI) has made great strides in becoming an integrated, professional, and impartial police force under civilian control and responsive to all community concerns, and has worked to protect both communities from violence;

Whereas significant further work in police reform, and in fostering community acceptance of the PSNI, must still be accomplished;

Whereas the Government of the United Kingdom and the Government of Ireland continue to strongly support the Good Friday Agreement as the way forward in the peace process and have committed themselves to its implementation; and

Whereas the Government of the United States continues to strongly support the peace process in Northern Ireland: Now, therefore, be it

Resolved, That—

(1) the House of Representatives—

(A) reiterates its support for the Good Friday Agreement, signed on April 10, 1998, in Belfast, as the blueprint for a lasting peace in Northern Ireland;

(B) commends the Prime Minister of the United Kingdom Tony Blair and the Irish Taoiseach Bertie Ahern for their leadership and persistence in seeking a peaceful resolution in Northern Ireland;

(C) commends the Sinn Fein leadership in successfully urging the Irish Republican Army to end its armed struggle and verifiably put its weapons beyond use;

(D) commends Sir Hugh S. Orde, Chief Constable of the Police Service of Northern Ireland (PSNI), for his leadership and for working to protect both communities;

(E) commends the PSNI for the institution of the Historical Enquiries Team, which will provide a thorough and independent examination of unresolved deaths that occurred in connection with the Troubles from 1968 to 1989;

(F) commends Nuala O'Loan and the Police Ombudsman's Office for the work they have done in promoting human rights in law enforcement and in fostering community confidence in the PSNI; and

(G) commends the work of the Northern Irish Policing Board and its District Partnerships for promoting genuine community policing in Northern Ireland; and

(2) it is the sense of the House of Representatives that—

(A) all groups and organizations should end their involvement in paramilitary activity;

(B) all political parties in Northern Ireland should—

(i) agree to share power with all parties according to the democratic mandate of the Good Friday Agreement; and

(ii) commit to work in good faith with all the institutions of the Good Friday Agreement, which established the Northern Ireland Assembly and an inclusive Executive, the North-South Ministerial Council, and the British-Irish Inter-Governmental Conference, for the benefit of all the people of Northern Ireland;

(C) since policing reform is a significant part of winning public confidence and acceptance in the new form of government in Northern Ireland, all political parties should cooperate fully with the PSNI in preventing and investigating crimes; and

(D) the Government of the United Kingdom and the Government of Ireland should work to achieve full implementation of the Good Friday Agreement, including devolution of policing and justice, the normalization of the security presence, and of the Independent Commission on Policing in Northern Ireland reforms, including long-term senior-level exchanges between the Garda Siochana, the police service of the Republic of Ireland, and the PSNI.

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

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of H. Res. 744, a resolution introduced by International Relations Committee Chairman HENRY HYDE. H. Res. 744 expresses support by the House for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland. In addition, it supports continued police reform in Northern Ireland, which is a critical element in the implementation of the Good Friday Accords.

At this time, I would like to commend Chairman HENRY HYDE, as well as Representatives ELTON GALLEGLY and CHRIS SMITH as well as our distinguished ranking members TOM LANTOS and JOE CROWLEY for their work on

this measure and more importantly their commitment to this singularly important peace process. I would like to also note the important role of Mr. WALSH of New York and Mr. NEAL of Massachusetts as the Chair and Co-chair of Ireland-related caucuses. H. Res. 744 also has broad-based support among those House Members who long have been concerned about finding a peaceful solution to the conflict in Northern Ireland.

Madam Speaker, since 1969, over 3,200 have died as a result of terrorism and political violence in Northern Ireland. For years, the British and Irish governments, assisted by the United States, sought to facilitate a peaceful settlement to the conflict. Finally, in April of 1998, the long-warring Catholic and Protestant factions in Northern Ireland signed the Good Friday Agreement. Just over a month later, strong majorities in both the north and south of Ireland endorsed the agreement in a referendum.

The Good Friday Agreement calls for the transfer of power from London to Belfast and the establishment of the Northern Ireland Assembly and Executive Committee, in which Unionists and Nationalists share power. It also contains provisions on disarmament, reformed policing, human rights, prisoners, and demilitarization by British Armed Forces.

Madam Speaker, while the Good Friday Agreement provides a blueprint for achieving peace and justice in Northern Ireland, its full implementation has proved difficult. The devolved Northern Ireland government has been suspended since October 2002 amid a loss of trust on both sides of the conflict.

Unionists remain skeptical about the IRA's commitment to disarmament and nonviolence. As a result, they have so far refused to join the power-sharing institutions such as the Executive Committee, which was created by the Good Friday Agreement for the purpose of exercising executive authority in Northern Ireland.

On the other hand, Nationalists worry about the pace of police reforms. They have refused to join the Policing Board, the independent oversight body that ensures the Police Service of Northern Ireland is effective, accountable and impartial.

That leaves us at a standstill in the peace process. The Unionists do not have confidence as to the IRA's intentions and commitment to nonviolence. The Nationalists still do not have confidence in the police service and they question the Unionists' commitment to share power with Catholics.

This legislation directly addresses these issues and clearly endorses the Good Friday Agreement as the exclusive framework for a lasting peace in Northern Ireland.

Specifically, House Resolution 744 states that it is the sense of the House that all groups and both communities should end their involvement and paramilitary activity.

Second, the legislation calls on all political parties to agree to share power and work in good faith with the power-sharing institutions established by the Good Friday Agreement.

Third, since police reform is a significant part of winning public confidence in the new government in Northern Ireland, all political parties should cooperate fully with the Police Service of Northern Ireland.

Lastly, House Resolution 744 calls on the governments of the United Kingdom and Ireland to work together to achieve full implementation of the Good Friday Agreement.

The language of the resolution puts a shared onus on both sides, Nationalists and Unionists alike, to take the difficult next steps that will move the peace process forward and lead to the implementation of the Good Friday Agreement.

Madam Speaker, this is an important piece of legislation that provides support for the Northern Ireland peace process at a critical time.

Again, I commend Chairman HYDE for introducing this resolution and for quickly bringing it to the floor for consideration.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of this resolution. I would first like to thank my good friends and colleagues, Chairman HYDE and Congressman CHRIS SMITH, for their tireless advocacy of peace and justice in Northern Ireland.

Madam Speaker, over the past several years the peace process in Northern Ireland has taken many twists and turns. The Good Friday Accord, designed to bring an end to the conflict in Northern Ireland, has been declared dead time and again. During the past few months, however, we have witnessed very promising developments in our efforts to fully implement the Good Friday Accord, which was signed almost 8 years ago.

In July of last year, the Irish Republican Army announced that it would forswear violence. The IRA followed up on that announcement by decommissioning a substantial portion of its weapons cache last fall. After these dramatic events, we all hoped and expected that the Good Friday Accord would be fully implemented.

It is becoming increasingly clear now that we have reached another impasse. Sinn Fein has refused to support the police in Northern Ireland or to encourage Catholic Republicans to join the police service. The Democratic Unionist Party has refused to enter local government with Sinn Fein or even to talk with them.

Meanwhile, Madam Speaker, despite the positive moves on the part of Sinn Fein, the Unionist paramilitary groups have yet to follow up with a no-violence pledge and disarmament agreement.

Our resolution addresses all of these outstanding issues. It challenges all the parties to renounce violence and to disarm, and it calls on all sides to fully engage in police reform.

Madam Speaker, after many setbacks, substantial pressure has finally developed to fully implement the Good Friday Accord. Our resolution is designed to support this forward movement and to help pave the way to a time when the conflict in Northern Ireland is only a subject for the history books.

I strongly support this resolution, Madam Speaker.

Madam Speaker, I reserve the balance of my time.

Mr. LEACH. Madam Speaker, I yield 5 minutes to the distinguished gentleman from New York (Mr. WALSH), who chairs the Friends of Ireland Committee and who has played such a central role on Irish issues in this Congress.

Mr. WALSH. Madam Speaker, I thank the gentleman from Iowa for yielding time to me and for his leadership on all issues relating to the International Relations Committee. I would especially like to thank Chairman HYDE and Ranking Member LANTOS for their leadership and the entire International Relations Committee and their staff for their hard work and effort in getting this important resolution to the floor at such a critical period in the Northern Ireland peace process.

The timing of this resolution could not be more appropriate. We are fast approaching the eighth anniversary of the Good Friday Agreement, and recent media reporting suggests that the British and Irish governments are working to restore a devolved government that has been under suspension since the police raids and the Unionist walkout of October 2002.

As one of 35 million Irish Americans in this country, I can't tell you how pleased and encouraged I am with these developments. For far too long, the people of Northern Ireland have been denied an equal voice and equal representation in government. It is time for the Assembly and Executive to be up and running and the people's business to be addressed.

Her island's citizens have spoken. They expressed their views for a shared future by overwhelmingly approving the Good Friday Accords by a margin of 95 percent in the Republic of Ireland and 71 percent in Northern Ireland. It is time for Northern Ireland's political leadership to acknowledge their wishes and fully carry them out.

In the last few years, progress has been spotty, but, nonetheless, there has been progress. That progress must continue without any backward steps or delays. I believe recognizing a few key leaders that have nurtured this progress can help highlight and strengthen this initiative.

First I would commend Prime Minister Tony Blair of Great Britain and

the Republic of Ireland's Taoiseach, Bertie Ahern. Northern Ireland has no better friend than these two men. They have been understanding to all viewpoints and fair to all political denominations and respectful of all traditions. They have been firm in conviction and steadfast in their beliefs; and, most importantly, they have been true leaders committed to a lasting peace. Both men deserve recognition and praise for their work.

Second, the leadership of Sinn Fein for their role in facilitating the complete decommissioning of the IRA's weaponry. This was certainly no small task. Sinn Fein has never received the full credit it deserves for delivering this historic moment. Sinn Fein made the commitment, the commitment was delivered in full, and that commitment has been verified by the International Monitoring Commission and the International Commission on Decommissioning led by General de Chastelain.

I have read reports of individuals being skeptical and wary of this declaration, but the facts speak for themselves. The IRA has abandoned its armed struggle in pursuit of its goals by political means. This must be fully acknowledged. Continued challenge does nothing but obstruct and inhibit the peace process.

I would like to add also, Madam Speaker, that the members of the Democratic Unionist Party, the DUP, led by Dr. Ian Paisley, will be here today meeting with Members of Congress, and we welcome them. We are delighted that they are here. We are excited about hearing their vision for the future of Northern Ireland, and they will be here to express that and develop personal relationships. Many of them are members of Parliament, in addition to being elected members of the legislative assembly in Northern Ireland.

Finally, the Policing Service in Northern Ireland, under the leadership of Hugh Orde and Nuala O'Loan, deserves recognition. Northern Ireland has experienced a dramatic improvement in policing over the last 8 years, with the current Catholic to Protestant employment percentage up 18 percent since the restructuring, and the police recruit ratio holding firm at 50–50.

It is imperative that people in all communities recognize that the Policing Service, while not perfect, is certainly not the Policing Service of old. They must begin to develop a relationship of trust and confidence in their police. It is only through this type of relationship that the community will be best served.

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Madam Speaker, again it gives me great pleasure to stand before you today in order to praise the Good Friday Agreement as the framework for peace in Northern Ireland and to recognize the remarkable progress that has been achieved.

I would also like to recognize the efforts of all the Members of Congress, House and Senate, and Presidents of both parties for their commitment to this process. I commend the efforts of all past leaders who have put personal and political ramifications aside for the greater good of Northern Ireland and urge all current leaders to continue to move forward. I urge adoption of this resolution.

Mr. LANTOS. Madam Speaker, I yield 3 minutes to our distinguished colleague and my good friend, the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY. Madam Speaker, I thank my colleague from California for bringing this important legislation and resolution to the floor and I thank my colleagues that have been working on this for years.

I have been in Congress for 10 years now and during that 10 years we have been working on peace in Ireland. Many of us that are Irish call it ''the troubles'' which have continued over these years. And every time there seemed to have been a little bit of sunlight and we actually thought that peace would finally come to Northern Ireland, and we certainly fought and worked for that. But the Good Friday Agreement is certainly an important piece of legislation and it gave the goal and certainly the hope to the people of Ireland, and I think that is probably the most important thing.

There have been many bumps in the road over the years with the Good Friday Agreement, but it was the people of Northern Ireland, it was the people that basically said, let's go forward. So each time that we saw, as I call it, a bump in the road or a stop sign, it was the people of Ireland that said let's go forward. I happen to think we are at the crossroads now. And I happen to think that with all the people here in Congress especially, I support the things that have been said from my colleagues that we are honestly going to see hopefully peace come.

Ireland economically has done very well and we will continue to support them to do that. But I have to say when the IRA agreed to give up its weapons last February, I think that was certainly the biggest step that we could have asked. The people remain cautious in Ireland, but I do believe the IRA is showing good faith.

In February the Independent Monitoring Commission released a report. The report found that security forces believe that the IRA held on to weapons and is still intelligence gathering. In spite of that, the IMC stated that the IRA seemed to be moving in the right direction.

It is important that the people in Ireland who are working towards peace know that they have the support of the United States in these efforts. I encourage the Irish people to continue their work in the peace process, and I am proud to support this legislation.

We here in Congress carry a great deal of weight. The people of Ireland do trust us. They appreciate us being with them during the good times and the bad times. I would like to say thank you to my colleague, Mr. WALSH, for all the great work in bringing us over to Ireland to meet with all political groups so we can try to see peace in our lifetime.

The Policing Commission has always been a stumbling stone, and yet when we have gone there and we have met and we have seen young Irish Catholic men and women joining the police force and the same on the Protestant side and learning how to be together, there is great hope in the future for all of us. But Northern Ireland and Ireland is going to win in the end, and the United States, I am happy to say, had a lot to do with that.

Mr. LEACH. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), who has been such a leader on so many issues, including those that relate to Ireland.

Mr. SMITH of New Jersey. Madam Speaker, I thank my good friend, Chairman LEACH, for yielding me time and for his leadership on this and on so many other resolutions and initiatives as well on behalf of human rights.

Mr. LANTOS, it is great to see you again on the floor, not unexpected. You are always here fighting the good fight on behalf of human rights.

Madam Speaker, I especially want to commend Chairman HYDE for offering this resolution. I am very proud to be one of the original cosponsors of it. It is a collaborative effort that strongly restates U.S. support for the Good Friday Agreement signed 8 years ago this month.

Madam Speaker, the Hyde resolution also underscores our unyielding support for the establishment of peace, justice, reconciliation and prosperity in Northern Ireland which we have all hoped for and we have all prayed for. While we are not there yet there has been some very encouraging signs.

On March 15, Madam Speaker, I chaired my eleventh hearing on the Northern Ireland peace process. All of these hearings have been comprehensive and insightful but this one was the first since the IRA's full renunciation of arms struggle and the decommissioning of its weapons.

Our resolution today makes note of that historic milestone, a remarkable development in the path to peace. Of course, equally significant for the implementation of the Good Friday Agreement is true, durable and transparent police reform. Here, too, Madam Speaker, there has been progress.

Today there is a vigorous and fiercely independent Police Ombudsman's Office, whose chief, Nuala O'Loane, has been a catalyst for reform. There is now a Policing Board in Northern Ireland composed of independent and party representatives to design and provide civilian control and fair nonsectarian policing. The Chairman, Sir Desmond Rea, and retiring Vice Chairman, Dennis Bradley, testified at our

most recent hearing. There is a new Historical Enquiries Team established by the PSNI Chief Constable Hugh Orde, which will provide a thorough and independent examination of unresolved deaths that occurred in connection with the troubles from 1968 to 1989.

H. Res. 744 rightly commends Nuala O'Loane, Sir Hugh, and the new policing institutions for the progress that they have made, often under very adversarial conditions. Even with these improvements, Madam Speaker, significant work further remains to be done in order to ensure acceptance by all the communities of the PSNI. A key stumbling block to that greater acceptance has been the lack of resolution of charges of official collusion in the murder of human rights lawyer Patrick Finucane. In 2001 the British and Irish governments jointly appointed Judge Peter Cory, a preeminent retired justice of the Supreme Court of Canada, to determine whether independent commissions should investigate possible state-sponsored collusion in six notorious and horrific murders. They also pledge to abide by his recommendations.

Two years ago Judge Cory, and he too testified at one point before our committee, 2 years ago he issued his report; and it called for five of the six murderers to be investigated independently. Yet, I am sorry to say, the British government has still not appointed an inquiry commission into the murder of the human rights attorney, Pat Finucane, who was gunned down in his home in front of his wife and three small children in 1989.

Every one of the 11 hearings that I have chaired on human rights and police reform in Northern Ireland has dealt with Pat Finucane's murder in whole or in part, yet still nothing has been done. The U.K. government must find a way to institute a credible inquiry which will be stepped by all, by Judge Cory, the Irish Republic, by the world community, but most of all, by the Finucane family.

If the population of Northern Ireland is to cease relying on paramilitaries for protection, which they absolutely must do, they must never rely on that, and transfer its trust to the police, it must have the confidence that the police and the authorities deserve trust. That is the major reason why these inquiries must be done and done right as soon as possible.

Again, I want to commend Chairman HYDE, Chairman GALLEGLY, Mr. WALSH, Mr. KING, of course Mr. LANTOS again, and Chairman LEACH, and also many of our staffs, including Mary Noonan, Richard Mereu and Dennis Curry for their work in writing and crafting this resolution which will put us in a bipartisan way on record for saying that the peace process must continue and the Good Friday Agreement must be fully implemented.

Mr. LANTOS. Madam Speaker, I want to commend all of my colleagues who have worked on this legislation. We have no further requests for time and I yield back the balance of my time.

Mr. LEACH. Madam Speaker, I have no further requests for time, but I would like to conclude with just one reference to a distinguished American that is a member of your side, Senator George Mitchell, who did so much to work to achieve and develop the accord that we are now referencing in this resolution.

Mr. CROWLEY. Madam Speaker, I rise today in strong support of this legislation introduced by Chairman HYDE.

Chairman HYDE, I would like to commend you for your continued support of the Good Friday Agreement and a lasting peace in the north of Ireland.

A few weeks ago during the Saint Patrick's Day festivities I had an opportunity to meet with many of the actors involved in creating a lasting peace in the north of Ireland.

When I met with the Taoiseach and Gerry Adams about the ongoing situation, I stressed the importance of bringing about representational government to the people of the north.

It has been over three years since free and fair elections took place in the north.

The people spoke and elected leaders to represent them, but I am sad to say when they went to the voting booth in November of 2003, their vote was not respected.

This issue needs to move forward so the people of the north can finally have democratic rule.

If a true and lasting peace is ever to be achieved the people must be able to feel they are invested in the process.

All parties must begin to put aside their differences and work toward the common goal of peace and reconciliation in the north.

This battle has been allowed to go on for too long with seemingly both sides knowing what the other is doing.

The IRA has lived up to its obligations and fully decommissioned and now it is time for Unionist paramilitary groups to for their example.

I am proud to be an original cosponsor of this legislation and would urge all of my colleagues to send a strong message to the parties involved in the peace process.

The House of Representatives is engaged and would like to forward movement.

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

In doing so, I want to commend the tremendous work of an organization known as the Washington Ireland Program, or "WIP." Every year since I came to Congress in 1999, I have hosted a WIP student and I have found these students from both the North and the Republic of Ireland to be exceptional future leaders. WIP is a six-month program of personal and professional development that brings outstanding Protestant and Catholic university students from Northern Ireland and the Republic of Ireland to Washington, DC, for summer internships and leadership training. The program begins and ends with practical service in Northern Ireland and Ireland. In Washington, participants get firsthand experience with U.S. government and politics and an immersion in American culture by living with area Host Families. Through an intense eight-week schedule, young people from different sides of the political divide are challenged to work and learn as a team and to create an environment of mutual respect. The program aims to send students home with enhanced professional interpersonal skills and a new confidence in their own leadership abilities which they are expected to demonstrate through service to their own communities.

To date, 300 young adults have graduated from the program. Many WIP graduatess moved into important careers in politics, business, media, and education. These include: a research officer to the NI First Minister in Westminster; television and radio news journalists; reporters for major newspapers in Belfast and London; barristers and solicitors; university professors and primary school teachers; consultants with Accenture and Price WaterhouseCoopers; Dublin PR firm managers; assistant to Members of the NI Assembly and the Irish Parliament; political party operatives in Northern Ireland and the Republic; and Executive Officer for the Home Office in London.

This dynamic program should serve as a model for many of the geographically and religiously conflicted areas around the world. WIP is helping to ensure a lasting peace throughout the Emerald Isle. I congratulate its officials, staff, and volunteers, and hope that my colleagues will join me in supporting its efforts in the years to come.

Mr. GARRETT of New Jersey. Madam Speaker, I rise today in strong and enthusiastic favor of H. Res. 744, which expresses support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process.

Throughout my tenure in Congress, I have been a strong supporter of reinforcing the strong ties between Ireland and the United States. As a member of the Ad-Hoc Committee on Irish Affairs, one of my top goals is the achievement of peace, justice, human rights, and political stability in Northern Ireland.

Since the completion of the Good Friday Agreement in 1998, the U.S. has worked with all interested parties to help with its implementation. With over 40 million Americans being of Irish heritage, it is vital that the United States continue to play an active role in this process and contribute both the political and economic support needed to ensure that peace continues in Northern Ireland.

Madam Speaker, I would like to recognize the efforts of the involved parties who are working daily to make the promise of the Good Friday Agreement a reality. In recent months, there has been a promising softening of the Unionist position with relatively more favorable comments toward the Agreement. And, of course, the Sinn Fein has backed and overseen the IRA's abandonment of its armed campaign.

These are exciting steps toward a sustained and lasting peace in Northern Ireland. And, I remain very hopeful that the parties can make further progress toward a fully functioning government that operates in regular order to meet the needs of the Irish people.

I commend the Irish people on all of its successes and hard work and encourage all of my colleagues to support this important resolution.

Mr. HYDE. Madam Speaker, I am very pleased to offer H. Res. 744, which expresses

support for the Good Friday Agreement as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process. I compliment the work of Subcommittee Chairmen ELTON GALLEGLY and CHRISTOPHER SMITH for improving and making the originally-introduced version even more constructive and stronger on policing. The Good Friday Agreement needs U.S. support and a push to fully implement all of its terms.

On the important issue of policing reform, the resolution before us wisely reflects the overall view of the Independent Monitoring Commission (IMC) for the north of Ireland, which has closely monitored paramilitary activities and made many critical suggestions for reform and change, especially in the area of a new beginning on policing.

The IMC is made up of highly respected representatives appointed by both the Irish and British Governments, and includes an American as well. In its May 2005 report to the two governments and interested parties, the IMC stated some key findings on the responsibilities of all of the political parties on criminal justice, and it has just reiterated these again in its February 2006 report.

The IMC said that all the parties should, among other things:

''Give credible vocal and practical support to all parts of the criminal justice system, including policing . . .''

''Play a full and constructive role in the participative organs of the criminal justice system, such as the Policing Board and the District Policing Partnerships.''

These are some wise and constructive suggestions, which this resolution supports and fully endorses. We would encourage Sinn Fein and all the parties in the north to honor and live by these ideas for a better, more secure and democratic north of Ireland. There is no place for violence in the process.

Finally, my resolution also calls on both the Irish and British governments to fully implement the important Patten Commission police reform provision which calls for senior-level police officer exchanges between the Republic of Ireland and the Police Service of Northern Ireland (PSNI). These exchanges are clearly needed so that some of the cultural, religious, and other long-standing issues dividing communities and the police in the north can fully benefit from senior-level understanding and diversity.

I urge adoption of the resolution.

Mr. MURPHY. Madam Speaker, I rise in support of House Resolution 744, which honors the Good Friday Agreement of 1998 for being what I believe is, as the resolution states, ''the blueprint for lasting peace in Northern Ireland.''

Next Monday, April 10, 2006 will mark the 8th anniversary of the Good Friday Agreement, which has helped to bring nearly a decade of peace to Northern Ireland. As a result of the historic Good Friday Agreement, there is perhaps a greater potential for lasting peace in Northern Ireland now than perhaps ever, since the establishment of the Irish Republic. The Good Friday Agreement has outlined a plan for peace and reconciliation in the 21st century.

I believe the most significant result of the Good Friday Agreement was the revival of the Northern Ireland Assembly, a devolved government body that has facilitated important debate between the political parties. Consequently, problems have been directly and civilly addressed through free and open debate. Unfortunately, as my colleagues know, due to disagreements between the political parties—the Social Democrat and Labor Party, the Ulster Unionist Party, the Democratic Unionist Party, and Sinn Fein—the Northern Ireland Assembly has been suspended since October of 2002. Ever since, the British government has taken direct control over the government to ensure stability. I would hope all sides can agree to terms in order to allow the Assembly to be reestablished.

Madam Speaker, I have met with the leaders of Sinn Fein, the DUP, the UUP and the SDLP, both here in the U.S. and in Ireland. All parties have conveyed to me that they agree it is vital for the future security of the North that new elections be held, an Executive put in place, and the legislative assembly reconvened. I agree with this view, and express the support of the U.S. House of Representatives to facilitate the peace process.

I thank the distinguished Chairman of the International Relations Committee, Mr. HYDE, for authoring this resolution.

Mr. KING of New York. Madam Speaker, today I rise in strong support of H. Res. 744, a resolution that expresses support for the Good Friday Agreement as the blueprint for lasting peace in the North of Ireland. H. Res. 744 is an expanded version of a resolution written by my colleagues JIM WALSH, RICHARD NEAL, JOE CROWLEY, and I last November. I appreciate Chairman HYDE sponsoring this new bill with its additional language which I believe strengthens our initial endeavor and moving it to the House floor promptly. I am also grateful for the opportunity to work with the Chairman and his staff on the drafting of this resolution.

H. Res. 744 expresses our strong commitment to the ideals of the Good Friday Agreement, a referendum that was endorsed by an overwhelmingly majority of the people living both in the North and the Republic of Ireland on April 10, 1998. As we approach the 8th anniversary of this date, I think it is important to recognize those groups and individuals who have committed themselves to peace, justice, and equality and worked to fully implement this agreement. Much progress has been made since 1998 but much still more needs to be done.

First, I'd like to commend (UK) Prime Minister Tony Blair and the (Irish) Taoiseach Bertie Ahem for their leadership in securing a peaceful resolution in the North of Ireland. We would certainly not be where we are today if it were not for these two great statesmen. I'd also like to thank our own government, including both the Clinton and Bush Administrations, for their dedication and efforts to move this process forward. We have been lucky to have fine diplomats such as George Mitchell, Tony Lake, Richard Haass, and Mitchell Reiss play vital roles during the past decade.

One of the most significant changes in the North recently related to the changes in policing. The new Police Service of Northern Ireland (PSNI) has adopted many of the Patten recommendations to become a much more integrated, professional, and impartial police force. Under the leadership of its chief constable, Sir Hugh Orde, and its ombudsman, Nuala O'Loan, the PSNI is a much more effective and accountable law enforcement agency that promotes human rights and fosters community confidence.

Finally, I'd like to commend the leadership of Sinn Fein, specifically Gerry Adams and Martin McGuinness, for successfully urging the Irish Republican Army to end its armed campaign and verifiably put all of its weapons beyond use. This was a crucial step in the peace process to demonstrate the Republicans' commitment to an exclusively democratic and peaceful process. There is no place for any paramilitaries in the North of Ireland and it is my hope that the remaining private armies will follow the IRA's lead by destroying their weapons and signing up to the peace process.

Now is a critical time for the people and the political parties in the North of Ireland. This Thursday the British and Irish governments intend to publish their plans for a resumption of the Northern Ireland Assembly and Executive. It is long past due for this government to be back up and running. But for this to happen, all parties must agree to share power and commit themselves to the full implementation of the Good Friday Agreement.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 744.

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. LANTOS. 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.

COMMENDING THE PEOPLE OF THE REPUBLIC OF THE MARSHALL ISLANDS FOR THE CONTRIBUTIONS AND SACRIFICES THEY MADE TO THE UNITED STATES NUCLEAR TESTING PROGRAM IN THE MARSHALL ISLANDS

Mr. LEACH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 692) commending the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands, solemnly acknowledging the first detonation of a hydrogen bomb by the United States on March 1, 1954, on the Bikini Atoll in the Marshall Islands, and remembering that 60 years ago the United States began its nuclear testing program in the Marshall Islands, as amended.

The Clerk read as follows:

H. RES. 692

Whereas between 1946 and 1958, the United States conducted 67 nuclear tests in the Marshall Islands, 66 of which resulted in atmospheric fallout;

Whereas the most powerful of these tests was the hydrogen weapons test codenamed

Bravo, a 15-megaton device detonated on March 1, 1954, at Bikini atoll;

Whereas the Bravo detonation alone was the equivalent to 1,000 Hiroshima-sized bombs;

Whereas 17 other tests in the Marshall Islands were in the megaton range, and the total yield of the 67 tests was 108 megatons, the equivalent yield of more than 7,000 Hiroshima bombs and 93 times the total of Nevada atmospheric tests;

Whereas in July 1998, the Centers for Disease Control and Prevention estimated that 6.3 billion curies of radioactive iodine-131 were released to the atmosphere as a result of the testing in the Marshall Islands;

Whereas the 12-year nuclear testing program has been the defining experience of the modern era for the people of the Marshall Islands, and these momentous events created a common bond between the people of the Marshall Islands and the United States military and civilian personnel who shared hardships and suffering with the people of the Marshall Islands during the testing program;

Whereas as a Member State of the United Nations, the world body that once had oversight of United States stewardship of the trusteeship for the people of the Marshall Islands and their island homelands, the Republic of the Marshall Islands has an unmatched record of working in conjunction with the leadership of the United States in the pursuit of international peace and security, the rights and well-being of the peoples of the world, and in the War on Terrorism: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands;

(2) solemnly acknowledges the first detonation of a hydrogen bomb by the United States on March 1, 1954, on the Bikini Atoll in the Marshall Islands; and

(3) remembers that 60 years ago the United States began its nuclear testing program in the Marshall Islands.

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

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, first I would like to commend the gentleman from American Samoa (Mr. FALEOMAVAEGA) for introducing this timely resolution which commemorates the six decades of friendship and strategic solidarity that the United States have shared with the people of the Marshall Islands.

June 30 marks the 60th anniversary of the U.S. nuclear testing program in the Marshall Islands. The program encompassed 67 atmospheric tests, including the 15 megaton blast codenamed ''Bravo,'' a detonation equivalent to a thousand Hiroshima-sized bombs, which occurred above Bikini Atoll on March 1, 1954.

The last nuclear test occurred in August of 1958. These massive detonations were considered critical at the time to the development of our nuclear deterrent during the Cold War and represent the most vivid examples of a strategic partnership that stretches back to the Pacific campaign of the Second World War.

They also symbolize the dangers of nuclear weapons and the unintended consequences of weapons development. Tragically, for instance, as this resolution points out, the Centers for Disease Control and Prevention estimated that 6.3 billion curies of radioactive iodine-131 were released in the atmosphere as a result of the testing in the Marshall Islands.

Recently, the United States reaffirmed and extended aspects of its unique relationship with the Republic of the Marshall Islands in the amended Compact of Free Association which the Congress considered and approved during the 108th Congress. As we approach the anniversary of the commencement of the U.S. nuclear testing program in the Marshall Islands, it is fitting to recall the mutual sacrifices that our people shared during the last century and commit ourselves to maintaining our special friendship in the decades ahead.

I urge support of this resolution.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of this resolution. First, I would like to commend my very good friend and distinguished colleague, Mr. FALEOMAVAEGA, for introducing this important measure concerning nuclear testing in the Marshall Islands.

His tireless leadership to strengthen the bonds between the United States and all the nations of the Pacific is deeply appreciated by all of us who have the privilege of serving with him on the International Relations Committee.

□ 1500

Madam Speaker, 60 years ago, the history of the Marshall Islands and its people was fundamentally altered. The residents of isolated Bikini Atoll were loaded aboard American military ships and sent to live on a distant atoll. The goal of this relocation was simple: to enable the testing of a hydrogen bomb equivalent to 1,000 Hiroshima-sized weapons. Bikini Atoll had drawn the short straw, and it would become ground zero for the famous Bravo detonation.

This blast in 1954 was not the first nor the last nuclear test in the Marshall Islands. Between 1946 and 1958, we conducted 67 nuclear tests in the Marshall Islands, but Bravo was the most powerful of our nuclear tests and the one which caused the greatest impact on the long-term health of Marshallese citizens.

Despite the enormous after-effects of the U.S. nuclear testing program, the relationship between the Marshallese and the American people has only grown stronger over the past six decades. Through the Compact of Free Association, the United States provided substantial financial assistance to the Marshall Islands and medical aid to those directly impacted by the nuclear tests.

In return, the government of the Marshall Islands has been a steadfast ally of the United States since it obtained its independence in 1986. Young Marshallese citizens proudly serve in the United States military, and they have died alongside their American comrades in defense of liberty in Iraq. The government of the Marshall Islands has stood with us on vote after vote in the United Nations, when many of our other allies were more than happy to sideline their commitment to freedom and democracy, particularly in cases when the defense of the democratic State of Israel was at stake.

Mr. Speaker, over the past six decades, the people of the Marshall Islands and the United States have been on a long, but important, journey together, beginning with the liberation by American GIs of the Marshall Islands from Japanese occupation, continuing through 12 years of post-war atmospheric nuclear testing and resulting in a strong and mutually beneficial relationship between these two Pacific nations.

The 60th anniversary of the Bravo test is an important time to remember our shared history and to appreciate better the future positive relations we can surely expect between our two nations.

Mr. Speaker, I strongly support this resolution and urge all of my colleagues to do as well.

Mr. Speaker, I am delighted to yield as much time as he might consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA), my distinguished colleague and good friend, author of this resolution and the ranking Democratic member of the Subcommittee on Asia and the Pacific of the International Relations Committee.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend and colleague for yielding.

Mr. Speaker, I also would like to offer my commendation to the chairman of our House International Relations Committee, Mr. HYDE, for his leadership and for his support of this resolution. I would also like to thank our senior Democratic ranking member on the committee, Mr. LANTOS from California, and especially also my good friend and chairman of the House Subcommittee on Asia and the Pacific, the gentleman from Iowa, Chairman LEACH, for his support as well of this resolution.

Mr. Speaker, I rise in support of H. Res. 692, commending the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands.

I want to especially thank the gentleman from Arizona (Mr. FLAKE), my good friend and colleague. He and I also had the privilege of visiting the Marshall Islands a year ago, and is an original cosponsor with me on this legislation, as well as my dear friends and colleagues who have also. In the spirit of bipartisanship, I want to submit for the RECORD the list of the Members who have also signed on as cosponsors of this resolution.

H. RES. 692

Title: Commending the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands, solemnly acknowledging the first detonation of a hydrogen bomb by the United States on March 1, 1954, on the Bikini Atoll in the Marshall Islands, and remembering that 60 years ago the United States began its nuclear testing program in the Marshall Islands.

Sponsor: Rep Faleomavaega, Eni F. H. [AS] (introduced 2/16/2006) Cosponsors (36).

Latest Major Action: 2/16/2006 Referred to House committee. Status: Referred to the House Committee on International Relations.

Rep. Abercrombie, Neil [HI–1]—3/30/2006
Rep. Ackerman, Gary L. [NY–5]—3/30/2006
Rep. Baca, Joe [CA–43]—3/30/2006
Rep. Berman, Howard L. [CA–28]—3/30/2006
Rep. Blumenauer, Earl [OR–3]—3/30/2006
Rep. Bordallo, Madeleine Z. [GU]—3/30/2006
Rep. Brown, Corrine [FL–3]—3/30/2006
Rep. Brown, Sherrod [OH–13]—3/30/2006
Rep. Burton, Dan [IN–5]—3/30/2006
Rep. Cardoza, Dennis A. [CA–18]—3/30/2006
Rep. Castle, Michael N. [DE]—3/30/2006
Rep. Delahunt, William D. [MA–10]—3/30/2006
Rep. Engel, Eliot L. [NY–17]—3/30/2006
Rep. Flake, Jeff [AZ–6]—2/16/2006
Rep. Gallegly, Elton [CA–24]—3/30/2006
Rep. Gutierrez, Luis V. [IL–4]—3/30/2006
Rep. Honda, Michael M. [CA–15]—3/30/2006
Rep. Jackson-Lee, Sheila [TX–18]—3/30/2006
Rep. Kennedy, Patrick J. [RI–1]—3/30/2006
Rep. Kind, Ron [WI–3]—3/30/2006
Rep. Kucinich, Dennis J. [OH–10]—3/30/2006
Rep. Lantos, Tom [CA–12]—3/30/2006
Rep. Leach, James A. [IA–2]—3/30/2006
Rep. Lee, Barbara [CA–9]—3/30/2006
Rep. Lewis, John [GA–5]—3/30/2006
Rep. Miller, George [CA–7]—3/30/2006
Rep. Napolitano, Grace F. [CA–38]—3/30/2006
Rep. Payne, Donald M. [NJ–10]—3/30/2006
Rep. Ros-Lehtinen, Ileana [FL–18]—3/30/2006
Rep. Schiff, Adam B. [CA–29]—3/30/2006
Rep. Spratt, John M., Jr. {SC–5]—3/30/2006
Rep. Udall, Tom [NM–3]—3/30/2006
Rep. Waters, Maxine [CA–35]—3/30/2006
Rep. Watson, Diane E. [CA–33]—3/30/2006
Rep. Watt, Melvin L. [NC–12]—3/30/2006
Rep. Wexler, Robert [FL–19]—3/30/2006

Mr. Speaker, 60 years ago in 1946, the United States began testing nuclear weapons in the Marshall Islands. Over a 12-year period until 1958, the United States conducted 67 nuclear tests with the equivalent yield of more than 7,000 Hiroshima nuclear bombs. In fact, the nuclear test code-named Bravo was a 15-megaton hydrogen bomb that was detonated on March 1, 1954, in the Marshall Islands and its equivalent yield was 1,000 Hiroshima-sized nuclear bombs. Acknowledged as the greatest nuclear explosion ever at that time detonated, the Bravo test vaporized six islands and created a mushroom cloud 25 miles in diameter.

Because people were living in these South Pacific islands during the time of the U.S. nuclear testing program, the people of the Republic of the Marshall Islands were exposed to severe radiation poisoning. Even today, 60 years after the U.S. nuclear testing program began, the people of the Rongelap Atoll, as well as other atolls, are still exiled from their own land due to the radioactive fallout.

Mr. Speaker, as the ranking member of the House International Relations Subcommittee on Asia and the Pacific and as a Pacific Islander myself, I feel I have a special responsibility to look after the interests of our Pacific Island community, especially from the Marshall Islands which have sacrificed greatly for our common good.

From 1946 to 1958, the United States detonated 67 nuclear weapons in the Marshall Islands, representing nearly 80 percent of all atmospheric tests ever conducted by the United States. If one were to calculate the net yield of these tests, it would be equivalent to the detonation of 1.7 Hiroshima bombs every day for 12 years. These tests exposed the people of the Marshall Islands to severe health problems and genetic anomalies for generations to come.

The U.S. nuclear testing program in the Marshall Islands continues to devastate the Marshall Islands, and the funds provided by the United States under the Compact of Free Association I submit, Mr. Speaker, are grossly inadequate to provide for the health care, environmental monitoring, personal injury claims, or land and property damages.

Pursuant to the compact and the accompanying section 177 agreement, the United States accepted responsibility for the damage to the property and environment of the Marshall Islands and the health of its people. This agreement did not constitute a final agreement, as evidenced by the inclusion of article IX authorizing the government of the Marshall Islands to petition the U.S. Congress in the event of ''changed circumstances that render the provisions of this agreement manifestly inadequate.''

The government of the Republic of the Marshall Islands has submitted a request to Congress based on a changed circumstances claim. The administration, however, as represented by the State Department in its report evaluating the Marshall Islands' request, rejected the argument made in the Marshall Islands' petition, contending that the claims did not constitute changed circumstances as defined in the agreement.

For the record, Mr. Speaker, I want to make it clear that I take issue with the State Department's position. While the State Department denies that there is no legal basis for Congress to hear this petition, the fact remains that we in Congress should decide this for ourselves.

Mr. Speaker, the State Department issued a report in November of 2004 evaluating the Marshall Islands' petition, concluding that the Marshall Islands' request does not qualify as changed circumstances within the meaning of the agreement, so there is no legal basis for considering additional payments.

Mr. Speaker, the State Department fails to explain how the declassified documents released 10 years after the agreement was reached, indicating a wider expanded radioactive fallout than previously disclosed, or that the National Cancer Institute study indicating that more cancers will surface do not constitute a legal basis for Congress to consider their circumstances.

Mr. Speaker, I submit this is much larger than a legal issue. This is a moral issue. The fact is the people of the Marshall Islands are still suffering severe, adverse health effects directly related to our nuclear testing program, and they are still unable to use their own lands because of the radiation poisoning. We have a moral obligation to provide for health care, environmental monitoring, personal injury claims, and the land and property damage in the Marshall Islands. This is the least we can do, Mr. Speaker, considering the historic contribution the people of the Marshall Islands have made in the Cold War struggle to preserve international peace and promote nuclear disarmament.

Mr. Speaker, the people of the Marshall Islands do not want handouts. They have brought these ongoing health environmental and loss of land issues to Congress for our consideration. While we may find that we cannot provide the amount of money requested, I believe we do have an obligation to examine carefully the application they have submitted to ensure that we live up to the responsibility we embraced over 50 years ago when we began nuclear testing in the Pacific. We should not be looking for ways to sidestep this responsibility. We should ask ourselves if we have done everything we can possibly do to make things right for the people of the Marshall Islands who have sacrificed their lives, their health and their lands for the benefit of the United States.

I have reviewed the petition. I have researched this issue extensively, and I believe enough evidence exists to justify a thorough review of the changed circumstances in the petition.

Mr. Speaker, I do not know if my colleagues can see this picture. These are some of the children who were born to mothers this day last year, deformed children, still as a result of nuclear testing that we conducted in the Marshall Islands, and how dare that our government say that we do not have

any further responsibility to the people of the Marshall Islands. It is still there, and we should pay attention to this.

Mr. Speaker, I am probably one of the few Members who has ever been to the Marshall Islands and have seen the results of our nuclear testing program. Some of our colleagues may ask how come we stopped our nuclear testing in the Marshall Islands. I will tell you why: because of the radiation, a nuclear cloud that floated all over to the United States and we found strontin-90 on milk products coming out of Minnesota and Wisconsin. That is why we stopped our nuclear testing there in the Marshall Islands.

I am probably one of the few Members who also visited the French nuclear testing in the South Pacific in French Polynesia where the French Government detonated over 220 nuclear bombs in the atmosphere, on the surface, under the ocean; and guess what, those atolls are beginning to leak now. The French Government refuses to allow international scientific teams to go down there and find out exactly the extent of the nuclear damage that the French Government has done to those people in the Pacific.

Last year, Mr. Speaker, I was invited by the President of Kazakhstan to visit that country; and to my surprise, I did not realize that this is where the Soviet Union conducted their nuclear testing program. They detonated 500 nuclear devices in Afghanistan before Afghanistan became independent; and as a result of the Soviet Union nuclear testing, 1.5 million Kazakhs were exposed to nuclear radioactivity, very similar to the problems that we have just had a resolution on on Chernobyl.

It is madness. It is madness, Mr. Speaker, and I submit this is something we should at least do for the people of the Marshall Islands. They are not asking for handouts, Mr. Speaker. They are just simply asking for fairness. If we were so deliberate in our efforts to fund the Cold War, let us give the Marshall Islands people at least what they deserve, a good medical treatment for the mothers that still continue to have cancers in thyroid glands, cancers all over, several hundred, and their descendants still continue to be exposed because of what we had done to these people 60 years ago.

Mr. Speaker, I submit and I ask my colleagues, I request with all due respect that the least we could do is to pass this resolution. With this resolution, Mr. Speaker, we want to acknowledge the historic contribution the people of the Marshall Islands have made in the Cold War struggle to preserve the peace that we are seeking throughout the world. We commend the people of the Marshall Islands for the contributions and sacrifices they made, and we hope and I hope, sincerely hope, that my colleagues will join me in providing for appropriate legislation so that we can give these people the proper medical care that they deserve.

With that, Mr. Speaker, again, I thank my good friend, the chairman of our Asia Pacific Subcommittee, Mr. LEACH, and my good friend, senior Democratic member, Mr. LANTOS, for their support and management of this bill.

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

I would just like to conclude briefly with three thoughts. One, I think it is absolutely imperative that this body emphasize its friendship to the people of the Marshall Islands and affirm, as Mr. FALEOMAVAEGA has suggested, our obligation to take care of those whose health we are responsible for affecting.

□ 1515

Secondly, I want to express my deep regard and friendship for the two Members who have spoken, Mr. LANTOS, our ranking member, and Mr. FALEOMAVAEGA.

And, thirdly, I want to make a constitutional point. People listening to the debate maybe do not understand that this is a body of 435 voting Members plus five delegates, and the importance of delegates is often not noted in the American constitutional system. But this is a classic example of an individual leader, Mr. FALEOMAVAEGA, who comes from American Samoa, who is bringing a resolution that would otherwise not have been brought to this House except for his leadership. It is resolution of seminal importance and one that intriguingly looks to the problems of our times and also to the history of the 20th century in a unique and profound way.

So I want to express my deepest regard for this initiative, and I thank the gentleman from American Samoa.

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

Mr. LANTOS. Before yielding back the balance of our time, I want to express my appreciation to the chairman of our Pacific and Asian Subcommittee for his extraordinary work on this and all other issues, and I want to identify myself with the powerful and persuasive statements of my friend and colleague, ENI FALEOMAVAEGA.

Mr. CASE. Mr. Speaker, I rise in support of H. Res. 692, a resolution introduced by my esteemed colleague from American Samoa and Ranking Member of the House International Relations Subcommittee on Asia and the Pacific—Congressman ENI FALEOMAVAEGA—commending the people of the Republic of the Marshall Islands for their incalculable contributions and sacrifices they made to the United States nuclear testing program throughout the 1940s and 1950s in the Marshall Islands.

This year will mark the 60th anniversary of the United States' commencement of nuclear testing in the Marshall Islands. Over a period of twelve years, from 1946 to 1958, the United States of America conducted sixty-seven atmospheric nuclear weapons tests in the Marshall Islands. The tests resulted in a combined yield of 108 megatons, roughly the destructive force of over 7,000 times that of the bomb used on Hiroshima. The worst of these tests, the Bravo shot, was a l5-megaton thermonuclear device, which in itself carried 1,000 times the destructive power of the Hiroshima bomb. It was detonated on March 1, 1954, on Bikini Atoll, and caused dangerous levels of radioactive fallout to be released over 7,000 square miles, including the populated atolls of Rongelap and Utrik.

It is vital that our country remember the contributions of the Marshallese to our national security and to world peace.

While recognizing such contributions, our country over the years has sought to address the legacy of our nuclear testing in the Marshall Islands in our initial Compact with the Republic of the Marshall Islands in 1986 and in our ongoing bilateral relations with the RMI government. Just recently, our governments renegotiated the compact agreement.

I am aware that the RMI government has filed a "changed circumstances" petition with the U.S. government, which still must be negotiated. It is time our country come to closure on the changed circumstances petition and address our country's long-standing nuclear legacy in the Marshall Islands and its ramifications on the lives of its residents, particularly those of the affected atolls. I also believe that we must ensure that the U.S. Department of Energy's medical assistance program is fulfilling its obligation to its beneficiaries in the Marshall Islands.

I urge my colleagues to support H. Res. 692 and to work on addressing these crucial remaining issues.

Mr. ABERCROMBIE. Mr. Speaker, I rise today in support of H. Res. 692, a resolution to commend the people of the Republic of the Marshall Islands for the contributions and grave sacrifices they made to the United States nuclear testing program in the Marshall Islands.

In 1947, the Republic of the Marshall Islands (RMI) became one of six entities in the Trust Territory of the Pacific Islands established by the United Nations with the U.S. as the Trustee. This began a decades-long relationship between the U.S. and RMI that has proven to be resilient and enduring.

In particular, I'd like to highlight the U.S. nuclear testing program in RMI which began in 1946. Over the years, the U.S. detonated 67 nuclear weapons on the islands of Bikini and Enewetak. These tests comprise 80 percent of all atmospheric tests conducted by the United States. On March 1, 1954, the hydrogen weapons test code-named "Bravo" yielded explosive power approximately 1,000 times greater than the weapon used in the 1945 wartime nuclear attack on Hiroshima, Japan. The Bravo test created a mushroom cloud 25 miles in diameter, produced a crater 6,000 feet in diameter, and vaporized 6 islands at the Bikini Atoll. Radiation from the test forced the evacuation of Marshallese and U.S. military personnel on Rongelap, Rongerik, Utirik and Ailinginae. This responsibility shouldered by the Marshallese people allowed a majority of all tests to be conducted as far from densely populated areas as possible and helped bring about a peaceful end to the Cold War.

Over the years, the Marshallese have faced very serious consequences as a result of the nuclear testing. The health and property effects have proved to be extensive and in many cases, immeasurable. The U.S. has recognized this and set up a fund to compensate those affected by the testing. However, the consequences of this testing, especially the health of the Marshallese people, continue to be impacted.

In particular, the Section 177 Health Care Program is in urgent need of increased funding. Intended to provide comprehensive medical care, including cancer care, for the four communities most affected by the nuclear weapons testing program, this healthcare program has fallen woefully short of its intended goals. Spending approximately $12 per patient per month, the needs of this program are immediate and urgent.

Mr. Speaker, I am sure that our countries will continue to work on this issue and find a resolution. I also have no doubt that the relationship between our governments will continue to be productive and mutually beneficial. As our alliance continues in the coming decades, I urge the United States to step up and meet its obligations to the people of the RMI. With all the sacrifices they have made for the United States and continue to make each day, it is the very least the United States can do.

I urge my colleagues to join me in commending the people of the Marshall Islands and acknowledge their profound sacrifices. We must continue our efforts to restore the health and lands of the people of the Marshall Islands.

Ms. BORDALLO. Mr. Speaker, I rise today in support of House Resolution 692 which commends the people of the Republic of the Marshall Islands for their contributions and sacrifices associated with the United States nuclear testing program. The first nuclear detonation was made on the Bikini Atoll in the Marshall Islands on March 1, 1954. This test, and the subsequent testing program, established the nuclear deterrent that has served to ensure the security of our Nation and our allies throughout the Cold War. The people of the Marshall Islands sacrificed in a particularly unique way for our security, one that is both immense and somber. Today we continue to honor their contribution.

Further, Mr. Speaker, the contributions of the people of the Republic of the Marshall Islands have continued to this very day. Today we can find Marshallese serving in the United States Armed Forces around the world. Some are serving in Iraq and Afghanistan as we speak and many others are contributing to the well being of the United States in other new and unique ways throughout the Global War on Terror.

The Republic of the Marshall Islands stands today with America as one of the Freely Associated States in the Pacific, and our strong bonds of friendship are a testament to our mutual commitment to freedom and democracy.

To my friends and neighbors, the Marshallese, I extend the thanks of a grateful Nation. To borrow from your beautiful language, ''kommol tata,'' or thank you very much.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H. Res. 692, commending the people of the Republic of the Marshall Islands for their contributions and sacrifices to the United States nuclear testing program.

Mr. Speaker, as fellow islander, I feel a kinship to the people of the Marshall Islands and sympathize with them for the suffering they endured for our benefit. Between June 30, 1946 and August 18, 1958, our government, after evacuating the residents, conducted an intensive program of nuclear testing on Bikini and Enewetak atolls in the Republic of the Marshall Islands.

These tests, which were the equivalent of more that 7,200 Hiroshima bombs, caused significant damage to the health of the people of the Marshall Islands, as well as, to the lands, vegetation, lagoons and surrounding ecosystems. In addition to rendering all of Bikini and most of Enewetak uninhabitable, radioactive fallout from nuclear testing on Bikini and Enewetak accidentally spread to other populated areas of the RMI.

It is believed that these tests on Bikini and Enewetak caused high rates of thyroid, cervical and breast cancer throughout the Marshall Islands, with more than a dozen Marshall Islands atolls seriously affected. In 1998, the U.S. Centers for Disease Control estimated that 6,300,000,000 billion curies of radioactive iodine-131 were released to the atmosphere as a result of the testing in the Marshall Islands.

Mr. Speaker, the U.S. government accepted responsibility for the injuries to the people of the Marshall Islands and provided financial and other assistance to the RMI as compensation for the harm done as a result of our nuclear testing.

Six years ago, the Republic of the Marshall Islands government submitted a Changed Circumstances Petition to the United States Congress related to U.S. nuclear testing on the Marshall Islands atolls of Bikini and Enewetak during the 1940s and 1950s. The Petition requests additional compensation for personal injuries and property damages and restoration costs, medical care programs, health services infrastructure and training, and radiological monitoring.

The Petition bases its claims for compensation upon ''changed circumstances'' pursuant to Section 177 of the Compact of Free Association. The Compact of Free Association, enacted in 1986, governs the economic and strategic relationships between the United States and the RMI. The Section 177 Agreement granted $150 million as part of a ''full and final settlement'' of legal claims against the U.S. government, and provided for possible additional compensation, if loss or damages to persons or property arose or were discovered that could not reasonably have been identified as of the effective date of the agreement, and if such injuries rendered the provisions of the Compact ''manifestly inadequate.'' The Petition argues that ''new and additional'' information since the enactment of the Compact—such as a wider extent of radioactive fallout than previously known or disclosed and more recent radiation protection standards—constitute ''changed circumstances.''

Mr. Speaker, we should support the petition of the RMI calling for recognition of a ''changed circumstances''. Our country owes a great debt to the people of the RMI for the sacrifices they made on our behalf and we must, as called for by H. Res. 692, assist them in extricating themselves from the legacy of the nuclear age and the burden of providing testing grounds for nuclear weapons.

Ms. WATSON. Mr. Speaker, I want to congratulate Mr. FALEOMAVAEGA for sponsoring H. Res. 692, which commends the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands 60 years ago.

When I served as the Ambassador to the Federated States of Micronesia, I had the opportunity to visit the Marshall Islands on several occasions and to get to know the people, their land, and their history.

During the period of June 20, 1946 to August 18, 1958, the United States conducted 67 nuclear tests in the Marshall Islands. The vast majority of the tests were atmospheric. The most powerful of these tests was the ''Bravo'' shot, a 15 megaton device detonated on March 1, 1954, at Bikini atoll. The test was equivalent to 1,000 Hiroshima bombs.

While the Bravo test is the probably the best known, it should also be acknowledged that 17 other tests in the Marshall islands were in the megaton range with a combined yield estimated to be 174 megatons. Approximately 137 megatons of the that total was detonated in the atmosphere. This represents nearly 80 percent of the atmospheric nuclear tests detonated by the U.S.

Mr. Speaker, we must also acknowledge that the people of the Marshall Islands paid a steep price for the nuclear testing program. Many Marshalese who lived through the period of nuclear testing have been relocated to other areas and have been waiting for decades to return to their homes. Residents of the Rongelop Atoll, the island closest to ground zero, still remain in exile. Other Marshalese, including their offspring, have suffered from medical conditions associated with increased levels of radioactivity.

Despite the hardships endured by the people of the Marshall Islands, the Republic of the Marshall Islands has an exemplary record of working with the United States and supporting U.S. security concerns, including efforts to stamp out terrorism around the world.

H. Res. 692 acknowledges the debt that all Americans owe for the sacrifice as well as loyalty of the people of the Marshall Islands.

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

Mr. LEACH. Mr. Speaker, I move adoption of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CAMPBELL of California). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 692, as amended.

The question was taken.

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

Mr. LANTOS. 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.

RECOGNIZING THE BENEFITS AND IMPORTANCE OF SCHOOL-BASED MUSIC EDUCATION

Mr. KELLER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 355) recognizing the benefits and importance of school-based music education, and for other purposes, as amended.

The Clerk read as follows:

H. CON. RES. 355

Whereas school music programs enhance intellectual development and enrich the academic environment for students of all ages;

Whereas students who participate in school music programs are less likely to be involved with drugs, gangs, or alcohol and have better attendance in school;

Whereas the skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for success in the 21st century workplace;

Whereas the majority of students attending public schools in inner city neighborhoods have virtually no access to music education, which places them at a disadvantage compared to their peers in other communities;

Whereas local budget cuts are predicted to lead to significant curtailment of school music programs, thereby depriving millions of students of an education that includes music;

Whereas the arts are a core academic subject, and music is an essential element of the arts; and

Whereas every student in the United States should have an opportunity to reap the benefits of music education: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that music education grounded in rigorous instruction is an important component of a well-rounded academic curriculum and should be available to every student in every school.

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

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 355.

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

There was no objection.

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume, and I rise today in support of House Concurrent Resolution 355, which highlights the benefits and importance of school-based music education.

Anyone who has seen the movie, Mr. Holland's Opus, can appreciate the value of school-based music education and the importance of music teachers who inspire our young people. I would like to thank my colleague from Tennessee (Mr. COOPER) for his leadership on this issue and for introducing the resolution we are considering today.

Research has shown that students' involvement in their school music program is crucial to a complete education. Musical studies develop critical thinking and self-discipline skills and improve a child's early cognitive development, basic math and reading abilities, self-esteem, SAT scores, ability to work in teams, abstract reasoning skills, and school attendance.

In an analysis of U.S. Department of Education data on more than 25,000 secondary school students, researchers found that students who report consistently high levels of involvement in music over middle school and high school years show significantly higher levels of mathematics proficiency by grade 12 regardless of a student's socioeconomic status.

For these reasons, I support House Concurrent Resolution 355 that recognizes the benefits and importance of school-based music education. The resolution before the House today is simple and straightforward. It states that it is the sense of Congress that music education, grounded in rigorous instruction, is an important component of a well-rounded academic curriculum and should be available to every student in every school.

As retired General Norman Schwarzkopf said, ''What a tragedy it would be if we lived in a world where music was not taught to children.'' Music education is important to our children. It can broaden and strengthen their education and improve their lives. I commend music educators and organizations across the country for the key roles they play in helping our children succeed in school and throughout life.

For every ''School of Rock'' or ''Mr. Holland's Opus,'' there are thousands of real-life music teachers inspiring our young people every day. They may not have major movies made about them, but they are heroes nonetheless. I urge my colleagues to support music education in our schools and House Concurrent Resolution 355, which highlights the benefits and importance of school-based music education.

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

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I want to join my colleagues in thanking Congressman COOPER for introducing House Concurrent Resolution 355, which recognizes the benefits and importance of school-based music education. He has been steadfast in his support of music as a learning tool in the classroom, and we appreciate his work on this issue.

Mr. Speaker, every year schools throughout the country highlight the importance of music education. It is time to celebrate music and to use music as a means for enhancing the academic experience of students. While there has been much debate on how to teach students to read and to perform math, there is little debate that music contributes to overall learning ability.

We know that students who participate consistently in music activities over middle and high school show significantly higher levels of math proficiency by the 12th grade. Additional data shows correlations between music and higher SAT scores and a decrease in disciplinary problems and risky behavior. Students who are involved in music classes in school have higher self-esteem and self-confidence than their counterparts who do not participate in music class.

Unfortunately, even with all the data to support the importance of music in learning, many schools are struggling to keep art and music in the classroom. Mr. Speaker, music education is facing severe cuts in thousands of school districts throughout the Nation due to budget cuts. Instead of being able to fund programs to support music in the classroom, student choirs, and high school bands, local school districts find themselves struggling to find money for teachers' salaries.

Mr. Speaker, we must do better if we are committed to seeing to it that all children succeed. And for those who say that the three R's of reading, writing, and arithmetic should outweigh the arts and music in priority, I disagree. Music is a complementary academic subject and belongs right alongside math and reading.

In fact, the arts are considered a core academic subject under No Child Left Behind. This reflects an understanding by Congress and the President that the arts are critical to a well-rounded education.

Again, I would like to thank Mr. COOPER for bringing this resolution to the floor today and join with him in calling for more resources to our schools and to make sure that all children have access to music in the classroom.

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

Mr. KELLER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I would like to yield such time as he may consume to the author of this resolution, my friend from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I thank my friend, Mr. BISHOP; my friend, Mr. KELLER; and also Mr. PORTER. This is a truly bipartisan resolution. As has been explained, it expresses the sense of the Congress of the United States that music should be a key part of the curriculum of every public school for every child. Music is vitally important for the education of our young people, and this expresses the sense of this great body, this institution, that it must be a part of our school systems.

Mr. Speaker, I have the privilege of representing Nashville, Tennessee. That is also known as Music City USA, so you would know that I would be for a resolution like this, but all of us should be, in both parties. In the other body, Senator HATCH and Senator FEINSTEIN are likely to be the leads on the legislation, but I hope that every school district across this country, every parent will realize the importance of music as a key part of the curriculum, not a luxury add-on, but a key part of their child's education.

All of us love sports, and most all our schools have pretty good athletic programs. A lot of focus is put on that. But the chance of a child actually becoming a successful pro athlete is sometimes pretty small, whereas the chance of a child who has the ability to learn music, of whatever type, it might be band, it might be piano, or chorus or

voice, there are a variety of opportunities, the chance is probably far greater that that child will be able to go on and develop some sort of career in the musical field; or perhaps music will be a hobby, an add-on to their career.

Some of the most successful people in the world, such as software engineers and mathematicians, other folks like that, have music as a hobby, so it is a vitally important part of our curriculum. I think it is also an emotional need that so many of us have.

If anyone has seen the great movie, Mr. Holland's Opus, it helps show how young people, sometimes unlikely young people, can benefit from a musical education.

So I appreciate my friends across the aisle and my friend Mr. BISHOP from Long Island championing this measure to make sure that music is a part of our curriculum in all of our schools for all of our students.

Mrs. JONES of Ohio. Mr. Speaker, I rise today in strong support of H. Con. Res. 355, recognizing the importance of school based music education. In today's climate of high stakes testing, it's important to recognize that skills learned through studying music translate to skills that help students succeed in life.

Empirical data suggest that music students perform higher than their counterparts on the Scholastic Aptitude Test, and also demonstrate higher math skills. Studies also show that students who participate in a band or orchestra show the lowest lifetime use of alcohol, tobacco and illicit drugs. Students that participate in music classes are less likely to be disruptive students in class. Among minority students, more identify their music teachers as role models than any other subject area. These students demonstrate higher self-esteem and thinking skills than their counterparts.

As a parent, I know that students who learn to think critically, perform analysis, and express themselves through written and verbal communication have a greater chance at success in life. Within a larger context, music is an essential cultural thread. How many people, whether listening to the O'Jay's, Bon Jovi, or Jill Scott, know that the term ''Rock and Roll'' is African American slang dating back to the early 20th Century? But music, whether rock and roll, classical, or jazz has come to mean much more. Within my district, the Rock and Roll Hall of Fame and Museum and the Cleveland Institute of Music provide music history and distance learning programs for many schools that haven't been able to afford their own music education teachers. The usefulness of these music programs underscores the importance of filling student needs at a time when our society needs better teaching methods and a greater understanding of diversity, not less.

Educators with whom I meet, often express frustration that compressed school schedules and the focus on high stakes testing are failing to help our children develop the critical thinking skills needed to compete in an increasingly complex world. Music education aids critical thinking and more. I believe it imperative that we recognize its importance in the lives of our children, and strive to make school based music education available to all of America's youth.

Mr. HOYER. Mr. Speaker, I am pleased to support this resolution, H. Con. Res. 355, recognizing the benefits and importance of school-based music education programs.

I have long been a strong advocate for music education programs, both in my home State of Maryland and nationally. I believe that music education should be available to students of all ages and a part of every student's academic experience.

Music education programs enrich the whole student, and are a critical component of a well-rounded academic curriculum. In my home State of Maryland, educators and administrators have worked to integrate music and arts programs into academic curriculums in order to provide students with these important benefits. At a time when education programs are struggling for adequate funding and State and local governments across the country face tremendous budget pressures, it is more important than ever to highlight and emphasize the importance of music education programs.

I frequently meet with artists, songwriters, musicians and other creators who are actively engaged in ensuring that schools and communities continue to work music and arts into the school curriculum. These artists know that music education can enhance intellectual development and skills integral to improved learning. Skills learned through the study of music help children become better students. Skills learned through music transfer to improve study skills, communication skills, and cognitive skills. Also, studies have shown that students involved in music classes are less likely to be disruptive, have better attendance, and are more likely to receive academic honors and awards.

Studies have also shown that participation in school-based music education can increase student success. For example, in 2001 the College-Bound Seniors National Report showed that students with coursework in music performance and music appreciation scored notably higher on the SATs than students with no arts participation. Studies have shown that participation in music class correlates with increased proficiency in mathematics and success in science.

We must place a high value on music education. I am pleased to be a cosponsor of this resolution supporting the importance of music education programs and urging that the benefits of music education should be available to every student.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 355, recognizing the benefits and importance of school-based music education.

Providing students with the opportunity to learn music is an essential component of a well-rounded education. Often times music programs are considered to be extracurricular activities, whose value and funding are disputed. The benefits and opportunities that music programs provide for students greatly outweigh the financial costs. Music classes enhance students' self esteem and social skills. In addition, several studies have shown that learning music increases students' abilities at reading and math. Learning music requires discipline and responsibility. This training persists throughout music students' academic careers.

I am fortunate enough to have one of the Nation's eminent arts schools in my district, the Booker T. Washington High School for the Performing and Visual Arts. More than 700 diverse students attend Booker T. Washington, where talent and drive are the most important components for admission. Booker T. Washington has an outstanding success rate, graduating 99 percent of its students to higher education. The program has graduated 17 Grammy winners, including Nora Jones, Erykah Badu, and Roy Hargrove.

Booker T. Washington is so successful due to the presence of outstanding teachers and rigorous curriculum that provides students with a well rounded education. In addition, Booker T. Washington has brought technology to the forefront of music education and development. These students use computers for everything from ear training to recording and sound production. Dedication, enthusiasm, and proper resources has made Booker T. Washington one of the most successful arts schools in the country.

Mr. KELLER. Mr. Speaker, I continue to reserve the balance of my time.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. KELLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 355, as amended.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 27 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PRICE of Georgia) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.J. Res. 81, by the yeas and nays;

H. Res. 703, by the yeas and nays;

H. Res. 744, by the yeas and nays.

Proceedings on H. Res. 692 will be postponed until tomorrow.

The first and third electronic votes will be conducted as 15-minute votes.

The second vote in this series will be a 5-minute vote.

PROVIDING FOR THE APPOINTMENT OF PHILLIP FROST AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, H.J. Res. 81.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and pass the joint resolution, H.J. Res. 81, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 26, as follows:

[Roll No. 82]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (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
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
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
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—26

Bishop (GA)
Calvert
Carson
Costello
Culberson
DeLay
Emerson
Evans
Fossella
Gilchrest
Granger
Hoekstra
Jenkins
McGovern
Payne
Sanders
Schakowsky
Slaughter
Souder
Sweeney
Tanner
Taylor (MS)
Udall (CO)
Watson
Wolf
Young (AK)

□ 1853

Mr. MOORE of Kansas changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 82 I was unavoidably detained. Had I been present, I would have voted "yea."

RECOGNIZING THE 20TH ANNIVERSARY OF THE CHERNOBYL NUCLEAR DISASTER

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 703.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 703, 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 402, nays 1, not voting 29, as follows:

[Roll No. 83]

YEAS—402

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (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
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller

Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McHenry
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
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
Saxton
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
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—29

Bishop (GA)
Buyer
Calvert
Carson
Costello
Culberson
DeLay
Emerson
Evans
Fossella
Gilchrest
Granger
Hoekstra
Jenkins
McGovern
McHugh
Millender-McDonald
Payne
Rangel
Sanders
Schakowsky
Souder
Sweeney
Tanner
Taylor (MS)
Udall (CO)
Watson
Wolf
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1903

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and 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 SUPPORT FOR GOOD FRIDAY AGREEMENT AND CONTINUED POLICE REFORM IN NORTHERN IRELAND

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 744.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 744, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 1, answered ''present'' 1, not voting 31, as follows:

[Roll No. 84]

YEAS—399

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (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
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
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
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
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
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
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
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Manzullo

ANSWERED ''PRESENT''—1

Gohmert

NOT VOTING—31

Bishop (GA)
Calvert
Carson
Costello
Crowley
Culberson
DeLay
Emerson
Evans
Fossella
Gilchrest
Granger
Hoekstra
Hunter
Jenkins
Jones (OH)
Kind
McGovern
Payne
Radanovich
Rush
Sanders
Schakowsky
Souder
Sweeney
Tanner
Taylor (MS)
Udall (CO)
Watson
Wolf
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1919

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WOLF. Mr. Speaker, because of a previously scheduled event which required my attendance at a high school in my congressional district this evening, I missed the three rollcall votes under suspension of the rules today. In conjunction with the Loudoun County Public Schools' Academy of Science, I had invited Dr. Robert Ballard, founder of the JASON project, to speak to students and parents at Dominion High School in Loudoun County about the importance of science education in our Nation's schools. JASON is funded through the Science-State-Justice-Commerce appropriations subcommittee which I chair. Dr. Ballard also is the explorer-in residence at the National Geographic Society and discoverer of the RMS Titanic shipwreck.

Had I been present and voting, I would have voted "yes" on H.J. Res. 81, providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution; H. Res. 703, recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant, and H. Res. 744, expression support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process.

PERSONAL EXPLANATION

Ms. CARSON. Mr. Speaker, due to increased traffic resulting from the 2006 NCAA Final Four in Indianapolis, I was unavoidably detained in my home district and unable to record my vote for rollcall votes 82–84. Had I been present I would have voted "yes."

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. CARDIN. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 4297, the tax reconciliation conference report.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4297 be instructed—

(1) to agree to the provisions of section 102 (relating to credit for elective deferrals and IRA contributions), and section 108 (relating to extension and modification of research credit), of the Senate amendment,

(2) to agree to the provisions of section 106 of the Senate amendment (relating to extension and increase in minimum tax relief to individuals),

(3) to recede from the provisions of the House bill that extend the lower tax rate on dividends and capital gains that would otherwise terminate at the close of 2008, and

(4) 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.

ELECTION OF MEMBERS TO COMMITTEE ON SCIENCE

Mr. LATHAM. Mr. Speaker, I offer a resolution (H. Res. 754) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 754

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

Committee on Science: Mr. Neugebauer to rank after Mr. Feeney, and Mr. Mario Diaz-Balart of Florida.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SADDAM HUSSEIN CHARGED WITH GENOCIDE

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

Ms. ROS-LEHTINEN. Mr. Speaker, the Iraqi tribunal recently announced additional charges against Iraq's former dictator. These include genocide, crimes against humanity, and the use of chemical weapons on thousands of innocent civilians.

The new case involves Saddam's role in "Operation Anfal," which resulted in 5,000 men, women and children being murdered through a gas attack on their village.

One of the pieces of evidence to be presented at the trial is a government decree signed by Saddam in 1987 in which he ordered special artillery bombs to kill as many people as possible in the Kurdish area.

This new case clearly shows that the world is indeed a safer place without Saddam Hussein, and it shows the progress being made in Iraq as the Iraqi people are finally able to seek justice through their legal system.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, on March 30 I was detained on official business at the installation and inauguration of the Prime Minister of Jamaica as part of the congressional delegation that was authorized by the Speaker and therefore I was not present on the following rollcall votes. Rollcall vote No. 75, the rule, if present, I would have voted "no," H. Res. 742.

Rollcall vote No. 76, the Pelosi resolution, if present, I would have voted "no" on the motion to table.

Rollcall vote No. 77, on the Gohmert amendment, if present, I would have voted "yes."

Rollcall vote No. 78, the Kennedy of Rhode Island amendment, if present, I would have voted "yes."

Rollcall vote No. 79, the King of Iowa amendment, if present, I would have voted "no."

Rollcall vote No. 80, the Miller substitute, if present, I would have voted "yes."

And on final passage, rollcall vote No. 81, if present, I would have voted "no."

CONGRATULATING NCAA BASKETBALL CHAMPION FLORIDA GATORS

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

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise today to congratulate my University of Florida basketball team for winning the first NCAA basketball championship for any college or university in the State of Florida. Go Gators.

Last night the Gators finished their run of winning six games in the tournament, winning by an average of 16 point per game.

The waltz was all blue and orange.

The Final Four's most outstanding player, Joakim Noah, certainly deserves the praise. He broke the title record with six blocked shots, in addition to 16 points, nine rebounds and three assists. He also owns the tournament record of 29 blocks.

Coach Billy Donovan deserves credit for building this team from scratch and teaching the players how to win and act like champions. On behalf of all of the people of Florida, I want to say, "Go Gators."

TRIBUTE TO NORMAN BORLAUG

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

Mr. LEACH. Mr. Speaker, when all is said and done, what defines our country is the people who are the American family.

In a world which today is rife with conflict, it is particularly appropriate to pause and give recognition to an individual who has dedicated his life to bringing hope and sustenance to the family of man. No one symbolizes a sense of common purpose and community more than a native son of Iowa, Norman Borlaug.

In the spring of 1941, the newly elected Vice President of the United States,

another son of the Iowa soil, Henry Wallace, attended his first Cabinet meeting and suggested that the greatest challenge of the era involved the need to develop higher yielding crops in the developing world. Franklin Roosevelt's preoccupation at the time was presumably on the war in Europe and the possibility that the United States would soon become engaged. Accordingly, he suggested that Wallace, an agronomist credited with the development of hybrid corn, contact principals of the Rockefeller Brothers Foundation in New York to see if they would be interested in advancing such a project, initially in Mexico. They were and they did. The individual they selected to lead the initiative was Norman Borlaug, who three decades later received the Nobel Peace Prize for pioneering leadership of the Green Revolution, the astonishing biogenetic advancement which saved the lives of millions on the planet.

The Congress and the American people have reason to suggest with pride that part of the American family is this gentle scientist from Cresco, Iowa. We honor him tonight and thank him for his service to humanity.

GATORS WIN IT ALL

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, as a proud University of Florida alumnus who bleeds orange and blue, I too want to add my congratulations to the Gator men's basketball team on winning their first national championship last night. The University of Florida is renowned and has always excelled in academics, and has been noted for their accomplishments on the football field. Now we can add basketball to the list of accomplishments.

The Gator nation continues to make its mark and make her alumni and the Gator family proud.

Mr. Speaker, I have only one additional thing to say and that is, 2 bits, 4 bits, 6 bits, a dollar, all for the Gators, stand up and holler. Go Gators.

HONORING NORMAN BORLAUG

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

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today also to honor Dr. Norman Borlaug, whose contributions have unquestionably made the world a better place.

Dr. Borlaug grew up in Iowa, but earned his Ph.D. in 1942 at the University of Minnesota in my home State. Go Gophers.

In 1944 Dr. Borlaug participated in a project to boost wheat production that began in Mexico and spread to India, Pakistan and Africa. The project sparked the Green Revolution that literally saved millions, hundreds of millions of lives.

In recognition for these efforts, Dr. Borlaug was awarded the Nobel Peace Prize in 1970, the only person to have received the award in either the agriculture or food production fields.

On behalf of all Minnesotans I would like to congratulate Dr. Borlaug on his distinguished career and remarkable contributions, and thank my good friend, TOM LATHAM of Iowa, for his leadership on this matter.

□ 1930

THE CHERNOBYL NUCLEAR DISASTER

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

Ms. KAPTUR. Mr. Speaker, as the world prepares to commemorate the 20th anniversary of the Chernobyl nuclear disaster, I rise in support of House Resolution 703 recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant.

The scope of the devastation that followed that explosion was truly unprecedented. More than 600,000 emergency workers, liquidators, risked their lives putting out the reactor's inferno that raged for 10 days while exposing themselves to extremely high and deadly doses of radiation. Hundreds of thousands of people were forced to leave their homes because of radioactive contamination. More than 5 million people in Ukraine, Belarus, and Western Russia found themselves coping with life in towns and villages contaminated by iodine and cesium.

In the RECORD I will place a full statement regarding this resolution as well as support from the Children of Chernobyl Relief Fund and the Chernobyl Children's Project International for the incredible work that they continue to do two decades later in dealing with the devastation that still lives.

HONORING DR. NORMAN BORLAUG

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

Mr. LATHAM. Mr. Speaker, Dr. Norman Borlaug is an American superhero that few people have ever heard of.

Dr. Borlaug's campaign to save the lives of the world's neediest people through agricultural science deserves special recognition.

How many lives has he saved? Dr. Borlaug's innovative leadership in plant breeding and agricultural production is credited with saving the lives of nearly 1 billion people from starvation. That is right: one billion souls.

In 1994 he was given the task of researching high-yield and disease-resistant cereal grains. Through trial and error, Dr. Borlaug's successful efforts led to the development of varieties of wheat that completely altered production agriculture as it was known then in places like Pakistan and India and Mexico.

The dwarf wheat variety he developed allowed farmers to produce far more grain per acre than anyone could have predicted. This newfound bounty gave the world's poorest people access to food, ensuring that children, who would have been victims of malnutrition, could thrive. His landmark discoveries in agriculture led to what is called today the ''Green Revolution.''

Dr. Borlaug is a legendary figure within the agricultural community, and his name is held in high regard around the world. However, this Cresco, Iowa, native is a very modest man who once said that his accomplishments were ''a temporary success in man's war against hunger and deprivation.''

Almost 40 years since receiving the Nobel Peace Prize, he continues at age 92 to work for improvement of mankind.

For this reason I introduced H.R. 4924, which is a bill to award Dr. Norman Borlaug the Congressional Gold Medal for his lifetime of service to the world.

Dr. Borlaug's leadership has inspired so many of our best and brightest students to pursue careers in agricultural sciences. His work and the work of future innovators will live on in the lives of those who have been spared the misery of starvation.

I ask my colleagues to consider adding their names to H.R. 4924 so that we can officially recognize this great humanitarian.

CAMPAIGN FINANCE REFORM IS INCOMPLETE

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

Mr. MCHENRY. Mr. Speaker, campaign finance reform is incomplete. So many years ago this House and the Senate passed what was called BCRA, the Bipartisan Campaign Reform Act, and you know what? It created a glaring loophole that led to the rise in the 527 groups where a half billion dollars flowed through these groups that are not subjected to the Federal Elections Commission laws, rules, and regulations.

So this week this House is going to take on the need for clamping down on these rogue groups that funnel campaign money in noncampaign entities. It is important for us, as leaders of this country, to have full disclosure of people that participate in politics. So I am proud that this House is going to do what is right and reform 527s and apply the Federal elections law to them. And that is what this House is going to do.

I ask my colleagues on the left, I ask my Democrat colleagues, to join with us and complete the reforms of campaign finance reform.

GATOR NATION

(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, I rise today to celebrate the University of Florida's first-ever men's basketball national championship. Coach Billy Donovan and his young, explosive team beat UCLA, one of the most storied college basketball programs ever, 73–57. The Gators took the lead in the very beginning and never looked back.

Truly a testament to the power of youth, the Gators were led by four sophomores and one junior. Coach Donovan himself became the second youngest coach to win a national title. In addition, he is now one of three people to coach a national champion and play in a Final Four.

Florida is now one of only seven schools to win a national championship in football and basketball. While the University of Florida has had a reputation as a football school, this championship proves that Gator basketball has arrived.

I congratulate the University of Florida on their victory. It is great to be a Florida Gator.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CAMPBELL of California). 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.

PORT SECURITY

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

Mr. DEFAZIO. Mr. Speaker, members of the public might be surprised to learn that we are defending United States ports against the threat of nuclear weapons for the most part with a faith-based honor system.

Here is how it works: there is something called the C-TPAT program. Now, foreign interests, so far 10,000, have indicated interest, file paperwork with the Department of Homeland Security. Now the Department of Homeland Security is a little understaffed. We have to have tax cuts for the rich people. So they do not have enough people to process these things. But once you file that form with them, you are considered to not be a threat because you filled out the paperwork. So far 5,800 have filed. About a third of them have been visited once. One site visit and then you are certified for 3 years. One site visit.

So all you do is you get all the terrorists with the AK–47s and the kafias to get off the property for a day and you say, look, good place, security plan, legitimate business, you get the stamp of approval. Now you are no longer considered a high risk in terms of what you might put in a container. What you then have to do is when you want to ship a container to the United States, you have to send the shipping invoice a day in advance before it is put on the ship. So what you do is you say this container contains 200 birdbaths, because, of course, you would not say 199 birdbaths and one small tactical nuclear weapon. You would not do that. But we do not check those containers until they get to the United States of America, and then we check a very small percentage of them here using high technology.

Now, today we have the Assistant Secretary, Mr. JACKSON, in, who told us what their future plans are. Now, remember we have this threat. Things are coming to the United States of America. We do not really know what they are, on this honor system. We have not inspected those facilities. Even if they had been inspected, they were only inspected one day every three years. They have set a goal here, and he said that their goal is 100 percent inspection of all containers as they depart a U.S. port headed into our country.

First I thought that was a misprint. I thought his staff screwed up his testimony here. No, he meant it. He is saying we know that these containers, when they come to the United States, might have a nuclear bomb inside; so their goal is that they will check all those containers with our technology within a very few years before they leave the port to an interior city. He did not really respond when I asked if that meant our ports have become sacrifice zones.

They are so uncertain of the faith-based honor system, the C–TPAT system, and what is going on overseas that they want to put in place technology at taxpayer expense, technology to check 100 percent of those containers for nuclear weapons before they go from U.S. ports to inland U.S. cities.

When I asked him if maybe we might extend that perimeter overseas and require that all containers be inspected overseas for nuclear weapons, he was saying that would be very difficult, but he actually admitted it might be possible given the technology recently modeled in Hong Kong.

But the Republican majority on the committee said no way, we are not going to allow the inspection of those containers overseas. It would slow down those Chinese goods flooding into the United States of America and other things manufactured overseas. It would hurt commerce. There would be trucks lined up for miles back into mainland China with goods on them waiting to come to Wal-Mart here.

This is fairly extraordinary to me. The Republican majority and the Republican administration are admitting that there are potential threats in these containers. They have put in place a faith-based honor system, but they are working hard to see that we will check those containers after they have arrived at an American port before they go to another American city. Those of us who live a little bit inland will be thankful for that, but I really do not agree with the philosophy that turns our ports into sacrifice zones.

No. We need to check 100 percent of these containers for threats meaningfully with high technology equipment overseas before they come to the United States of America.

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.)

REMEMBERING ALICIA BONURA AND ASHLEY BROWN

Mr. POE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from North Carolina (Mr. JONES).

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

There was no objection.

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

Mr. POE. Mr. Speaker, every day parents send their children to school with the faith that they will return after their classes, their sports practice, or even clubs after school. As a father of four, I know the feeling. I did the same for many years on different occasions. We as parents send our kids off, and we trust that we will see them that night for supper.

But for two Beaumont, Texas, families last Thursday morning, it did not occur that way. West Brook High School students Alicia Bonura and Ashley Brown were playing in the soccer playoffs after school that day. That morning their parents wished them good luck and sent them on their way, anticipating news of a win upon their return. When they sent their daughters to school, they had no idea of the nightmare that would unfold that afternoon. Tragically, their star soccer players never came home.

It was supposed to be an exciting day. Mr. Speaker, Beaumont, Texas, has suffered through a rough year with many families still feeling the effects of Hurricane Rita. The West Brook High School girls soccer team and their successes were good news to this storm-torn city.

□ 1945

The Bruins were coming off a 14–5–2 record, and they were traveling to

Humble, Texas, to take on the Houston Lamar Redskins in the Class 5A playoffs. The game had already been postponed once and it was raining again, but the game was set to take place at 5 p.m. in Humble. Unfortunately, the team never made it to the game.

Around 2 p.m., about 28 miles from home in Devers, Texas, the chartered bus carrying the team, the coach and one parent chaperone swerved to miss debris that had fallen off a truck in front of them. The bus rolled onto its side into a muddy ditch.

Sadly, senior Alicia Bonura and sophomore Ashley Brown lost their lives in this tragedy. Six other girls were hospitalized in serious condition. Goalie Devin Martindale lost her arm in this accident. The other five girls were Lauree Thibaut, Allison Forman, Sarah Beach, Courtney Garrod, and Sarah Babin. Two of those girls have been released from the hospital and are back home.

News of the accident quickly spread back to the town and West Brook students set up a vigil in the high school gymnasium where friends and faculty prayed and hoped for the best. Soon the students were hit with the horrendous news that two of their own had been killed in this catastrophe.

According to the Beaumont Enterprise, the girls are remembered for ''loving soccer, loving their school and loving everyone they came in touch with.''

Alicia Bonura, in addition to playing soccer, had played basketball, she ran cross-country, and was a trainer for the West Brook football team. She played the drums in the band and sometimes she sang vocals as well. She is remembered for her wonderful laugh and a smile that would light up a room. She was ranked number five in her class of 535, and she recently decided to attend Texas A&M University to study mechanical engineering.

On her MySpace Web page she wrote: ''I love to smile and love life in general and I love God. He is such a fantastic guy.'' Under people she would like to meet, she writes, ''I can't wait to meet God.'' Moving words from one of God's children.

Ashley Brown was a freckle-faced girl with long red hair. Her friends said she always made people laugh and was a free spirit and had a smile that would light up a room. Her teachers said that her fellow students gravitated to her. She was an active member in her youth ministry at her church, Calvary Baptist. Besides soccer, she loved singing, playing volleyball, skiing and playing the electric guitar.

Ashley had a bulletin board in her home covered in photos and memorabilia. In the middle of the board there was a handwritten note stating the following: ''You can't choose how you are going to die, but you can choose how you are going to live.''

Mr. Speaker, in her 16 years on Earth, Ashley Brown lived life to the fullest, and she is going to be missed.

Mr. Speaker, I would like to take this moment to extend prayers and condolences to Alicia's and Ashley's parents, relatives, friends, and the community of Beaumont, Texas, the students and teachers and the coaches at West Brook High School and the Bruins girls soccer team. We hope that they find happiness in their fond memories of these special girls.

Alicia and Ashley truly led remarkable lives. They clearly touched so many people in their short time on Earth. Heaven is certainly brighter with Alicia and Ashley there, and the community of Beaumont Texas should take comfort. They now have two extra guardian angels looking down on them.

Mr. Speaker, that's just the way it is.

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

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

COSTS OF GUN VIOLENCE

Mrs. MCCARTHY. Mr. Speaker, I ask permission to take the time of the gentleman from New Jersey.

The SPEAKER pro tempore. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, every week I stand here and talk about commonsense approaches to reducing gun violence in this country. And yet this body sees fit to chip away at existing gun laws. So tonight I want to talk about the effects of gun violence in terms that everybody in this body can understand, dollars and cents.

Throughout America, our States are experiencing extraordinary budget problems, forcing them to cut spending on many important initiatives. A great deal of these budget woes are caused by skyrocketing health care costs, and the continued cuts to Medicaid aren't going to help the situation.

Of course, Congress will not allow funding for the Centers for Disease Control to study the true economic cost of gun violence, so we have to use data from independent sources.

Independent sources have shown gun violence costs our economy over $100 billion every year. In fact, each gun death costs our economy $2.8 million. Gun violence increases law enforcement spending. Gun violence costs the economy billions in lost productivity. And while Congress won't let us learn the exact amount, gun violence costs our health care system more than $2 billion every single year.

Since gun violence plagues so many low-income communities, victims are often uninsured. And who picks up the tab for uninsured victims of gun violence? American taxpayers, that's who. So even if you don't think about gun violence as an important issue, you are paying for it.

It is obvious something must be done, and it is also obvious that this body has no plans to intervene in this public health crisis. So it is up to our local communities and neighborhoods.

Across the country people are fed up, but they are trying to make a difference in their own area. I have been to many events that have had politicians, school officials, law enforcement officers and others telling young people about the dangers of guns. But not once has anybody turned the microphone around and asked the kids what do they think.

So many young people live on the front lines of the gun violence epidemic. The rhetoric on both sides of this issue must stop, and we must start to learn to listen.

This isn't about the second amendment; this isn't about kids dying. Many of the people who disagree with my views on the gun issue will say, Guns don't kill people; people do.

But what that doesn't mean is we can't take steps to make sure guns don't fall into the hands of the wrong people. This isn't about taking away guns from law-abiding citizens who hunt or shoot skeet, nor is it about depriving law-abiding citizens from defending themselves and their families. In fact, we can save so many lives without affecting a single lawful gun owner in this country.

This is about keeping guns away from felons and gang members. This is about making sure our police departments have the tools they need to track down illegal guns. This isn't about running honest gun dealers out of business. It is about cracking down on the 1 percent of corrupt gun dealers who sell 57 percent of the guns used in crimes.

Gun rights advocates have as much stake in this as anybody else. Many see gun violence as an inner-city problem. But let's not forget that gang violence and drug crime also started out as an inner-city problem. We acted too late, and now gangs and drugs are commonplace in suburbs and rural communities.

So as we head home for the spring recess, I ask my colleagues to do something we don't do very often or very well: listen. It is time to listen to the people being affected by gun violence. Listen to our young people in underserved communities. Listen to our police departments who are losing officers to illegal guns every week. And listen to the families who have lost loved ones due to gun violence.

The answers to this epidemic of gun violence do not reside in this Chamber or on K Street, but in the hearts and minds of the people that we represent. It is time that they are heard.

The vast majority of legal gun owners understand the need to stop gun violence. We must all work together, regardless of our interpretation of the second amendment, or whether we live in an urban, suburban, or rural area.

Let us make a commitment to replace our rhetoric with action. Let us make our communities a better and safer place for all young people of all backgrounds.

Together, we can stop this public health care crisis and save lives. I came to Congress to save lives. I will not give up on this fight. We can reduce gun violence in this country. We just have to find common ground on how we are going to do that.

COMMENDING AND HONORING THE UNITED STATES CAPITOL POLICE

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. Mr. Speaker, I rise today to honor and commend the men and women of the Capitol Hill Police Force. I think it is important at this time that Members of Congress step forward to say thank you: thank you for your service, thank you for your sacrifice, thank you for putting so much emphasis on training, and thank you for putting the emphasis on keeping this Capitol building and all the Members and staff and visitors who come here on a frequent basis to be safe, to be secure.

I think it is important, with so much attention right now on the Capitol Police Force, that all Members of Congress, Republican and Democrat, unite to say that we support you; we think you are doing an honorable and good job.

Mr. Speaker, the statistics show that there are over 1,500 Capitol Police officers, men and women of diverse backgrounds from all over the country, and some from around the world. They come here to save lives, to protect lives.

There are over 3 million visitors that come to this historic place that we call our Nation's Capital, both Washington, D.C. and this Capitol building and this complex where we work, where some of us live.

But I want to tell you, Mr. Speaker, that with so much attention on the Capitol Police, it is necessary that we look at what they do on a daily basis.

It is not always easy, Mr. Speaker, to deal with the public, to see them on a daily basis; for visitors to come in, tourists, staff, Members of Congress; to see them on a daily basis. People aren't always courteous.

But what I found out about the Capitol Police officers, these men and women, is that they always will greet you with a smiling face, even when they are having a bad day; that their training is shown through by the way that they have acted over the years that they have been in service here on Capitol Hill.

As Members of Congress, we must say thank you: thank you for your sacrifice, thank you for your commitment, thank you for your dedication to our country, because after all, they are here to protect and save lives; and as Members of Congress, we should respect them for their dedication and their training; and we must honor them each and every day that we are here, because they are our colleagues as well here in the Capitol complex.

Mr. Speaker, I rise, as I said, to commend and honor the Capitol Police. It is the right thing to do. I think my colleagues should join with me in supporting the resolution that Congressman MARIO DIAZ-BALART and I filed just this evening to honor them for their work and their service.

So I urge my colleagues to join with me on this resolution; and I urge you, Mr. Speaker, to schedule a vote for us, so that we can honor these men and women who work with us each and every day.

Thank you to the Capitol Police officers.

THE HOUSE THAT JACK BUILT

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

Mr. EMANUEL. Mr. Speaker, we live in quite interesting times. Where else could you invest about $1 billion and get $100 billion in return? A Republican Congress, but of course.

As the New York Times recently pointed out, the people's House has turned into the House that Jack built. Here is what the Times says in an op-ed:

These are the men
That fleeced the tribes
That paid the money
That made the bribes
That purchased the Congress
That Jack built.

Mr. Speaker, I encourage my colleagues to read the rest of this poem, written and published last Friday, because it nails right on the head this is the House that Jack built.

Let's look at the $1.2 billion that Jack Abramoff bought. Let's look at the house he built. The energy industry, oil and gas interests, they spent about $87 million. What did they get? $14.5 billion in tax breaks, given and paid for by the United States taxpayers; given access to $65 billion in oil and gas from the Gulf of Mexico, costing the taxpayers $7 billion in royalties they should be paying back to the Treasury that they did not get; given $2 billion to the ultra-deepwater drilling fund. They were given that money, all for $87 million in contributions and expenses paid on lobbying. $14 billion in tax breaks, $7 billion in lost revenue for royalties in the Gulf of Mexico, $2 billion in tax subsidies there to the ultra-deepwater drilling fund.

You can't get a return on your investment like that on Wall Street. Where can you get a return like that? The Republican Congress, of course. But that is not limited. In fact, that is prevalent.

Let's take the health care industry. They spent about $173 million on lobbying and campaign contributions. Yet the pharmaceutical interests, $139 billion in additional profits over 8 years. The prescription drug bill here, which was supposed to cost $394 billion, ended up costing close to $790 billion to the American people.

□ 2000

Private insurers will make $130 billion in extra profits in Medicare overpayments, HMOs given a $10 billion slush fund, all for $173 million in lobbying expenses and contributions mainly to the Republican Party.

Take business interests, spent $500 million on lobbying. We had a corporate tax bill to fix a $5 billion disagreement with Europe. By the time it was done, it cost $150 billion, not $5 billion, and it never fixed the problem. $150 billion in corporate giveaways to special interests on the corporate tax bill, $139 billion in additional profits for the pharmaceutical interests, $130 billion in additional profits to the HMOs, and in lost revenue to oil and gas companies close to about $22 billion while oil and gas interests are trading and oil is trading at $66 a barrel, all in The House That Jack Built.

This is the operative philosophy of the Republican Congress. They have turned the Capitol upside down to figure out how much change they can take over from the American people and pass it off to the special interests.

When the gavel for the Speaker comes down, it is intended to open the people's House, not the auction house. For the last 6 years that gavel has been turned over to the auction house, whether it is the oil and gas interests, whether it is private insurers, whether it is the HMO industry, whether it is in fact the pharmaceutical industry, or whether it came to the corporate tax bill.

Oil is approaching about $70 a barrel, now nearly $3 at the pump. Gas home heating costs, up 38 percent. Health care costs are up 58 percent for the average family, $3,600 in the last 4 years. College costs and tuition, up 38 percent for the American people, yet median incomes are down 2.3 percent, and yet what does this Congress continue to do? It continues to turn itself into an auction house for the special interests. When college costs were up 38 percent, the Republican Congress cut student loans by $13 billion. Yet, we have continued to pass on over the last 4 years $3 trillion in additional debt that was borrowed, more than all the predecessors of the last 42 Presidents combined.

One thing you can say about the Republican Congress and President Bush when it comes to the economy: We will be forever in your debt, because that is all you have left is a sea of red ink, and

you have turned the American people and the treasures that this country has over to the special interests when it did not need to be this way.

Mr. Speaker, the special interests may have bought the Capitol, but the American people are paying for it. Jack is gone, but others are leaving. This place will remain The House That Jack Built until we get serious and undertake real lobby and ethics reform and return to the work of the American people. They are struggling under the interests of higher energy costs, higher health care costs, higher educational costs. They have not had a raise in over 5 years, and the politics as usual, business as usual continues with the policies and making sure that the special interests get heard first.

This House is the time and this election will be about returning the people's House back to the American people and ensuring that that gavel does not open up the auction house but the people's House.

PROVIDING FOR CONSIDERATION OF H.R. 513, 527 REFORM ACT OF 2005

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 109–404) on the resolution (H. Res. 755) providing for consideration of the bill (H.R. 513) to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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

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

OCALA NATIONAL FOREST

Mr. KELLER. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

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

Mr. KELLER. Mr. Speaker, I rise today in opposition to the proposed sale of 300,000 acres of national forest lands, which includes almost 1,000 acres of the Ocala National Forest in my congressional district.

The administration's 2007 budget proposes this sale. Their rationale for selling our national forest lands is to raise $800 million for rural roads and schools; and they say these parcels are not crown jewels of our national forests. Well, a picture is worth a thousand words, so let me show you a photograph of a specific piece of land in the Ocala National Forest which is marked for sale by the administration. This looks like a crown jewel to me. Does anyone really believe that this piece of land would look better as a shopping center, strip mall, or as a condominium development?

While our budget shortfall is temporary, ruining pristine national lands is permanent. We cannot sell national forest land every time there is a budget shortfall. This is a dangerous precedent for Congress to set. Our financial problems need to be addressed over the long terms, not through the shortsighted sale of national forest treasures to the highest bidder.

Mr. Speaker, our national forest lands are worth protecting. Millions of Americans each year use our national forests to go hiking, fishing, hunting, camping, swimming, horseback riding, and canoeing. The Ocala National Forest also provides a habitat for thousands of animal species such as rare birds and black bears.

Mr. Speaker, to sum it all up, I believe the idea of selling off our national forest lands is environmentally reckless and financially shortsighted, and I am not alone. On March 7, I submitted a Florida delegation letter to the U.S. Department of Agriculture. It was signed by both of our U.S. Senators, Republican Senator Mel Martinez and Democrat Senator BILL NELSON. It was also signed by an overwhelming bipartisan majority of our U.S. House Members. This letter specifically opposes the sale of 1,000 acres of the Ocala National Forest, and, in general, also opposes the sale of 300,000 acres of forest lands all across the country in 41 different States.

On March 13, all four of the living former Chiefs of the U.S. Forest Service sent a letter to Congress also strongly opposing the auctioning off of 300,000 acres of national forest lands. On March 28, I submitted a bipartisan letter with Congressman BEN CHANDLER, the Democrat from Kentucky, to the House Budget Committee, signed by 54 Congressmen opposing the sale of 300,000 acres of national forest lands.

Well, where do we go from here? The U.S. Department of Agriculture will continue to receive comments on this proposed sale until May 1. It is our hope and request that the administration withdraw this proposal.

Fortunately, the House budget which we will be voting on this week does not contain any language endorsing the administration's proposal to sell these forest lands. If the administration does not withdraw their proposal, I am confident and optimistic that this House will vote down this proposal with a very large bipartisan vote. Our children and grandchildren deserve no less.

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

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

MEDICARE PRESCRIPTION DRUG PROGRAM

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from New York (Mr. RANGEL).

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

There was no objection.

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

Ms. KAPTUR. Mr. Speaker, I rise tonight to address the confusing new Medicare Prescription Drug Program, in light of yesterday's visit to my Ohio congressional district by Bush administration Health and Human Services Director Michael Leavitt. Yesterday, Monday, April 3, Secretary Leavitt arrived hours late in a blue bus after people had waited and waited in very cold weather. He spent only a few minutes, shook the hands of a couple of staff people, and spoke briefly with only two hand-picked seniors, and, by the way, spoke to them in front of the news cameras, before making his prepared remarks to the press.

To the one senior that had a chance to ask the Secretary a question, explaining that they could not afford their medicines, he towed the administration line saying, ''This is a good program that helps a lot of people.''

When asked by one senior about the program not covering his wife's medication needs, incredibly, the Secretary answered in the same way, and this was to the one person, ''This is a good program that helps a lot of people.''

Now, the Secretary had his picture taken. It was on the front page of our newspaper, but of the 79 people in the room, he shook hands with only two, spoke to only one and left. I guess he is doing this all over the country.

The Secretary says, yeah, this program has had a few bumps in the road. It is a new program but we fixed them. No, Mr. Secretary, you have not fixed them and they are more than bumps in the road. The one thing that is guaranteed is that the pharmaceutical companies are making billions.

Here are a couple of comments that have come from consumers and seniors in my district. A husband and wife team says they take five prescriptions each. Under their old plan they had a 20 percent co-pay, but by this summer they will have reached the $2,250 cap. And the new drug plan is a farce and an insult to seniors of this country because now they are going to have to pay the amounts beyond that and they ask, ''Is there anyone that cares or is listening in Washington?''

Another husband wrote, ''It is costing my wife and me more per month for

the new Medicare coverage premium. The only way we have any coverage is to purchase an insurance policy from a private insurance company. On top of that there are the ridiculous amounts that Medicare has set that won't cover any meds until we reach some huge amount in the thousands of dollars. My wife informed me today she is going off her psychiatric medicine. We used to receive patient assistance directly from the drug manufacturers through a clinic and we can no longer receive the drug samples or any patient assistance. We cannot afford to purchase our meds, Congresswoman. Isn't it wonderful how the Bush government has helped us?''

Another senior writes they find that their medical costs increase at every turn in the road. They currently pay nearly $6,000 annually for prescriptions of which insurance pays $600. ''For the first four months of the year,'' this senior says, ''I have to pay $5 for generic drugs, $18 for preferred drugs, with a cap of $35 for the brand name drugs. But under this new plan that will increase to $10, $25 and $50. And believe it or not, of the eight prescription drugs I need, only two are on the preferred list for $25 each and the rest will each cost $50 each. Congresswoman, please do your part in righting this wrong.''

Health professionals have been writing to us. Another senior wrote us, ''When I went to the pharmacy to pick up my prescription I brought $20 with me because that is what I always paid. I couldn't believe it when the pharmacist said I had to pay $260. I had to leave the pharmacy without medicine. It was embarrassing. How am I going to afford $260 a month? I just don't have it. I guess the people who are for this plan want us to die.''

Mr. Speaker, I rise tonight not just to outline problems with the program, because they are significant, but also to place in the RECORD what we can do to fix it. First of all, to let the government negotiate the prices that seniors have to pay with these pharmaceutical companies. They can't stand up to these big companies. We need to extend the deadline this year so that they can try to get qualified for the program, but there is so much confusion out there. Why should there be a May deadline? We ought to cushion that.

We ought to standardize plans like we did for Medicare part B so there is only 10 standard plans and people know what is in them. We ought to ban the gifts that these pharmaceutical companies are giving to people as lures in order to try to sign them up for these inadequate programs.

We ought to disclose coverage gaps. Companies which do not offer gap coverage should be required to make that fact known in writing.

We ought to disclose plan changes. It should be stated clearly that a company might drop a drug from coverage. We ought to create uniform ID numbers, simplify the application, expand extra help eligibility, and require broad formularies.

There are many other ways to fix this program, Mr. Speaker, but we surely should not put that burden on our seniors.

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

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

21ST CENTURY ECONOMY

Mr. DREIER. Mr. Speaker, I ask unanimous consent to take my special order in the place of the gentleman from Minnesota (Mr. KENNEDY).

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

There was no objection.

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

Mr. DREIER. Mr. Speaker, every day Americans are living the 21st century economy. We use BlackBerries and cell phones to stay in touch and stay in business. We order birthday presents online. We buy German cars made by American workers in South Carolina. We use Google to find restaurant recommendations. We treat previously debilitating illnesses with innovative pharmaceutical products, non-invasive surgery techniques and cutting-edge medical devices.

Nearly every aspect of our daily lives is impacted by our high-tech, innovation-driven, globally engaged economy. It has so thoroughly revolutionized our lives that it almost seems absurd to point out that the modern economy is vastly different than the economy of the 1930s and 1940s. And yet our methods for measuring this economy remain much the same as they did during the Great Depression and the era that followed.

Gross domestic product is still calculated by tallying industrial investments like heavy machinery and taking an old-economy view of exports and imports. Mr. Speaker, under this system new factory equipment counts as a long-term investment, but R&D does not. And an iPOD which became a global powerhouse band on the strength of its superior design and savvy marketing strategies, developed by Apple in my State of California, is simply counted as another good imported from China, where the final product is assembled. Clearly, these products do not fully account for the essential role that knowledge and innovation play in our global economic leadership role.

Our economic strength here in the United States is no longer based solely on the goods we produce but on the ideas that we as innovative, creative Americans create. We add value and increase productivity, not by manufacturing more widgets, but by improving the widgets' design, by making the global distribution of widgets more efficient, by marketing, financing and servicing widgets.

□ 2015

The full value of innovation, knowledge and best practices can be difficult to ascertain, but they have replaced mere goods as the bedrock of our Nation's economy.

Michael Mandel at Business Week demonstrates how Wal-Mart is an excellent example of this. Few companies have revolutionized their industries the way that Wal-Mart has revolutionized the retail world. Its operational and managerial innovations have made it a global leader that its competitors fail to emulate at their peril: the big-box format; the everyday low prices; the electronic data interchange with suppliers; the highly sophisticated data analysis, done to such detail that inventory managers know to order extra strawberry Pop-tarts when the weather gets bad, because the data crunchers have discovered that customers stock up on them just before a storm.

Mr. Speaker, these innovations and best practices, developed by Wal-Mart and copied by its competitors, have led to enormous productivity gains throughout the retail industry and our economy at large.

A study conducted by the McKinsey Global Institute in 2002 found that 25 percent of the major jump in productivity that came during the second half of the 1990s was due to gains in the retail sector, of which Wal-Mart is clearly a major contributor.

According to the study: ''More than half of the productivity acceleration in the retailing of general merchandise can be explained by only two syllables: Wal-Mart.'' By innovating its operational structure, Mr. Speaker, Wal-Mart became one of the single greatest contributors to American productivity at the height of the tech stock bubble.

This is an instructive and remarkable fact, that a single company made a major contribution to the productivity of the world's largest economy, not by building new factories or buying new equipment, but by developing new ideas and applying them so successfully that they transformed their company and their entire sector.

And yet, as Mandel points out, these operational innovations, less tangible than a widget but far more valuable, do not get counted in our gross domestic product calculation. They are not tallied as an investment, nor are they counted as an export when Wal-Mart buys stores overseas and applies their innovations and best practices abroad to other countries.

Recent GDP numbers have certainly demonstrated tremendous economic strength, with 17 straight quarters of growth, 3.5 percent of GDP growth last year, and projections of nearly 5 percent growth for the first quarter this year. Mr. Speaker, when knowledge-

economy intangibles are included, the positive economic outlook becomes all the brighter for us as a Nation.

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

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

CAMPAIGN REFORM LEGISLATION

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I come tonight because I am concerned over this Republican Congress that is now speaking about having further campaign reform legislation put before us tomorrow, and I rise tonight to clarify the myths and to speak the truth about the reforms that we have done, the reforms that are not needed, and the reforms that this Republican House is about to undertake.

You would think, Mr. Speaker, that the scandals that are permeating the Congress would be a wake-up call for the majority not to continue their business as usual in terms of running the people's House. Yet, they have introduced H.R. 4975 as a feeble answer to their ethics problems.

Unfortunately, the bill that is going to come before us, called a reform campaign bill, will not only be a bogus bill, but it includes language that restricts the first amendment rights of Americans.

Instead, the majority reveals their ongoing and reckless infatuation by thwarting the constitutional freedom of speech and association rights of concerned citizen groups. Now, we know these groups were under the BCRA law that are called 527s, and these groups, Mr. Speaker, were groups that had never really had a voice in the political process.

In this last election, they came out and they were a very strong force in providing an increasing voter participation, giving voice to the voiceless and becoming more involved in this democracy of ours.

When I hear the Republicans talk about gaping loopholes that they must close, how do you close gaping loopholes when we have a chart that speaks about total U.S. voter turnout? This is not gaping loopholes, for heaven's sake. This is democracy.

In 1990, we had a 105.1 million voter turnout. In the 2000 election year, we had a 110.8 million turnout. In 2004, we had a record-breaking 125.7 million people become involved in this political process. So why are we now trying to pass legislation that merely muffles the mouths and the voices of those who want to take part in this democracy?

When the majority of Democrats and a handful of Republicans voted for this Bipartisan Campaign Reform Act of 2002, we sought to sever the connections between Federal office holders and the raising of non-Federal money, which is so-called soft money. BCRA, which is the campaign bill, was necessary, Mr. Speaker, to cut the perceived corrupting link between office holders, the formation and adoption of Federal policies, and soft money; and yet the majority is bringing us a bill that is so broad in its application that it stands to severely hamper voter registration and get-out-the-vote activities for civic-minded, nonpartisan organizations. It casts such a wide net that it will ensnare groups whose activities Congress should be promoting, not impeding. This is America. We should be promoting democracy, not impeding it.

By failing to distinguish between groups whose activities are designed to influence the election of clearly identified Federal candidates and those whose sole purpose it is to enhance participation, this legislation imposes too high of a price on election activities.

Now we have heard that the 527s do not have to report. So wrong, Mr. Speaker.

The Internal Revenue Service suggests that during an election year the political organizations have the option of filing on either a quarterly or a monthly schedule, and these organizations must continue on this same filing schedule for the entire calendar year. So it is absurd for them to say that these organizations do not have disclosure and do not file. In the last 6 years, Congress has increased the regulations of independent political committees organized under the section of 527s of the Internal Revenue Code.

Mr. Speaker, we must not allow this legislation to pass this floor. We must continue to allow the American people to have a voice in this democracy. We must continue to have American voices heard.

When the majority of Democrats and a handful of Republicans voted for the Bipartisan Campaign Reform Act of 2002, they sought to sever the connection between Federal officeholders and the raising of non-federal money, so called "soft money." BCRA was necessary to cut the perceived corrupting link between officer holders, the formation and adoption of federal policies, and soft money.

The majority's legislation is so broad in its application that it stands to severely hamper voter registration and get-out-the-vote activities of civic minded non-partisan organizations. It casts such a wide net that it will ensnare groups whose activities Congress should be promoting, not impeding. By failing to distinguish between groups whose activities are designed to influence the election of clearly identified Federal candidates and those whose sole purpose is to enhance participation, this legislation imposes too high a price on election activity.

My particular concern is that the fundamental rights and needs of all Americans, including the voices of women, the elderly, and the poor, not be left out of the political dialog merely because of the perceived notion that a few millionaires are funding all 527's. Americans are playing an ever-increasing role in holding public officials accountable for their actions through 1st Amendment protections, public policy debate, and the shaping of American democracy.

The proponents of this bill like to argue that by passing this bill, it will be impossible for wealthy individuals to "unfairly" impact elections. Wrong again. Ending 527's will not end the ability of wealthy donors and wealthy corporations to impact elections. They still have a multitude of ways to do so by donating to trade associations like 501(c)(6)'s, many of which have less stringent, not more stringent, reporting requirements than 527's. The majority seems incredibly troubled by the independent voices of concerned citizens, but there is nothing in the law that could stop any individual from financing TV ads on her own. Nevertheless, the real truth is that many 527's are predominantly financed by small donor contributions from individuals who are concerned about holding their elected leaders accountable for failing to address the very issues important to them.

The majority's priorities are misplaced. Without our assistance, few victims of Hurricanes Katrina and Rita will be able to vote in the upcoming elections, wounded war veterans still struggle to obtain adequate health care, and gas prices continue to soar skyward.

The majority should not be in the business of legislating for partisan gain at the expense of the American people.

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

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

IMMIGRATION REFORM

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to assume the time of the gentleman from Iowa (Mr. LATHAM).

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

There was no objection.

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

Mr. DUNCAN. Mr. Speaker, people sometimes resort to scurrilous personal abuse or childish sarcasm when their case is weak. Let me repeat: people sometimes resort to scurrilous personal abuse or childish sarcasm when their case is weak.

For instance, on foreign policy, you know instantly when someone uses the word "isolationist," they are resorting to name calling, rather than a serious discussion on the merits or the lack thereof.

On the issue of immigration, the scurrilous, personal abuse is when people imply or say that someone is a racist or a bigot if they want our immigration laws enforced.

The childish sarcasm is when a columnist or someone else says we would have to line up 200,000 buses to remove 12 million immigrants.

No one thinks you can enforce all our immigration laws overnight or instantly solve this problem, but just because we cannot solve this problem all at once does not mean we should just give up and open up our borders.

Our government estimated several years ago that half the people of the world would come here very quickly if allowed to do so. Our schools, hospitals, roads, jails, sewers, our entire infrastructure simply could not handle such a rapid, massive influx of people.

A couple of years ago, Newsweek magazine said half the people of the world have to get by on $2 or less a day. Consistent with this was a column I read a few months later that said half the people in the world do not even have a second pair of shoes.

We are blessed beyond belief to live in this country. We all have great sympathy for those who have to live under difficult circumstances in other countries.

God has blessed every nation with natural beauty and/or natural sources that can make those countries rich. However, in most countries, people have fallen for the myth that government could solve all problems, and they have voted in liberal or left-wing governments or they have had dictators who forced big governments on them, and the economies have been ruined.

You cannot blame so many people for wanting to come here, and we all admire the work ethic of many who come here from other countries; but we cannot take in half the people of the world, especially in a short time. We have to have a legal, orderly system of immigration, and it has to be enforced.

Rush Limbaugh said a few months ago that if you do not have borders, you do not have a country.

Thomas Sowell, writing about this a few days ago, said, ''We could solve the problem of all illegal activity anywhere by legalizing it. Why use this approach only with immigration? Why should any of us pay a speeding ticket if immigration scofflaws are legalized after the fact for committing a Federal crime?

''Most of the arguments for not enforcing our immigration laws are exercises in frivolous rhetoric and slippery sophistry, rather than serious arguments that will stand up under scrutiny.''

Mr. Sowell continues, ''How often have we heard that illegal immigrants 'take jobs that Americans will not do'? What is missing in this argument is what is crucial in any economic argument: price.

''Americans will not take many jobs at their current pay levels, and those pay levels will not rise so long as poverty-stricken immigrants are willing to take those jobs.''

And he went on in this column to say, ''The old inevitability ploy is often trotted out in immigration debates: it is not possible to either keep out illegal immigrants or to expel the ones already here.

''If you mean stopping every single illegal immigrant from getting in or expelling every single illegal immigrant who is already here, that may well be true.''

Mr. Sowell said, ''But does the fact that we cannot prevent every single murder cause us to stop enforcing the laws against murder?''

Mr. Speaker, with the Simpson-Mazzoli Act 20 years ago, we tried the same type of law that some who want to be soft on immigration are advocating today, but that law led to a quadrupling of illegal immigrants. We simply cannot afford to let that happen again.

President Theodore Roosevelt said many years ago, in fact in 1919, ''In the first place we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin.''

□ 2030

But this is predicated upon the man's becoming in very fact an American and nothing but an American.

And Theodore Roosevelt continued. He said, ''There can be no divided allegiance here. Any man who says he is an American but something else also isn't an American at all. We have room for but one flag, the American flag, and this excludes the red flag, which symbolizes all wars against liberty and civilization, just as much as it excludes any foreign flag of a nation to which we are hostile.''

And Theodore Roosevelt concluded this statement by saying, ''We have room for but one language here, and that is the English language. And we have room but for one sole loyalty, and that is the loyalty to the American people.''

Finally, Mr. Speaker, I would say that if people want the rights, privileges, and opportunities of American citizens, they should wave the American flag. If they want to be Mexicans and wave the Mexican flag, and there is nothing wrong with that, but they should go home to Mexico to do that.

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

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

LEGISLATION TO FIX THE MEDICARE MODERNIZATION ACT

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from California (Ms. SOLIS).

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

There was no objection.

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

Mr. BROWN of Ohio. Mr. Speaker, I join my colleague and friend, Representative MARCY KAPTUR, in talking about the trip to Ohio this week of Michael Leavitt, who oversees Medicare and Medicaid and our Nation's various health agencies as America's Secretary of the Department of Health and Human Services.

Michael Leavitt is a decent man, but he is manning a ship weighed down by wrongheaded laws and misplaced priorities. Take the so-called Medicare Modernization Act, the legislation written by the drug industry, written by the HMOs in this Congress, pushed through Congress in the middle of the night by literally one vote. The Federal Government, through that bill, the Federal Government is hand-feeding the prescription drug and HMO industries literally hundreds of billions of dollars of our tax dollars to manufacture or to make up and to build a new private insurance market for seniors' drug coverage, and not to provide the coverage directly through Medicare the way people choose their doctor in Medicare, the way people choose their hospital. This is done through 30, 40, or 50 different private insurance companies instead of being done the way that history shows works best.

Why? Because the drug and insurance industry want it that way. This new drug law, this new Medicare law, as I said, written by the drug industry and written by the HMOs, with seniors barely given a second thought, prohibits the Medicare program from negotiating bulk discounts on prescription drugs. And according to the Congressional Budget Office, it overpays insurers, the HMOs, by tens of billions of dollars. So much for fiscal responsibility.

The new drug law also undercuts the core Medicare program. If you want Medicare to wither on the vine, as former Speaker Gingrich said, wall it off and force seniors into the private market, force them out of Medicare, put them into the private market to give them additional benefits. It is ingenious. It is also underhanded and it is fiscal suicide.

Do my Republican colleagues really believe that when the private insurance market controls Medicare that they will give the government and they will give seniors a good deal on coverage? Do they really believe the drug industry will voluntarily charge lower prices for prescription drugs?

The new Medicare drug law isn't about seniors, it isn't about modernization, it isn't about fiscal responsibility. It is about a Republican-run Congress that is a little too cozy with the drug industry and the HMOs.

I am a cosponsor of legislation that would begin to fix this bill. It would enable seniors and disabled Medicare enrollees to bypass the private insurance market, to say, no, I don't want to compare 30 or 40 different insurance plans and 30 or 40 different insurance company brochures, and talk to 30 or 40 different insurance agents. I want to bypass the private insurance market, check a box, and simply add a prescription drug benefit to my Medicare. I get to choose my doctor as a Medicare beneficiary, I get to choose the hospital, I ought to be able to choose my drug formulary.

It would also authorize Medicare to negotiate bulk discounts on prescription drugs. That is the way the Veterans' Administration does it. That is the way most countries in the world do it. That is why drug prices are a third or a fourth or a fifth in every other country in the world, much, much lower prices than there are in the United States.

In other words, this legislation, this new law as we propose the changes, would give seniors and taxpayers a break. Perhaps Secretary Leavitt will make use of his Ohio trip to announce the administration's support for these bills. Perhaps.

May 15 is the cutoff for Medicare beneficiaries to enroll in the new prescription drug program. If they enroll after that date, believe it or not, they have to pay a penalty for late enrollment. Let's think about that. My Republican colleagues in Congress and the Bush administration have finally acknowledged that the drug program got off to a rocky start and is very confusing to seniors. Seniors have sat on the phone for up to 2 hours waiting for someone from the Medicare hotline to help with enrollment questions.

I talked to seniors in Vandalia, Ohio, in Cincinnati, in Norton, and in London, Ohio. All of them say this Medicare drug benefit is way too confusing. Not just prospective enrollees are confused, but State agencies, local service agencies, Federal bureaucrats, even the insurers who offer the new coverage. Finding the right answer to an enrollment question is almost as difficult as choosing which of the 30 or 40 plans to enroll in.

And when seniors did enroll in a plan, there were paperwork problems, there were systems problems, there were transition problems, there were formulary problems, and there were problems in the drugstores where one pharmacist at least, one pharmacy in London, Ohio, had to close because of the additional cost imposed on these small businesses by this bureaucracy created by a Congress that listened to the drug industry and the HMOs more than it listened to drugstores, to pharmacists or to seniors.

The various failings of this drug program made the news virtually every day for 4 months. Maybe Secretary Leavitt will make use of his trip to Ohio to announce the Republican leadership is listening, they have changed their minds, and they want to see a better law. Maybe.

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

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a Joint Resolution and a Concurrent Resolution of the following titles in which the concurrence of the House is requested:

S.J. Res. 28. Joint resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

S. Con. Res. 60. Concurrent resolution designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum.

BLUE DOG COALITION

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

Mr. ROSS. Mr. Speaker, this evening, as every Tuesday evening, the members of the 37-Member strong fiscally conservative Democratic Blue Dog Coalition come to the floor of the United States House of Representatives, here at our Nation's Capitol, to address the debt, the deficit, and tonight also the budget.

And for those of you who have walked the halls of Congress, it is easy to spot when you are walking by a Member's office that is a member of the fiscally conservative Blue Dog Coalition because you will see one of these posters, one of these posters that displays the current national debt. And every American citizen shares the National debt.

As you can see, at the moment, the U.S. national debt is $8,378,143,406,405 and some change. And for every man, woman, and child in America, including those being born this hour, your share of the national debt is $28,000.

We raise these issues for a number of reasons, Mr. Speaker. It is hard now to remember, but from 1998 to 2001, our Nation enjoyed a balanced budget. We had a surplus. We could meet many of America's priorities. But today, for the sixth year in a row, we have the largest budget deficit ever in our Nation's history. Our Nation is borrowing a billion dollars a day. We are sending $279 million a day to Iraq, $57 million a day to Afghanistan, a billion a day we are borrowing, and on top of that we are spending half a billion dollars a day simply paying interest, not principal but just interest on the debt that we already have.

As members of the Blue Dog Coalition, we believe it is time to get our Nation's fiscal house in order. Now, the Republicans in this year's budget they will present this week on the floor of the United States House of Representatives indicates that their priorities do not reflect our priorities or our values. We are going to spend a lot of the time this evening talking about that.

They will say, well, we are trying to balance the budget, which they do not do. They will say that, well, we are cutting this program or that program to try and reduce the deficit. But what they do not tell you is that their budget includes $1.7 trillion over the next 10 years in tax cuts that primarily benefit those earning over $400,000 a year.

So when they talk about cutting programs, they will tell you that they are trying to cut programs to reduce these numbers. Not so. Because you don't cut taxes for folks earning over $400,000 a year at a time when you are in a nation that is borrowing a billion dollars a day; at a time when you are in a nation that is spending half a billion a day simply paying interest on the debt you already have.

So it is about priorities. And the Republican priorities in this year's budget include cuts to the Dale Bumpers Small Farms Research Center in my Congressional District. In fact, there are 25 or 26 agricultural research centers all over America that are being cut. They create good paying jobs in these rural communities that invest in the kind of agricultural research that our farm families so desperately need.

The development of the Dale Bumpers Small Farms Research Center began back in 1977 with their initial work starting in 1980. It is a partnership among three agencies, Agricultural Research Service, Natural Resources Conservation Service, and the Arkansas Cooperative Extension Service.

Their mission, the mission at the Agricultural Research Service unit at the Dale Bumpers Small Farms Research Center, is to develop scientific principles and technologies to enhance the profitability and sustainability of small-scale farms, because they are threatened by a lack of profitability. Yet in this year's budget, in this year's budget that the President submitted to this Congress and that this Republican Congress may very well pass this week, it includes zeroing out, eliminating 25 or 26 of these agricultural research centers all across America.

Again, this budget is about priorities, and this budget that we are going to vote on this week does not reflect my priorities or my values. It certainly does not represent the kind of conservative small-town values that I was raised on, where I was raised to value our farm families who simply try to do their best to provide us with a safe and reliable source for food and fiber.

We can get into a debate about how we have become too dependent on foreign oil. If we are not too careful, we

are going to become too dependent on other countries for our food and fiber. And I submit to you, Mr. Speaker, that that is a dangerous road to go down, and one in which America has no business going down.

This is just one example of many of what is wrong with this budget. There are ways to balance the budget, and we are going to talk tonight about an alternative that I believe makes sense, that reinstates a thing called PAYGO. Pay as you go rules mean if you want to fund a new program, you have to cut something else. If you want to pass a tax cut, you have to cut a program. You just don't go borrow more money from China to fund it. It also balances the budget within, I believe, 10 years.

Yes, in 10 years we would have a balanced budget again, and that is an alternative that will be presented on the floor this week that many of us will be supporting.

We will be talking a lot tonight about the debt, the budget, and the deficit and these things, and I am very honored to be joined tonight by a number of my Blue Dog friends, and DENNIS CARDOZA is the co-chair of the Blue Dog Coalition. He is the co-chair for communications. He is a Member of Congress from California. A lot of people, when they think of fiscally conservative Democrats, they think we are just in the South, but we are spread from California to Long Island. This is a national movement. This is a national movement of 37 fiscally conservatives Democrats that believe it is time to restore some common sense and fiscal discipline to our Nation's government.

So, Mr. Speaker, I am pleased to turn this thing over to one of the leaders of our group, DENNIS CARDOZA from California.

Mr. CARDOZA. Well, I want to thank the gentleman from Arkansas both for relinquishing of some time and also for the leadership that he has shown by hosting this hour for the Blue Dog Democrats each Tuesday night this year.

Before I get started in my prepared remarks, I wanted to just acknowledge something that came to mind. The previous presiding officer, the gentleman that was acting as Speaker a few moments ago, is my former colleague from the legislature in California, a wonderful man, JOHN CAMPBELL. And it struck me that when we were in the legislature together in California, every year we had to balance the budget. We could not leave Sacramento, we had to stay in session until we had a balanced budget. It is so unfortunate that here in Washington, as we have both graduated up the ladder, that we don't have that same kind of fiscal accountability and the same responsibility.

And sitting here with my colleague, JIM COSTA, who used to be one of the leaders in the California State Senate, we took it very seriously. In fact, it was mandated in law that every year, and I believe almost every State in the country has to do that, but here in Washington, in our Nation's Capital, we cannot find the fiscal responsibility to balance our Nation's budget and get our fiscal house in order.

□ 2045

The Blue Dog Coalition has made repeated calls for responsible budget reforms that will put our country back on this path of fiscal responsibility and fiscal sanity that I have discussed.

As moderates and as fiscal hawks, we have tried to reach across the aisle to engage in real debate on fiscal responsibility. For years now, our appeals for commonsense, bipartisan reforms have been brushed aside by both the White House and this Republican leadership.

Instead, this Republican Congress and the White House have pursued policies that have resulted in exploding deficits and over $8 trillion in debt. Rather than taking this fiscal mess seriously and putting forward a plan to change course, we are being fed more of the same in this year's budget. The Republican budget resolution is a rehashed version of misguided policies that have gotten us into this mess in the first place. It is said that the definition of insanity is doing the same thing over and over and over yet expecting different results. That is exactly how I feel about the Republican leadership's fiscal policies. No matter how deep they dig this fiscal hole, they want to keep shoveling, they want to keep digging; and we have to make it stop.

The administration has requested and Congress has provided for four increases in the debt ceiling since 2001. This budget resolution does not fix the broken budget; it actually makes it worse. The Budget Committee passed a budget resolution that includes a deficit of $372 billion for the fiscal year 2006 and a deficit of $348 for 2007. This means that under this Congress and this White House, Republicans totally, we will have seen the five biggest budget deficits in American history in 5 consecutive years. Under this budget, the statutory debt by 2011 will go up another $2.3 trillion, leaving the statutory debt at a record level of $11.3 trillion. Ladies and gentlemen, this is unacceptable.

The Blue Dog Coalition has put forth a comprehensive 12-step plan that is designed to cure our Nation's addiction to deficit spending. Our proposal will include commonsense measures such as reinstating the pay-as-you-go rules such as what you use to balance your own budget at home. Every American understands that they need to balance their own checkbook; so does America. These pay-as-you-go rules are the first step.

In the 1990s with PAYGO rules on the books, we saw deficits disappear. We had record surpluses and rapid economic growth. In 2001, the Republican-controlled Congress abandoned PAYGO, and we have been awash in red ink ever since. It is time for Congress to bring back PAYGO and bring back some fiscal sanity for our country.

Mr. Speaker, I thank Mr. ROSS for having us here tonight and thank him for his leadership.

Mr. ROSS. Mr. Speaker, I thank the co-chair, Mr. CARDOZA, and for communications within the 37-Member strong, fiscally conservative Blue Dog Coalition for his insightful information and knowledge about the process and what we are trying to accomplish. We have Members here from Georgia and Illinois and Oklahoma and from all over the Nation that have come to speak the truth, to hold this Republican Congress accountable and demand some commonsense and fiscal discipline be restored to our Nation's government.

We are going to hear from people other than California, but it just so happens our first two presenters are both from California. The other is a gentleman who has not been here long, but has been quite effective within our coalition and a real leader within our coalition, and that is the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I rise to add my voice to my fellow Blue Dog Coalition members who are here this evening to have a dose of fiscal sanity, to allow the American people to understand that there is indeed a another choice. Therefore, tonight we hope to give an accurate picture on the budget process that we are about to embark on this week and the lack of fiscal integrity that this budget process unfortunately has, because it lacks a bipartisan effort to provide the sort of financial support that the American public demands.

I too want to commend Mr. ROSS and Mr. CARDOZA for allowing me to join with them in this effort. I think that Blue Dogs who are fiscally conservative really reflect the mainstream of what America is all about.

The fact of the matter is that this budget resolution that we will debate this week has in its very basic underpinnings a lack of fiscal integrity. Let me talk about a dirty little secret contained in this budget resolution that all Members ought to be aware of. The secret is the offloading of our Federal financial problems onto our States as a strategy to reduce our Nation's budget deficit.

The hypocrisy is clear, through the preemption of State laws, and in spite of a little-used Federal law that prevents unfunded mandates on States, Congress has arrogantly chosen to do just that, and that is to offload on our States.

Do the States have the ability to fill that gap? Well, the National Council of State Legislatures has identified the minimum gap in Federal funding to States caused by unfunded mandates in 2004 fiscal year as being approximately $25.6 billion. In the fiscal year 2005, the amount rose to $26.2 billion.

Evidence by the National Council of State Legislatures shows that this gap

will continue over the next decade and could grow as high as $50 billion annually, and we offload our financial responsibilities to States and let them be on their own.

The evidence is clear. It does not take into account inflation and other changes in discretionary spending over the next decade.

I ask my colleagues to recall recent history. In the 1980s and in the 1990s, President Reagan, a former State Governor, understood the necessity of a bipartisan effort to protect the States. President Clinton, another State Governor, codified that recognition of States by signing the Unfunded Mandates Reform Act in which the Congress pledged to no longer continue this practice of passing laws and then telling the States it is your job to figure out how to pay for it.

But this White House, also currently occupied by another former State Governor and many of my colleagues who serve in Congress, over half who come from State legislatures, I believe, have forgotten where they come from.

Do you think we are solving problems when we are just passing them on to our States? I will continue to question the sincerity of those who lead this budget effort to actually achieve responsible fiscal management. The most recent example of that reluctance to embrace sound fiscal management principles was demonstrated last week in the Budget Committee's rejection of an amendment that would reinstitute pay-as-you-go, which my colleagues, Mr. ROSS and Mr. CARDOZA, have spoken to. Pay-as-you-go is a concept that all of our households employ, which means in your family's budget, you do not spend money that you do not have.

As Members may recall, PAYGO was agreed to in the 1990s by then-Speaker Newt Gingrich and signed into law by President Clinton. In the mid-1990s, that led to the first budget surpluses we had in over 40 years. Ladies and gentlemen, let me remind you, over the last 5 years, we have gone from surpluses to massive deficits.

I remember as a young kid watching television on ''Dragnet.'' Remember Sergeant Friday? He used to say ''Just the facts, ma'am.'' These are the facts, and I think Americans are coming to realize these facts do not hold up to the principles of sound fiscal management. We can do better. We should do better. Americans deserve it.

Mr. ROSS. Mr. Speaker, I thank Mr. COSTA for joining us this evening to discuss these issues that are so important to not only today's generation but to our children and grandchildren.

This week on the floor of the House there is going to be a very close vote. Most votes on the House floor last somewhere between 5 and 15 minutes. Every once in a while we have a vote that goes for an hour or 2 hours, sometimes even 3 hours, while enough arms are twisted to be able to get enough votes for a vote to pass.

I have always said the Prescott Curly Wolves, they have some pretty good years in football. And when there is no time left on the clock, if we are not ahead, if we could just not sound the buzzer until we are ahead, we would be the State champions every year. That is, unfortunately, how many votes run on this House floor. When they are close votes, votes are no longer 5 or 15 minutes; they last until the Republican leadership prevails; and then the horn, the bell, the gavel is sounded. That will likely happen late Thursday night or early Friday morning during the vote on this budget because this budget does not reflect America's priorities, and they are going to have a very difficult time passing it.

In fact, I predict it will be on a strict party-line vote, and they will lose some votes. It is unbelievable the fiscal turnaround from a budget surplus in fiscal year 2001 to the five largest deficits in history, and they have occurred in the last 5 consecutive years with the 2006 deficit being $372 billion. And the projected deficit for fiscal year 2007 is $348 billion; but not really. That is counting the money that the politicians are borrowing from the Social Security trust fund.

If you do not count the money that is being borrowed from the Social Security trust fund, the deficit last year was really $605 billion and for fiscal year 2007, it is $448 billion. I am beginning to understand why the Republican leadership refused to give me a hearing or a vote on the first vote I filed as a Member of Congress, a bill to tell the politicians in Washington to keep their hands off the Social Security trust fund.

When this administration took office, it inherited a projected 10-year surplus of $5.6 trillion. This surplus has become a $3.3 trillion deficit, an embarrassing reversal of $8.9 trillion.

Since 2001, there have been four increases in the debt ceiling to a staggering total of $3 trillion. This Republican-proposed budget increases the statutory debt ceiling by another $2.3 trillion, almost doubling the debt ceiling in 5 years to $11.3 trillion. And if that is not enough, with regards to the conflicts in Iraq and Afghanistan, this budget only includes $50 billion, less than half of what was appropriated for 2006, and goes so far as to actually assume we will be out of Iraq and Afghanistan after 2007. This is not a truthful budget. The budget includes no funding, absolutely no funding for the war efforts in Iraq and Afghanistan beyond 2007.

This Republican Congress is telling us in this budget that the conflicts in Iraq and Afghanistan will be over by the end of fiscal year 2007. We know better. This is not a truthful budget.

The budget resolution calls for $39 billion in 2007 and $228 billion in new tax cuts over the next 5 years; $39 billion in tax cuts in 2007, $228 billion in new tax cuts over the next 5 years, and $1.7 trillion in new tax cuts over the next 10 years that primarily benefit only those earning over $400,000 a year. And in times of deficit, in times when we are borrowing a billion a day, what does that mean? That means we are borrowing money from places like China. This administration has borrowed more money from foreigners in the past 5 years than the previous 42 Presidents combined. Let me repeat that: this administration has borrowed more money from foreign central banks and foreign investors in the past 5 years than the previous 42 Presidents combined; and yet we are now going to borrow more money from China and Hong Kong and, God forbid, OPEC nations, to give a tax cut to those earning over $400,000 a year.

Over 5 years, the Republican-proposed resolution cuts nondefense discretionary spending by $162 billion, below the amount simply needed to maintain services at current levels.

Our next speaker will talk more about these funding cuts, these cuts that not only cut programs that matter to people but undercut our values, that undercut America's priorities.

□ 2100

And to talk more about this is the gentleman from Oklahoma, who has quickly become a real leader and a real voice within the fiscally conservative Blue Dog Coalition, my friend, DAN BOREN.

Mr. BOREN. Thank you, Congressman ROSS. Mr. Speaker, you know it is not very often that I come to this floor to speak on an issue. As a freshman Member, sometimes we don't come down and talk about issues on this floor. But I think it is very important tonight that we talk about this budget because budgets are a statement of our priorities.

I am going to talk tonight a little bit about rural America. I also want to talk a little bit about our Nation's veterans.

For those of you all who have never been to Oklahoma, I am going to tell you a little bit about my district. My district is in eastern Oklahoma. I represent 25 counties of a very rural part of the United States. The largest community in my district is Muskogee, Oklahoma, population 38,000 people, where my wife, Andrea, and I reside.

There are towns like Broken Bow and Idabel and Miami and Sallisaw, Wapanucka, Bromide, Bluejacket, some of the best people in the world. And let me tell you, this budget does not help my folks back home. I think it is very important that we reduce the national debt and we balance our budget, but we can't do it on the backs of rural America.

Once again, this year the President's budget slashes rural development programs. It freezes funding for rural education and phases out our rural health care grants.

In my district, it abolishes the COPS grant program which is responsible for putting over 200 officers on the street in eastern Oklahoma. We have a real meth problem in eastern Oklahoma.

We have a terrible meth problem. We had a lot of meth labs that were popping up and actually we are doing a lot about that. But we need more cops on the street. This budget cuts 200 police officers.

My good friend, my colleague from Arkansas, Mr. ROSS, mentioned cuts in our ag research centers. Folks, 2 weeks ago I was in Lane, Oklahoma. There is a research center, the Wes Watkins Lane Ag Research Center, employs a lot of folks in my district, has a $3 million impact on the local economy. We are talking about salaries, 70, $80,000 salaries. These are big salaries in my district. In the President's budget that facility is set to close. And I know I am going to be working with my colleague from Arkansas to help stop that.

Here is another couple of statistics. It cuts assistance to rural manufacturers and small businesses by nearly 60 percent. In the State of Oklahoma we lost over 80,000 manufacturing jobs over the past 2 years. And we are talking about taking those investments away from small businesses. We need help in rural Oklahoma.

It also cuts rural health care by 83 percent, and not just in rural America, not just in rural Oklahoma. It also affects all of our veterans. I have got a big Veterans Hospital in my district in Muskogee, Oklahoma. And I get a chance to visit with our veterans all the time. And they talk to me about the TRICARE program.

One example in this budget is an increase in co-pays and enrollment fees for military retirees in the TRICARE program. So this country is saying to you, you go, you enlist in the service, you spend 20 years supporting the flag, going overseas, fighting for our freedoms, and we are going to cut your benefits. That is a wrong priority, and we won't stand for it.

Another thing we have got to think about when we are talking about cutting these programs like TRICARE. Folks, we are facing a recruitment problem right now. We are trying to get more and more young people to join the military. How can we tell those young people to join the Army, Navy, Air Force and Marines, how can we tell them to join when we are going to cut their benefits? There is a direct correlation to what we are doing in this budget to our Nation's Armed Forces.

And I stand as a Blue Dog, someone that believes in fiscal accountability. But, at the same time, we have got to make sure that we defend those priorities. And I stand with my colleague from Arkansas. I know we are going to have a few other speakers here in a minute. And with that I am going to yield back to my colleague from Arkansas. And I thank him for allowing me to be a part of this program.

As I mentioned before, I came down as part of the 30-something and gave a few talks, and I rarely come down. But this budget got me so upset, thinking about the people back home in Oklahoma, that I wanted to come to this floor and talk about these priorities. And with that I yield back to my friend, Congressman ROSS.

Mr. ROSS. I thank the gentleman from Oklahoma for being a part of this special order on the budget, the debt and the deficit. And I appreciate the work he is doing with me to try and save all these agricultural research centers from closure that are so important, not only to rural America and to the communities where they are located like Booneville, Arkansas, but also so important to our farm families, all over this great country.

Mr. Speaker, if you have any comments, questions for the Blue Dog Coalition, there are 37 of us. We are a group of fiscally conservative Democrats that come together here on Capitol Hill to try and restore some common sense and fiscal discipline to our Nation's government. And Mr. Speaker, if you have any comments or concerns of our group, I would encourage you to e-mail us at bluedog@mail.house.gov. That is bluedog@mail.house.gov.

At this time I am pleased to turn this over to MELISSA BEAN, Congresswoman from Illinois, a member of the Blue Dog Coalition, who many Tuesday evenings comes down and joins us for this, what I believe is a very healthy debate and healthy discussion about how we need to get our Nation's fiscal house in order and restore some of the conservative values that many of us were raised on and still believe in. And with that I yield.

And we are also joined tonight by, as we are almost every Tuesday night, and I am so proud of that, DAVID SCOTT, Congressman from Georgia, a real leader, a real voice for common sense and conservative values within the fiscally conservative Blue Dog Coalition. And I welcome both of you. And we can have a colloquy or do whatever y'all want to do. I will yield right now to the gentlewoman from Illinois.

Ms. BEAN. I am honored to join my colleagues in the Blue Dog Coalition and, again, want to commend your leadership, Congressman ROSS, of our Blue Dog Coalition, because fiscal responsibility has to be our top priority in this Congress.

So many of us came to this body to address issues of importance and priority to the families in the districts that we represent. And yet, if we don't, first and foremost, act responsibly with the national tax dollars that we have, we can't properly address those regional priorities that we would like to.

I was here on the floor with you just several weeks ago, and I mentioned that I had been with some seventh graders in my district. One of the fun parts of our job is when we can go have civics classes with the kids. And they were pretty mortified just a few weeks ago when I shared with them that their share of our national debt, each individual one of them, was $27,000. And I am sad to see from your last chart, you have now moved it, it is already up to $28,000. So we went from $8.2 trillion to $8.3 trillion in just a couple of weeks. And it is frightening how rampant this irresponsible spending has been and how out of control our Congress has been.

And it is sad that when I spoke to these seventh graders about their family budgets or their parents who worked in the business communities, how did they avoid getting themselves into debt, that those seventh graders could better articulate fiscal common sense by saying, don't spend what you don't have, than this Congress has been able to demonstrate.

And I also serve on a caucus that addresses financial literacy for young people in this country. And it is so hypocritical that we want to talk to these kids about how to better manage their money when we are not doing a good job with our Nation's resources.

Mr. ROSS. The gentlewoman is so right, and I appreciate her sharing her experiences.

I was at Pine Bluff High School on Monday, speaking to a couple of classes, history classes, and that is one of the things we talked about was the debt, the deficit and what it means to their generation, because, you know, it is what I call the debt tax. It is one tax that, debt as in D-E-B-T, not to be confused with the death tax. It is what in the Blue Dog Coalition we have coined as the debt tax, because as long as we have got a debt, as long as we are spending a half a billion a day paying interest on the debt, then that is a half a billion we don't have to meet America's priorities. And that debt tax has got to be paid back by future generations, our children and grandchildren, because I can assure you all these foreign investors and foreign central banks that are now funding our deficit, they are not going to forgive our debt the way that oftentimes in the past we have forgiven others debts.

And I yield to the gentleman from Georgia. Glad to have you with us this evening, Mr. SCOTT.

Mr. SCOTT of Georgia. Always a pleasure to be with you, Mr. ROSS, and with you, Ms. BEAN. It is always a pleasure.

You were talking about the young kids, and you have got to think about those young kids. You have got to think about the generations coming behind us. Some of those are watching C–SPAN tonight as we speak, and hopefully all across America they are beginning to pay attention to what is happening here on the floor of this Congress.

And as I stand here, I am reminded of what happened on the floor of a Congress and a Senate a few centuries back and is captured really greatly in a play by the great William Shakespeare. William Shakespeare wrote a brilliant play called Julius Caesar. And in that play, a very important part was as Caesar was on the floor as the senators were surrounding him and knives going

into him, he looked out at all of the senators and saw them, Cicero and Cassius, and then he leaned over and he looked over caught the eye of Brutus and grabbed him as Brutus stuck the knife into his ribs. And he said ''Et tu, Brutus. Yours is the meanest cut of all.''

Well, I am here to tell you and tell America, Mr. Speaker, Mr. ROSS, Ms. BEAN, that the meanest cut of all in this budget is the cut to those law enforcement folks, those people that are on the front lines at home, who have our security in their hands, our police officers, our firemen, our first responders and the military, our veterans, our Air Force, our Navy, our Marines, who are being cut unmercifully, Brutus-like, in this budget.

I just want to highlight for the American people so they can actually see and hear how this budget is devastating those that we place our security in their hands. Just think that this budget includes a cut in the funding of first responders by 25 percent at a time when we are in such great need.

Police Departments nationwide do not have the protective gear to safely secure a site after a detonation of a weapon of mass destruction in this country. Fire Departments have only enough radios for half the firefighters on a shift.

And yet, this budget, this Republican budget that they are asking us to vote on in the next day or two, includes a cut in first responder funding within the Department of Homeland Security of $573 million, 25 percent. And within this total, the budget slashes the Firefighters Grant Program by $355 million and eliminates all funding for the law enforcement terrorism prevention, reduction of $385 million.

When we look at our veterans, we are treating them so badly under this budget. It increases the health care costs for one million veterans.

America, we need to pay attention to what this Republican budget is doing. For the fourth year in a row, the budget raises health care costs for 1 million veterans by imposing new fees on veterans, costing them more than $2.6 billion over 5 years and driving at least 200 veterans out of the system.

It doubles the copayment for prescription drugs from $8 to $15, America, and imposes an enrollment fee of $250 a year for Category 7 and 8 veterans who make as little as $26,000 a year.

This is the truth. This is what they are asking us to vote on. And I pray and I hope that we will have enough Republicans to stand with us Democrats and reject this as not in the best interest of the American people.

It fails to address the strain on our troops. Now, Mr. ROSS, I have been over to Iraq, just came back in January; went over to Afghanistan. I have been in the hot spots. I have seen our military, and they are doing a fantastic job in extraordinary circumstances. We are talking about 19- and 20- and 21-year-old kids out there handling extraordinary pressures.

□ 2115

And I will tell you an experience that I had that I will never forget. When I was in Iraq, I went into Camp Victory, standing in the middle of Camp Victory, and I met and was hugged by a soldier. And both of us in the middle of Camp Victory hugging, tears coming down my eyes and down his, and he says to me, ''Congressman SCOTT, when I am hugging you, it's like I am hugging a piece of home.''

I vowed in Iraq on that spot that night, having dinner with those soldiers in Iraq, that I would fight tooth and nail on this floor to treat our veterans and to treat our military right.

And, Mr. ROSS, as I told it to you, what is in this budget, it refuses to end the disabled veterans tax. This Republican budget fails to repeal the veterans tax, which forces disabled military retirees to give up $1 of their pension for every dollar of disability pay they receive. Added to that it fails to end the military family tax, the survivor benefit plan, penalizes survivors, mostly widows, of those soldiers who are killed as a result of combat. That is what this budget does. That is why I say that the meanest cut in this budget is to our military, to our veterans, to our law enforcement people who put their lives on the line for little or no pay. And the only reason to do it is to offset this tax cut for the 1 percent wealthiest people in this country and then have to go borrow the money to pay for that at the sacrifice of our first responders.

This is why I am praying with every ounce of strength in me that this body will stand up to this Republican budget and vote it down because it is not in the best interests of our Nation's security, our national security, or our homeland security.

Mr. ROSS. I thank the gentleman from Georgia (Mr. SCOTT) for his input and would encourage him to stay for what I hope will be a meaningful discussion with the time remaining this evening as we talk about the budget and the debt and deficit. And I want to thank the gentlewoman from Illinois (Ms. BEAN) for staying with us as well.

Some of this has been mentioned tonight; some has not. But let us just take a look at some of the cuts that will be included in the budget this week. Education, the Republican budget resolution that will be voted on on the floor of this Chamber this week is identical to the administration's proposed budget cuts to education, training, and social services, including $2.2 billion in cuts to the Department of Education.

Let us begin by putting this thing in perspective. We spend more money paying interest on the national debt in 100 days than we spend funding education in 365 days. What does that say about our commitment to our children?

Ms. BEAN. To future generations.

Mr. ROSS. To future generations. And yet they propose to cut $2.2 billion from the Department of Education. The President's budget fully eliminates, fully eliminates, 41 Department of Education programs.

I had folks in my office this week, today, from my district. They are involved in the HIPPI program, programs that are helping young people get ready for kindergarten. They reach those young people at ages 3, 4, and 5. And they also go into the homes and teach the parents how to teach the children. It is a wonderful program.

And I had a meeting yesterday in Pine Bluff, Arkansas, with the chancellor at the University of Arkansas at Pine Bluff, which is an historically black college, Chancellor Lawrence Davis, and he was telling me that we have a crisis in America with African American males because 60 percent of African American males who do not finish high school end up in prison. And his concern and my concern is that America does not seem to be nearly as alarmed about it as they should be. The way we address this is by investing in education. If we will get to these young people at age 3, 4, and 5, we can spend pennies on the dollar compared to what we are spending warehousing them in their adult life in prison. It is about priorities.

Mr. SCOTT of Georgia. Will the gentleman yield?

Mr. ROSS. I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. Excellent point. And there is no greater emergency in this country than addressing the plight of African American males. No group in this country has paid the price, has made the contributions, has gone through the struggles, and has faced the vicissitudes of racism as the African American community. Structure, discipline, sanctioned by law. And yet if there was just one tenth of the effort to correct that imbalance, but on every score, you go down the line, and you mentioned them, education, the college grant. They say No Child Left Behind. An excellent idea but underfunded by 3 or $400 billion, not putting the money in. Black college Presidents have come up to this Congress hat in hand, begging, pleading for money for scholarships, and have not gotten a response.

In this budget itself, do you know that the fastest growing part of this budget is the interest we are paying? And the interest we are paying is more than all that we are spending totally on primary education, secondary education, college education, everything education, as well as the environment and veterans. This is dastardly wrong.

Mr. ROSS. The gentleman is so right. And I was sitting there in a meeting in my office today listening to a group pleading with me to vote against this budget, which I am, pleading with me to vote against this budget because it cuts programs that give 3- and 4-year-olds a fighting chance to be ready when they enter kindergarten that can help us be able to give them a chance at success in life.

We live in a free country. We get to choose what we eat and where we worship and whom we marry. Some people do that several times. And one of the few things in life we do not get to choose is who our parents are. Some children, both black and white, get really lucky. Some do not. And I think as a Nation we have a duty and obligation to be there for all young people. And if we can get to these young people at age 3 and 4 and get them ready for kindergarten, then we can have an impact on their lives and turn them into a productive citizen instead of spending $20,000 a year paying for them to sit idly and wastefully behind bars.

Yet these programs, these preschool programs, are being cut in this budget. And one of the women that was in my office today talking to me about it, she said, I was one of those in one of these programs. They came to my home and they taught me how to teach my child, and I started teaching my child, and my child started making the honor roll. And this woman today, she is from my district, she said, Mike, I want you to know I am now going back to college to become a school teacher. She went and got her high school degree. She is now going to college to become a school teacher because of one of these programs that not only has had an impact on her daughter's life but has now had an impact on her life. Yet these programs are either cut or eliminated in this year's budget.

Ms. BEAN. Will the gentleman yield?

Mr. ROSS. I yield to the gentlewoman from Illinois.

Ms. BEAN. So much of what we have been talking about, whether it is education, whether it is the environment, it is all about future generations and our commitment to them.

And to go back to the seventh graders that I mentioned that I spoke with, they are all studying the Constitution right now. Some of them probably in your districts as well as mine are taking their Constitution tests. I was so impressed with their knowledge and their youthful idealism as we talked about the Constitution and what it meant to them.

And we had an open discussion, and we took the preamble of the Constitution apart, and we talked about what does it mean in order to form a more perfect union. And they understood that that meant that we have a commitment to make our country better. We talked about providing for the common defense. And they understood that that meant not just national defense but also protecting Americans from natural disaster like we have experienced in the gulf region and then, sadly, just this week from the tornadoes. They talked about establish justice and what did justice mean. And they understood that that meant there should be basic fairness in our laws.

But the part that really resonated with the kids was when we talked about that as we preserve these liberties and these American values, we do them for ourselves and our posterity. And they understood that that meant we as adults should be making decisions not only for them as well as ourselves but for their children. And so they are very concerned that we are not making the right decisions. So they expressed a lot of those issues. And to go back to the fiscal responsibility theme that we have been talking about tonight, they were able to understand the analogy of what we have been doing with this debt, and driving ourselves into debt essentially would be if I got a credit card and went out on a spending spree, but I put the credit card in my daughters' names and said to them, When you are 18 and you get a job, you get to pay it off. And that is what we are doing to these kids, and that is not justice. That is not making good decisions for our posterity. We can do a better job than we have been doing for them.

Mr. SCOTT of Georgia. The American people are expecting us to.

I just share with you my own experience. Every weekend I get home, by the time I get off the airplane, I get in my tee-shirt and my jeans and I get out and walk door to door in my district, about 50 percent of which is new out in Cobb and Douglas Counties. And there is a certain experience that you get when you go knock on doors and you talk to your constituents and they say, Oh, the Congressman is here. And, Mr. ROSS, let me tell you America is worried. The people in America are worried about the direction of this country.

At one stop a lady comes out and she says, Yes, put a yard sign in, and I give her a tee-shirt. And she says, Congressman SCOTT, what are we going to do about our education? I am not just talking about the money, but I am talking about the fact that my kid is sitting in a hallway because there is no room, there is no classroom. And in many of our counties across this country, they are meeting in trailers because we have not put the money in the budget in order to deal with it.

Now, I got the latest figures because I think it is very important that the American people know why we must vote down this budget come tomorrow or Thursday. The budget provides $15.4 million less, a cut in funding for education, than promised by the No Child Left Behind. No Child Left Behind. No Child Left Behind, but we are leaving them behind and not only leaving them behind but we are leaving them on the floor, in the hallways to study, overcrowded classrooms, teachers without adequate pay to do all the paperwork and not paying them for it. They are meeting in fire stations. They are meeting down the road in an old church basement. They are meeting in trailers. Damp, unsafe, unsanitary trailers. This is what this budget is doing to our American children.

Under this Republican budget, the cumulative funding shortfall for No Child Left Behind is $55 billion. This Republican budget, as we talked about before about the need, especially in some of our hard cases, this Republican budget completely eliminates several important education programs, including vocational education State grants, educational technology State grants. We are talking about those institutions that are actually taking our youngsters and training them with jobs that are being cut. Americans are worried about that.

Veterans are worried. Down the street another one says he is standing in line, not being able to get his treatment at a VA hospital. We are calling and he says if it was not for this congressional office calling, what would happen? But there are literally thousands of Americans out there, veterans, who are facing these dilemmas every single day. And they are upset about these unwise, foolish, mean, and unnecessary cuts to vital programs not because we cannot afford it, not because we are not wise to do it, but we are doing it just to offset costs for a tax cut for the wealthiest 1 percent in this country.

□ 2130

Even them, even Bill Gates and others at that level, are saying, ''We don't need it.'' But our veterans need it. Our teachers need it. Our children who are in these trailers, they need it.

Mr. ROSS. Mr. Speaker, reclaiming my time, I know I feel confident that the Republican leadership will send down a group to follow us. They do that every Tuesday evening. I am honored that they feel a need to do that. I think our message is getting through about trying to restore fiscal discipline and common sense to our Nation's government.

They are going to talk about how we didn't vote for this so-called Deficit Reduction Act. What they are not going to tell you was it was $40 billion to cuts in Medicaid, student loans and the orphan program, and also it was followed by $90 billion in tax cuts for those earning over $400,000 a year.

I wasn't real good in math back in high school or college, but $90 billion in new tax cuts and $40 billion in cuts to the poorest among us equals what, $50 billion of new debt. Only in Washington would they call that the Deficit Reduction Act. That was the name of it.

Then they are going to say this budget we are opposing is making the hard choices and the hard cuts and eliminating important programs in the name of trying to restore some fiscal discipline and balance the budget. What they fail to tell you is it is really about priorities, because their budget includes $1.7 trillion in new tax cuts over 10 years.

Look, I voted for the biggest tax cut in 20 years back in 2001, and a lot of my Democratic colleagues are still mad at me about it. We had a surplus, it was before 9/11, before Iraq and before Afghanistan. We really were giving people some of their money back.

Yet now, every time since then that we have passed a tax cut, because we

no longer have a surplus, we have a deficit, every tax cut we have passed since that time has been funded with money that we are borrowing from places like China.

In 2000, we had borrowed a total of $62 billion from China. From 1976 up until 2000 we owed $62 billion to China, and at the end of 2005 we owed $257 billion to China. Japan, $668.3 billion. Our government, we are borrowing $1 billion a day and spending half a billion a day paying interest on the debt we have already got. That is half a billion that can't go to fund our agricultural research centers or build I–49 or I–69 or many other opportunities and priorities and needs we have in Arkansas' Fourth Congressional District, because our Nation is in debt and running record deficits and borrowing money from all these foreign investors and foreign central banks.

Put it this way: Foreign lenders currently hold a total $2.174 trillion of our public debt. Compare that to only $23 billion in foreign holdings back in 1993.

Here is the top 10 list. Here is who is funding your tax cuts. Here is who is funding our government. We have borrowed $668.3 billion from Japan; we owe now $262.6 billion, and it goes up every week, to China; the United Kingdom, $244.8 billion, Caribbean banking centers, have you ever heard of that? I never heard of a Caribbean banking center before, but we have borrowed $97.9 billion from them; Taiwan, $71.6 billion; OPEC, you wonder why gas is $2.50 a gallon? We have now borrowed $77.6 billion from OPEC; Korea, $68.3 billion; Germany, $65.2 billion; Canada, $54.9 billion; and Hong Kong, $48.3 billion. Those are the top 10 countries that we are borrowing money from to help fund tax cuts in our country to pay for tax cuts for those earning over $400,000 a year.

I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. And here is the danger. Here is the danger when you put your financial security in the hands of foreign nations at the rate that we are doing it. Now we have to worry that some of these nations could very well sell their U.S. dollars in their reserves and then they could switch their currency into other nations. They could do a lot of things when they have our debt.

What happens if they lose patience here? By having so much of our debt in the hands of foreign interests, we place our whole financial security in great peril.

China now has $250 billion of our debt, Japan has $687 billion of our debt, Taiwan has $117 billion of our debt and Hong Kong has $67 billion of our debt. I mention these because these are countries in the Asian Basin. If collectively they came together, for surely geography puts their direct interests more at stake than it does us over here in the Western Hemisphere, if they came together with a pact and just made a decision on what to do with our debt or whether they are going to sell U.S. dollars or reinvest in other countries or do things that will drive down our financial security, look at the bad position that places us in. And when you combine that with the fact that India and China have taken over our manufacturing capabilities, it shows the seriousness of the situation.

Mr. ROSS. Mr. Speaker, reclaiming my time, I thank the gentleman from Georgia and the gentlewoman from Illinois for joining me this evening.

At the beginning of this special order, this was the national debt, $8,378,143,406,405 and some change. Just in the hour that we have spent here on the floor in this special order discussing the Nation's debt and the deficit, the debt has gone up approximately $41,666,000. So the new number is $8,378,185,072,405 and some change. Just in the hour we have been here, we have seen the national debt go up that much, $41,666,000, approximately.

So, until our government gets its fiscal house in order, as Members of the fiscally conservative Blue Dog Coalition, we are going to continue to come this to this floor every Tuesday night and talk about restoring some common sense and fiscal discipline to our Nation's government. We will be talking more about the Blue Dog 12 point plan for curing our Nation's addiction to deficit spending and will be talking about our plan, our vision for a better America, a vision that includes a balanced budget and so many other provisions that just make good old-fashioned sense.

THE FALL OF GREAT NATIONS

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

Mr. OSBORNE. Mr. Speaker, in 2003, I was privileged to hear British Prime Minister Tony Blair speak in this Chamber, and one comment he made that particularly caught my attention was this: He said, ''As Britain knows, all predominant power seems for a time invincible, but in fact it is transient.''

What he was referring to, I believe, was that all great nations, when things are going well, assume that they are going to go on forever. But history shows us with example after example that this is really fallacious reasoning. So we might examine three such instances.

First of all, going clear back to Rome, which ruled nearly the entire civilized world 2,000 years ago, Rome appeared to be invincible, but eventually it fell. The reasons given generally by historians are these: There was a general decline in morality; there was an increasing corruption and instability in leadership; an increasing public addiction to every more violent public spectacles; an increase in crime and prostitution; and a population that became more self-absorbed, apathetic and unwilling to sacrifice for the common good.

Secondly, we might look at Great Britain itself. Certainly Great Britain has not fallen from preeminence, but it certainly is not the power it once was during the 1600s up through much of the 1800s, when it really dominated the entire world.

□ 2140

That empire slowly crumbled, and the reasons given again by historians were these: It lost the national resolve to maintain its territory, values that led to its ascendency were eroded, and spiritual underpinnings shifted dramatically.

Thirdly, we might just take a look quickly at a more recent superpower, Russia, which was one of two great superpowers as recently as 20 years ago. In a matter of months Russia disintegrated before our very eyes, and I think I along with many other people were amazed at how quickly this happened. Alexander Solzhenitzyn reflected on this fall when he observed this. He said, ''Over a half century ago when I was still a child, I recall a number of older people offering the following explanation for the great disasters that had befallen Russia,'' and he quotes. ''Men have forgotten God. That is why all of this has happened.'' Marx and Lenin had dismantled Russia's religious heritage and values, and Russia's foundation was broken and it collapsed like a house of cards with nothing to sustain it.

There are some common themes in all of these historic national collapses. First of all, the citizens became less willing to sacrifice for others and for their country; citizens became more self-absorbed, had a greater desire for the state to provide instead of providing for themselves; a weakening of commonly held values, and a decline of spiritual commitment.

You may say, well, what does all of this have to do with the United States, and why are you talking about this this evening? We obviously have the most powerful military, the strongest economy, the most stable government of any nation in the world today.

It is very easy to think that we are invincible and that this may last forever. But as Tony Blair stated so clearly, as Britain knows, all predominant power for a time seems invincible, but in fact it is truly transient.

This statement of Prime Minister Blair's rang a bell with me as I sat and listened to him, because over 36 years of coaching and working with young people I witnessed some trends that were concerning to me. The young men that I worked with were more talented physically and more gifted each year, yet they showed more signs of stress, more personal struggles, less moral clarity as time passed.

This chart illustrates some of the difficulty that we are currently experiencing with some of our young people

that shows the juvenile court delinquency caseload. It starts in 1960 with really not very many cases, and it more than quadrupled by 1995 and 2000, and that trend has continued upward even today.

Several factors I think have contributed to these changes. First of all, the family structure has certainly eroded in our country. In 1960, when I first started coaching, the out-of-wedlock birth rate was 5 percent. Today it is 34 percent; in parts of our country, the out-of-wedlock birth rate is 60 and 70 percent. So we have at least one-third of our young people entering the world with two strikes against them. It does not mean they cannot live a successful life, but it is certainly going to be much more difficult.

In 1960, the great majority of children lived with both parents. Today, nearly 40 percent of our young people grow up without both biological parents. Again, this makes life more difficult. Less than one quarter of families with children under 6 have a parent staying home with them full time. Of course, that again is a tremendous shift from the way it was 40, 50 years ago. One-third of all school-aged kids come home to an empty house for at least part of the week, and the hours between 3 and 6 p.m. are the largest at-risk time for children in our culture at the present time; it is those 3 hours after school, before parents begin to come home.

Twenty-four million children in our culture live without their real father. Fatherless children are two to three times more likely to be abused, have emotional and behavioral problems, abuse drugs, alcohol, or to commit a crime. There is a greeting card company that contacted the inmates in a prison just before Mother's Day, and on a whim they decided that they would provide Mother's Day cards for any inmate that wanted to send a card to his mother. The reception was very good. Almost 100 percent of the inmates accepted cards, sent it to their mother. So they decided that they would try the same thing on Father's Day, and yet they had almost zero response. Practically no inmate would write a card to his father. I would assume the reason is that so many of the people there were people who had been abandoned by their fathers, did not have fathers, and as a result you could see a tremendous dichotomy between those who were still attached in some way to a mother as compared to those who were attached to their father.

The foundation in our culture, the family, is certainly under assault. It does not mean that we do not have good families, we have many good families; but there has been some sign of erosion, some things that are certainly very concerning. Of course, the family unit is the basic element of our social structure. When that begins to fall apart, then things begin to get very difficult indeed.

Also, we might mention that in addition to some of the difficulties that we are experiencing in our families, the environment in which our young people currently exist has certainly changed as well. One thing I am going to talk about here for the next 3 or 4 minutes is underage drinking, alcohol abuse, because this has become a huge problem in our culture. The National Academy of Science study showed that alcohol kills six and a half times more young people than all other drugs combined. So it kind of flies under the radar screen, where we think about cocaine, we think about heroin, we think about methamphetamine, we think about marijuana, and yet six and a half times more young people are killed by alcohol than all of these other substances combined. It costs the U.S. $53 billion annually, alcohol abuse, underage drinking. There are roughly 3 million teenage alcoholics, which is by far the largest number of those who are addicted to some kind of substance. The average first drink in our country today is at 12.8 years of age, and that age is declining.

One of the problems we have with underage drinking is that so often young people binge drink. On average, they will consume twice as much alcohol per occasion of drinking than an adult will. Of course, this leads to some very difficult situations. Twenty percent of eighth graders drink regularly. Children who drink before age 15 are five times more likely to become an alcoholic than those who wait until they are 21 years of age to start drinking. Youth are 96 times more likely to see an ad promoting alcohol than to see an ad discouraging underage drinking. So, obviously, in the advertising world, you can see where the emphasis is. We spend hundreds of millions of dollars to fight drug production in Afghanistan, Colombia, and around the world, and a fraction of that money spent on curbing underage drinking might be more cost effective in our own country.

The National Advertising and Education Campaign has been effective in combating teen tobacco use, and the same thing is needed to combat underage drinking and yet we seem to ignore the problem.

Another substance abuse epidemic that is sweeping the Nation and has really gotten most of our attention is the methamphetamine epidemic. In my State of Nebraska, the problem has become tremendously pernicious and has been somewhat overwhelming. I would like to illustrate this by showing a few charts at this time.

This was the incidence of methamphetamine labs in 1990. California and Texas were the only two States that reported more than 20 meth labs out in the countryside; of course, that changed rather rapidly. We see here in 2004, all but maybe seven or eight States in the Northeast were reporting large numbers of meth labs, and of course in many cases they are reporting as many as 300 or 400 or 500 meth labs that we know about in a given year. So methamphetamine has swept from the west coast and the Southwest all across the country, and the prediction is that certainly those Northeastern States will also be hit very hard by methamphetamine within a relatively short period of time.

Many people have seen the following pictures, but I think it shows rather graphically what methamphetamine does. This was a young lady who was arrested in November of 1979, and was arrested each succeeding year for the next 10 years for methamphetamine. She was picked up by authorities, and each year they took her picture, a mug shot. You can see the first 5 years that she certainly deteriorates somewhat, and then in May of 1986 there is a more dramatic change; in January of 1988, a significant change, and this is where some people begin to believe that she started to inject methamphetamine, and then you see further deterioration in the bottom right picture was taken in January of 1989, 10 years later, after the first picture.

□ 2150

This was taken in the morgue when she had eventually succumbed to her addiction, and so the interesting thing is that she did survive for 10 years. Many people on meth do not do this, but you can see that the aging process was tremendous and it probably took the toll that normally a person would age 50 years in that 10-year period of time, and she did it in 10 with the assistance of methamphetamine.

A report released by Voices For Children found that meth is one of the reasons for a 38 percent increase in child abuse and neglect in the State of Nebraska. This is true all across the country. As we see meth increase, we see child abuse, child neglect goes up, and we see many cases of serious injury and death on the part of young people simply because their parents no longer are able to care for them or care about them. The meth addiction has taken over and occupies all of their time, their attention and their devotion, and children suffer greatly.

According to a recent report to the legislature by the University of Nebraska at Omaha, an estimated 22,396 Nebraskans are methamphetamine dependent or abusers. This is in a relatively sparsely populated State with 1.7 million people. So it constitutes the population of a pretty good-sized town in the State of Nebraska.

A study done by the University of Arkansas found that methamphetamine users cost their employers about $47,500 annually due to increased absenteeism and loss of productivity. If you took $47,500 costs, and that is fairly conservative, times 22,000 individuals addicted, you have got over $1 billion in costs in the State of Nebraska. Of course, I am extrapolating those figures from Arkansas, but I believe that they are probably fairly accurate.

Judge John Icenogle, a drug court judge in Buffalo County, Nebraska, testified at a hearing here in Washington

before the Education and Workforce Committee, and I would like to read you a little bit of what he said: ''In April of 2005, approximately 6,000 children were living in out-of-home foster care placements within the State of Nebraska. More than half of the parents from whom children are removed have problems due to use of methamphetamine.''

So we have 6,000 people in foster care living in out-of-home placements. Roughly 3,000 of those kids are there because their parents are addicted to methamphetamine.

During a recent 2-week period in Lancaster County in Nebraska, the county attorney filed juvenile petitions on behalf of nine newborns because of methamphetamine use by the mothers. This is the interesting part: additional birthing expenses for a meth mother include as much as $1,500 to $25,000 per day for the care of her child. Some children require nearly a quarter of a million dollars of care to ensure the child attains the age of 1. This is simply because of reduced birthrate, damage that methamphetamine causes; and this does not say anything about the horrible suffering that these children go through.

The developmentally delayed children can require up to three-quarters of a million dollars in special care during the child's first 18 years of life. So to get one of these meth babies from birth to age 18 in some cases will cost $700,000, $750,000, not in all cases.

Congress has taken some steps to address meth production by making it more difficult for meth cooks to be able to obtain pseudoephedrine, which is one of the primary ingredients, the only ingredient which you absolutely have to have. That regulation has been helpful, along with some laws from various States.

One thing that I think we did in that bill, which I think is very important for us in Congress to realize, is that at the present time, somewhere in the vicinity of 70 to 80 percent of the methamphetamine coming into the United States today is not made in meth labs. Those are kind of on the way down. Meth is coming, in most cases, from Mexico from superlabs; and in order to have a superlab, you have to purchase huge amounts of precursor chemicals, and chief among these are the pseudoephedrine. There are only six or seven places in the world that manufacture large quantities of pseudoephedrine, and so in the bill that we did, we said we want the five leading exporters of pseudoephedrine and the five leading importing countries of pseudoephedrine to report, to give their invoices to the United States, to report to us, and that way we would be able to track where the pseudoephedrine is going and where those superlabs are.

We think much of it will be in Mexico; and if they do not comply, we are entitled to remove up to 50 percent of their foreign aid, which is a significant penalty, which should get cooperation. This is part of the bill that I think will really help us get a handle on the crystal meth that is currently coming in from those superlabs.

It is critical that we have a balanced approach to this problem of methamphetamine. There is not just one thing you have to do. You have to start out first with education, and probably start with young people in third, fourth, fifth grade and their parents, and of course, photos like I have just shown are very graphic. Sometimes they are rather disturbing, but it shows people exactly what methamphetamine does. We think education is critical because for every one dollar you spend on education and prevention, you are usually going to get anywhere from $10 to $15 from the back end in reduced crime and not having to lock people up and reduced assaults, foster care and so on. So this is important.

The second thing that you have to do is you have to have interdiction. You have to have people on the ground who are attacking the meth problem on a daily basis, and in many parts of the country, drug task forces are critical. This is why the Byrne grants that Congress provides, which fund these drug task forces, is critical. Last year, we were zeroed out in the President's budget on Byrne grants, and we restored as much as we could, about two-thirds of what we probably needed. This year again we are zeroed out, and again we will have to fight to get that funding back; but this is critical to have the Federal money to be able to attack the meth problem in terms of law enforcement.

Then, lastly, the third leg of the stool is the issue of treatment. Right now, we have a lot of people who do not manufacture methamphetamine, people who have not committed crimes on methamphetamine; but these are simply people who are addicted to meth. The question is what are you going to do with them. So often what we are doing is we are sending them to prison for 12 months or 18 months. They get no treatment. Their family usually falls apart, and as a result, they come out as bad off or worse off than when they went in. On the other hand, if you put them in a drug court, they get tested twice a week. So you know that they are clean. You know that they are off the drug. They get treatment. They get to go to group therapy. They can usually hold down a job and pay taxes. They can usually hold their family together. So this is critical, and it is the most cost-effective, efficient way to treat the problem. Again, we need to have substantial amounts of money for those drug courts.

So, anyway, we feel that the meth issue is becoming huge, and it is really impacting our culture.

The United States is also one of the most violent nations in the world for young people. We have the highest youth homicide and assault rates in the developed world, and suicide is currently the third leading cause of death for young people. The violence has certainly escalated.

Pornography has also exploded. There are currently 260 million Internet porn sites cataloged as recently as 2003. Let me repeat that number: 260 million Internet porn sites. Our Internet is simply inundated with this type of activity. Nine out of 10 children between the ages of 9 and 16 have viewed porn on the Internet, mostly unintentional. This was according to a study done by the London School of Economics.

Many of us are dismayed by the way the FCC is regulating obscenity on our Nation's airwaves. We do not feel they are doing enough, and a poll in 2004 found that 82 percent of adult Americans surveyed say that the Federal laws against Internet obscenity should be vigorously enforced, and most people do not believe they are being enforced to the degree that they should be.

Video games, something also impacting our young people. More than 90 percent of American children play video games every day, and one-half of the top sellers contain extreme violence. Some teach stalking and killing of victims, similar to military training and video games; and pornography is sometimes a reward for hitting a target in one of the video games.

The young man who was a school shooter in Kentucky had never fired a gun before the day that he went to the school and started picking off his classmates, but he had been trained and trained on video games, shooting life-like people, and he became remarkably accurate.

□ 2200

So we think that some things should be done in this regard as well. Much music, some television, and many movies are very graphic, and that content would have been impossible to present for public consumption 30 years ago. I have some grandchildren, ages 6 through 13, and I know many people in Congress are concerned about grandchildren, children, and the effects that some of the things we have just mentioned are having on those young people.

Lastly, let me just mention that the value system in our country has certainly shifted. We mentioned that the family has been eroded to some degree, the environment is more threatening, and the value system that we have held dear for so many years seems to be changing to some degree also.

Many folks may have read a book by Steven Covey called ''The Seven Habits of Highly Successful People.'' Covey points out in his book that over the first 150 years of our Nation's history success was defined primarily in terms of character traits. And so a successful person was honest, a successful person was hard working, faithful, loyal, and compassionate. And that was what success was all about. Then he noticed

that over the last 50, 60 years that the definition of success has changed remarkably. He said, success now is viewed as acquiring material possessions, acquiring power, and prestige. And so success is no longer a link to character traits, rather it is linked to those things which are powerful, impressive, and have to do with monetary advantage.

So the value system, obviously, has shifted significantly over the last 50, 60 years. We have seen certainly a discouraging lack of integrity, sometimes in government, sometimes in athletics, sometimes in the business world. We have seen extreme political partisanship. Ofttimes on this floor you hear one side attacking the other. I think that has eroded public confidence to some degree in the political sector.

Presently, Mr. Speaker, the predominant world view is something called post-modernism. Post-modernism is certainly very alive and well in our culture, especially on our college campuses. What post-modernism says, essentially, is this: It says that there are no such things as moral absolutes. There is nothing absolutely right or nothing that is absolutely wrong. Everything is relative. In the case of theft, maybe even murder, maybe even incest, adultery, or treason, it depends on the circumstance. So as a result, we have a whole generation of folks growing up with the idea that there really is nothing that is truly wrong and that everything can be explained away depending upon the circumstance.

In view of all that I have been discussing, this is an extremely difficult time for our children. We are asking them to weave their way through a mine field littered with alcohol, drug abuse in some cases, harmful video games, and sometimes music, television, and movies that are not very healthy. And we are asking them to weave their way through with less parental guidance and an ever shifting value system. So we have to be aware of what is happening to the next generation. We need to pay close attention. There is no culture that is more than one generation away from dissolution.

I am not one who is a doom and gloom individual. Much of what I have talked about this evening is certainly not very cheery or terribly optimistic. But I think unless we begin to look at things in a realistic way we will not be able to do much to correct the problem, maybe before it is too late.

A Frenchman by the name of de Tocqueville made an astute observation early in our Nation's history. He said this about America. He said, ''America is great because America is good.'' And he was referring to the large number of churches and civic clubs and youth groups and individuals who reach out to help those who are less fortunate. To some degree, that is still very true of our country. We are a generous people. We are really basically at heart, I think, a very good people. So he was referring to the inherent decency of the American people. He was referring to the strong moral and spiritual underpinning of the Nation, and he was referring to the basic American ethic, which is essentially do unto others as you would have them do unto you.

Of course, de Tocqueville wrote 200 years ago. So the question is, are his observations true today? Some are. However, as we have pointed out, there are some disturbing signs of change. But what can be done about this? We don't want to leave the subject, Mr. Speaker, without at least talking about some possible solutions.

One thing that I have been very interested in through the last 10 or 15 years and during my time here in Congress has been the issue of mentoring. Mentoring, of course, is providing an adult in the life of a young person who cares, number one. And it is amazing how many young people really don't have an adult in their life that they can absolutely count on; that they can depend on; someone who cares about them unconditionally.

So a mentor is someone who does that. It is not a preacher, not a teacher, not a parent, and not a grandparent. It is not somebody who has an obligation. It is somebody who simply cares enough to show up. And that is very powerful in the life of a young person.

Secondly, a mentor is someone who affirms, who says, I believe in you. Again, there are so many young people today who don't hear a positive message. They do not hear a kind word; that somebody believes that they can be successful; that they can do what they need to do; that they see some strength.

Then the third thing a mentor does is provide a vision of what is possible. Again, so often young people are really limited by their experience. Maybe they have never seen a parent who has completed high school. Maybe they have never seen anyone in their immediate family who has accomplished anything or maybe even has held down a steady job. So their idea of growing up is to drop out of school at age 16 and get a job in a fast food place and maybe buy an old car, and the rest of the future is maybe not very promising. So providing a vision, again, is something that certainly a mentor can do.

Mentoring programs have been proven to reduce dropout rates, drug and alcohol abuse, teenage pregnancy, violence, they increase attendance, graduation, grades, and even peer relationships. So it is one of the best things we have going. And in view of the fact so many young people do not have tremendous parental support, mentoring is one thing that we can provide.

A few years ago, the President proposed $150 million annually for mentoring programs, and Congress has come through pretty well, I think. We provided $184 million over the last 5 years, and this really has reached hundreds of thousands of young people who are now being mentored who would not otherwise have had a chance to have a mentor in their life.

Currently, the National Mentoring Partnership estimates that there are roughly 18 million young people in our country today who badly need a mentor, and yet we are only mentoring somewhere between 2 and 3 million of those 18 million. So there is a lot of work to be done. But if we could begin to fill that gap and get somewhere close to providing an adequate mentor in the lives of those 18 million young people, it would make a huge difference in this country and make a huge difference in the future of this country.

Sometimes legislation can help, and there have been a number of bills introduced. I have introduced H.R. 1422, the Student Athlete Protection Act, to close a Nevada gambling loophole. Some people say that is really not that relevant, but it is interesting in that the State of Nevada is the only State that legalizes betting, gambling on amateur sports. It seems that this is something that we ought to think about a little bit. Currently, thousands of people go to Nevada during the NCAA basketball tournament, also during the football bowl games, because they can bet on game after game after game.

Having been a coach, and the reason this is important, so often you had to win twice. You had to win on the scoreboard and you also were expected to beat the point spread. And that puts a lot of pressure on young people. It certainly puts pressure on coaches. But we are older and we are expected to be able to perform. But I think that that influence has not been healthy on the world of sports and certainly has been difficult for young people.

The Software Accuracy and Fraud Evaluation Rating Act, or SAFE Rating Act, sponsored by JOE BACA and myself, is one that would require the Federal Trade Commission to study the voluntary rating system for video games to determine if its practices are unfair or deceptive.

□ 2210

This is important because right now in the video game industry, you cannot really tell much about the content by looking at the rating. It is not quite like movies and some other rating schemes we have. So the bill holds the video game industry accountable for their products and ensures that parents have accurate information in making purchasing decisions for their children.

I think there are an awful lot of parents who have kids playing video games every day who have no idea what is going on in those games. They simply are not aware of the content.

We certainly could use a fundamental shift in some of the court decisions regarding the first amendment. Legislation passed by Congress will not help if it is overturned by the courts on a regular basis. The court has ruled in some cases to protect pornography. In 1996

Congress passed the Communications Decency Act, which made it illegal to send indecent material to children via the Internet. But in June of 1997, the Supreme Court overturned portions of the law stating ''indecent material is protected by the first amendment.'' Of course that ruling, that decision, set the tone for many other decisions.

In 1996, the Child Pornography Prevent Act outlawed child pornography. In April 2002 the Supreme Court declared the act unconstitutional. Again a precedent was set.

In October 1998, the Children Online Protection Act was signed into law to prohibit the communication of harmful material of children on publicly accessible Web sites. The Supreme Court's refusal to rule on the 1998 law prevent the law from being enacted.

There are many, many cases like this. What we see is sometimes under the guise of free speech, and certainly everyone in Congress believes in the principle of the first amendment. However, we find that some people's rights are being trampled because 80 to 90 percent of rapists and pedophiles use pornography on a regular basis, often before or sometimes during the commission of their crimes. Therefore, we think that it is time that we rethink some of these rulings.

Some people say pornography is harmless. However, what we read and see and think about certainly affects behavior. If this was not the case, I am sure that people would not spend billions of dollars on advertising because advertising does change behavior. There is no question to that effect.

The court has often ruled against school prayer, and I certainly would not advocate that a teacher or superintendent or principle or somebody in the school should be allowed to proselytize or say a prayer in class that would be offensive; but in 1962 the Supreme Court ruled the following prayer unconstitutional: ''Almighty God, we acknowledge our dependence on thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.''

So it would appear that many court rulings regarding separation of church and State have ranged far afield from the intent of the framers of the Constitution. Benjamin Franklin said, ''We have been assured, sir, in the sacred writings that except the Lord build the house, they labor in vain that build it. I firmly believe this. I also believe that without His concurring aid, we shall succeed in the political building no better than builders of Babel; we shall be divided by our little, partial local interests; our projects will be confounded; and we ourselves will become a reproach and a byword down to future ages.''

He continues, ''I therefore beg leave to move that, henceforth, prayers imploring the assistance of Heaven and its blessing on our deliberation be held in this assembly every morning before we proceed to business.'' On Franklin's insistence and urging, the House of Representatives and the Senate open every day with prayer.

I am not suggesting that the same thing needs to happen in our schools, but it does appear that the intent of the framers of the Constitution was maybe a little different than what we have seen played out in the courts.

George Washington said, ''The propitious smiles of Heaven can never be expected on a Nation that disregards the internal rules of order and right which Heaven itself has ordained.''

We have seen that the warnings of Franklin and Washington to some degree have come full circle. As we have moved further and further away from our spiritual underpinnings, we begin to see some of the fruits of that wandering. So despite the fact that the Constitution does not contain a separation of church and State clause, in 1992 the Supreme Court decision declared an invocation and a benediction at a graduation ceremony unconstitutional. The court held a minute of silence in a school was unconstitutional. So if you started the school day with a minute of silence in which students may pray silently, they may think about their history test, that minute of silence was held to be unconstitutional. That seems a little bit strange.

The court ruled a student-led prayer at a football game was unconstitutional. And of course many of us know the words ''under God'' was struck from the Pledge of Allegiance by the Ninth Circuit Court. The Supreme Court restored the phrase, but it threw the case out on a technicality. I am sure that challenge will resurface sometime soon.

So we have seen many examples of different rulings that have certainly affected our culture. A partial-birth abortion ban was recently struck down by the courts. And many in this body who favor abortion voted for this ban. More than 70 percent of the public now oppose partial-birth abortion. I am not going to go further into the abortion issue, but it seems rather strange that something that is disapproved of by so many people in the United States would be struck down.

The Constitution is increasingly interpreted as a living document. So the Constitution is often not interpreted as it was written, but rather as justices believe it should be or maybe how it should have been written. Legal decisions increasingly come down based not upon what the law states, but rather based upon the personal ideology of the jurist.

The Constitution is not based upon absolute principles, but rather the shifting sands of relativism. The philosophical bent of the Supreme Court Justices and district court justices determines the course of the Nation.

And so it will be interesting to see now that we have had some change on the court, and I do not mean to say that the court over a number of years has been totally errant, there are many great decisions they have made, but I am saying that the general drift of the court has been one which has led us down a path that is certainly quite a distance from where we started out in the founding of our Nation.

So the makeup of the courts and the will of Congress will greatly influence whether we continue to drift further from our spiritual heritage or draw close to those values upon which our Nation was founded, the willingness of Congress to focus upon the pernicious influences impacting our children. And sometimes I am concerned because I see people who are here in Congress who fought the fight over the Internet battles and pornography and some of these things, and have simply started to back off because they realize that they have passed laws and they have passed laws and because of various court rulings they have not gotten anywhere and so they have almost quit trying. That is unfortunate.

And also the willingness of the American people to demand that those profiteering at the expense of our culture and our young people be reined in will largely shape the future of our Nation.

Terrorism is an ever-present threat. The economy is of great concern. However, terrorism and economic distress will not prevail as long as our national character is silent. So we are engaged in a cultural and a spiritual struggle of huge proportion, and I can only hope that the principles upon which this Nation was founded remain preeminent. As Congress addresses important issues such as national defense, the economy and health care, it is critical that we not lose sight of the fact that our Nation's survival is directly linked to the character of our people.

Mr. Speaker, I appreciate this opportunity to address the House this evening.

□ 2220

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for half the time remaining before midnight, approximately 50 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor once again to address the House of Representatives, and we would like to thank the Democratic leadership for allowing us to have this time, Democratic leader NANCY PELOSI, Mr. STENY HOYER, and also our chair and vice chair of our caucus.

I think it is important for us to come to the floor once again in this 30-something Working Group to talk about the issues that are facing America and how the Republican majority is falling short of its responsibility, Mr. Speaker, to fulfill not only the hopes, but aspirations of Americans as we come to Washington, D.C. to represent them in a way that we should, need it be education, health care, what have you.

We have so much to share, Mr. Speaker, tonight, 50 minutes will not even give us justice for what we have to share. I must say that the 30-something Working Group is very, very, very excited and enthusiastic for being here tonight to hopefully drive home the point even better than we have done before of why it is important that we need a new Congress here in Washington, D.C. that is going to represent the American people.

And we are not just talking about Democrats. We are not just talking about Independents. We are not just talking about Republicans. We are talking about the American people. We want to move in a comprehensive way, making sure that we can have true bipartisanship in this chamber. I think we have expressed that in the past. I think that we have shown that in the past when we were in the majority, and it is nothing like third-party validators that we have here tonight, Mr. Speaker, that even drives home the point even better.

We have talked in the past about issues that are facing the American people and this Congress. We talked about the K Street Project back when no one really wanted to talk about the K Street Project, which is a project to encourage lobbyists here in Washington, D.C. to contribute to one side, to the Republican Party to help not only gain the majority, but to also be a part of supporting Republican candidates, to have access to this House. We talked about that. We got some dirty looks from some Members of the majority side about exposing that.

And then later, after Abramoff pleading guilty without a trial, without a jury selection or anything, the Republican majority said we will no longer carry out that project because it was wrong. It was the 30-something Working Group that moved boldly in that direction to expose that practice here in Washington, D.C.

Even when it comes down to our troops as it relates to equipment and supplies that they needed, even though you have some folks on the majority side that said we did it in a way that the American people should be proud of, it was on this side of the aisle that we did so.

So it is not all about who made it to the front of the classroom first, Mr. Speaker. It is about those of us that understand the responsibility of governance, those of us that understand the responsibility of leadership and those of us that cherish the opportunity to be here as part of this elected House of Representatives.

Like I said, Mr. Speaker, it is so much to share tonight, there is not enough time to share it. But I would like to yield to some of my colleagues at this time so that we can start the kind of discourse that is going to head us in the right direction here in Washington, and hopefully the American people will start looking through some of the 30-second ads, looking through some of the targeted media campaigns that are out there. When I say marketing campaigns, Mr. DELAHUNT, and Ms. WASSERMAN SCHULTZ, that sometimes mislead the American people and having them believe one thing when the reality is so evident.

Like I said before in the past, this is an unprecedented time, Mr. Speaker, of the fiscal situation here in this country, unprecedented as it relates to unusual things happening here in this House and in this Congress that are unexplainable. But every day, we need to be picking up the Washington Post or local papers. We are finding that the reason why strange things are taking place here in this country is the fact that strange things are taking place here in this House and in the Senate and in the White House. And I think that it is important that we bring this not only to the attention of the American people, but we call the American people to action on behalf of their country, not on behalf of party, not on behalf of age or gender, but on behalf of holding our country together.

With that I would like to yield to Congresswoman DEBBIE WASSERMAN SCHULTZ. And I would just like to say congratulations to your Florida Gators.

Ms. WASSERMAN SCHULTZ. Thank you very much. We were thrilled and I had an opportunity to attend the game last night and it was an incredible experience, and congratulations to the Florida Gators.

Mr. RYAN of Ohio. Can I interrupt here? It's tough to tell that she is a Gators fan tonight, isn't it?

Mr. DELAHUNT. What are the colors of the Gators, could you tell us? Do they happen to be blue and orange?

Ms. WASSERMAN SCHULTZ. Orange and blue. And each and every Gator fan that I know, Mr. DELAHUNT, bleeds orange and blue.

Mr. DELAHUNT. Well, congratulations once more.

Ms. WASSERMAN SCHULTZ. Thank you so much. But, all lightheartedness aside, I am struck, in following what the gentleman from Florida touched on, I am struck by a collection of facts that really are staring us in the face that are the direct result of Republican policies; today, this moment, not 5 years ago, not 4 years from now, but the direct result of Republican leadership or, I should say, lack of Republican leadership, because they are obviously in charge.

Let me just go through with you some of the things that we have pulled together and that are the economic facts facing this country and that clearly show why, when I go home and talk to my constituents and have done so recently, I did kind of a run through my district and spoke to many different kinds of organizations, many different kinds of groups, Mr. DELAHUNT, and I am sure that you are hearing the same kinds of things that I am.

Americans' confidence in their government has been so badly shaken. And it is not just that the culture of corruption and cronyism and incompetence that hangs over this building is there by itself. It is that, as a result of that corruption and cronyism, the policy that results from the corruption that is so deeply disturbing.

Let me just go through with you some of the things that we have been able to pull together just related to the economy. This is as of March 2006, just last month. 7.2 million Americans remained unemployed. We have an additional 4.2 million who want a job but are not counted among the unemployed.

Since this President took office, the economy has posted only 15 months of job gains of 150,000 or more. That is the number of jobs that is just needed to keep up with population growth. So all this talk about an explosion in job growth and how we are really on the rise in terms of job growth is just baloney.

Mr. DELAHUNT. If my colleague would yield. I don't want to skip past that, because I think it is important to analyze what kind of jobs are being created. And I think we all concur that the number of jobs are insufficient to move American society ahead to realize the American dream, if you will. But the reality is it is not the kind of jobs that carry with them the ability to have a living standard that most Americans enjoyed 5 years ago, 10 years ago and 15 years ago. These aren't good jobs at good wages. These are menial jobs, in many cases, at low wages. There is a difference.

The truth is that the median income for an American family has declined. It hasn't grown. So that while there may be jobs out there, Americans are falling behind. They are losing their health care. They are losing their pension. And what is really tragic is that they are losing the hope that all Americans have for their children and grandchildren. That is what I am experiencing.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. DELAHUNT. I yield.

Mr. RYAN of Ohio. You know, before I yield to the gentlewoman from Florida, you can't convince me that we can't do something about this. I can't be convinced of this. Proper investment. We can go back, GI Bill, space race, you know, we, as a country, transcontinental railroad, we had a program, we had a plan that we would invest back into the United States of America. And now we know it is not the transcontinental railroad. Now we know it is not the space program, at least to the extent it was.

But what is it now? Is it business incubators? Is it math and science graduates? Let's figure this out. Is it high speed rail?

Ms. WASSERMAN SCHULTZ. I know what it is not.

Mr. RYAN of Ohio. What isn't it?

Ms. WASSERMAN SCHULTZ. It is not just words in the State of the

Union, because it was very nice to hear the President talk about how he wants to make sure that we can have this.

Mr. RYAN of Ohio. We have got to get past the rhetoric. Let's get past the words. Words, words, words, no substance.

Ms. WASSERMAN SCHULTZ. What I hear from most people today is it is very nice, you can give a whole lot, it is nice to hear the speeches. They want the action to back up the words.

□ 2230

And let us just go a little bit deeper into this whole issue of job growth. So go beyond the 7.2 million Americans that remain unemployed. Since the President took office, only 15 months of job growth, just keeping up with population growth. The Bush administration has the slowest job growth of any administration in over 70 years. Since January of 2001, 2.9 million manufacturing jobs have been lost. There are now more than 1.3 million more unemployed private sector workers than in January of 2001.

And who has been in charge this whole time, Mr. MEEK? Have Democrats been in charge during these years that talk about the lackluster job performance?

Mr. MEEK of Florida. No, ma'am.

Ms. WASSERMAN SCHULTZ. Who has been in charge?

Mr. MEEK of Florida. The Republican majority.

Ms. WASSERMAN SCHULTZ. Oh, the Republicans. Okay. That is what I thought. Congressional Republicans.

They talk about how they want to grow jobs, that making sure people can go to work and earn a decent living is what is important. Then why is it that congressional Republicans defeated a Democratic amendment to increase the minimum wage, which has not been increased since 1997, the longest period of time we have gone without increasing the minimum wage? From $5.15, which is what it is now, we proposed to increase it to $7.25.

Mr. DELAHUNT. They prefer jobs at low wages. In essence, it is really that simple. Low-wage jobs are being produced by the policies of this administration and this Congress that is complicit. Complicit. And we know there has not been a single veto by this President because this is a Congress that goes along with this administration.

Mr. RYAN of Ohio. This is Bush's Congress. This is President Bush's Congress.

Mr. MEEK of Florida. The bottom line is this: We have a bobble head majority. We have a rubber stamp majority that is willing to do anything and everything the President has asked.

Now, Mr. DELAHUNT, we talked about this last week, Ms. WASSERMAN SCHULTZ, Mr. RYAN, about the fact that like 90 percent of the American people understand what is going on here under the Capitol dome, and then the majority runs from the back of the class and runs up and says, We want to govern. We are going to stop the President from doing X, Y, and Z. Why does it take that, Mr. DELAHUNT?

I mean the bottom line is it is about leadership, not how Republicans feel or how Democrats feel or how independents feel. It should be everyday business here in Washington, D.C. But they are so busy trying to cater to the President of the United States or trying to cater to the special interests, we forget about that individual who showed up on a Tuesday on election day in a given community early for representation. Not us on this side, but the majority does. And I think it is important that we share with the other Members that are watching us in their offices or whatever the case may be that they need to get back to the days of the morning when they woke up the next day, when they were newly elected as a Member of Congress, how they felt about representation, how they felt about being a part of the United States Congress, how they felt about representing their local community. And I think that kind of gets lost between the wine and cheese receptions that take place, Mr. Speaker, here in Washington, D.C. I am a Member of Congress. I am offended sometimes when I see Members taking votes against the will of their own constituency.

Mr. RYAN of Ohio. I am offended that they are not offended. That offends me that they are not offended offended.

Ms. WASSERMAN SCHULTZ. I am dying to make this comparison.

Mr. MEEK of Florida. Do not die just yet because you have to share some information.

Ms. WASSERMAN SCHULTZ. I know. We have 6 more months, and I am not through my list yet.

The minimum wage being $5.15 and the Members that you are talking about that were so fresh faced and exuberant the morning after the election and they were going to come to Washington and do the right thing and not be the rubber stamp Republicans, all of them voted against increasing that minimum wage. And if the minimum wage had kept pace with inflation, today it would be $8.88.

I am certain that none of our Republican colleagues have done this recently because, otherwise, they would have voted for the amendment, but have you driven through a McDonald's recently and ordered a number one, which is a Big Mac meal?

Mr. DELAHUNT. I am on a diet myself.

Ms. WASSERMAN SCHULTZ. I am kind of a McDonald's fanatic. And since it is quick and easy and when you have got your kids in the back of the minivan, believe me, the quickest thing sometimes is to go through the drive-through. The number one is just about $5.15 at this point. By the time you get the meal and whatever else you need, to make sure that you have got your soda and your drink and your fries, can you imagine that the minimum wage just barely pays for one Big Mac meal? I mean are the American people not worth more than a Big Mac meal? That is really what it boils down to.

I think they are. I want to make sure that my constituents can afford to feed more than just themselves or more than just one kid. Which kid are they going to pick? Which kid do they pick? Okay, who wants to eat today?

Mr. RYAN of Ohio. That is about $16,000 a year even if it was adjusted accordingly; right? Eight bucks is about $16,000 a year.

Ms. WASSERMAN SCHULTZ. Yes. I mean who can live on that?

In our community, Mr. MEEK, look at what housing costs.

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, we are with you 110 percent because this is information that needs to be shared and third-party validators can validate this.

Ms. WASSERMAN SCHULTZ. We are talking about the reality.

Mr. MEEK of Florida. This is the reality of the situation. This is not fiction; it is fact.

But if you can, I want you to get through that list because I know that Mr. DELAHUNT and Mr. RYAN are so fired up right now as it relates to sharing this information.

Mr. Speaker, this is almost not fair. I mean this is just so unfair that we have this much information to share with the Members about what they have done and what they have not done and how we are so ready to get in the game, to lead this House in the direction that every American can appreciate. Every American does not work at McDonald's, but guess what. There are a lot of Americans there and family members of Americans that punch in and punch out every day and know what it means to make the minimum wage.

Mr. DELAHUNT. My friend, before we let DEBBIE go through that litany, and it is a long litany, let us also understand it is not just those of us here that recognize that. It is not just Democrats. It is Republicans.

I will tell you I find it particularly ironic that the leader of the Gingrich revolution that brought a Republican majority to this House in 1994 recognizes what has happened to the majority in this particular body.

This is what Newt Gingrich had to say about them: ''They are seen by the country as being in charge of a government that cannot function.''

Mr. MEEK of Florida. Will the gentleman suspend.

Mr. RYAN, would you take that chart over to Mr. DELAHUNT. You all are going to share in this information sharing because Mr. DELAHUNT actually served when Mr. Gingrich was around and I think it is important that we share that factual information with the Members.

And, Mr. DELAHUNT, if you would share that because I know we have a

plethora of information to share tonight.

Mr. DELAHUNT. Again, let me repeat it. This is a quote of Mr. Gingrich that appeared in the Knight Ridder newspaper this past Friday. And this is his observation about what is occurring in this body over which he presided: ''They are seen by the country as being in charge of a government that cannot function.'' That cannot function.

Mr. RYAN of Ohio. ''They.''

Mr. MEEK of Florida. Mr. DELAHUNT, I notice Mr. RYAN and Ms. WASSERMAN SCHULTZ and we are so glad to be joined by Ms. JACKSON-LEE, who is one of my sheroes in this process. ''They.''

□ 2040

Mr. Speaker, this is the man who gave the Republican majority birth. ''Them.'' ''They.'' He is saying he is no longer a part of what is going on here. ''They.'' Not ''my colleagues,'' not ''my Republican brethren and sisters.'' It is ''they.''

This goes far beyond the 30-something working group. This goes far beyond Democrats and Republicans. Here is a man who was at the front of the line saying charge, that is now calling the Republican majority ''they.''

Mr. DELAHUNT. It is us versus them, and he ain't part of ''them'' anymore.

Mr. RYAN of Ohio. Who is with them?

Mr. DELAHUNT. As he said in this particular interview, if I can compose for a moment, here is an additional quote by the former Speaker of the Republican Congress. The reporter writes that he cited a series of blunders under Republican rule, from failures in the aftermath of Hurricane Katrina to mismanagement of the war in Iraq. He said the government has squandered billions of dollars in Iraq, Mr. MEEK.

Ms. WASSERMAN SCHULTZ. Who is the third party validator in the facts that you are citing now?

Mr. DELAHUNT. That is Newt Gingrich, who I know because when I first came to Congress, he was the presiding officer of this branch.

My colleague, SHEILA JACKSON-LEE, who preceded me in terms of service here in this branch, would also know and clearly could articulate that Newt Gingrich is someone who, whether you agreed with him or not, said it like he saw it. And this is what he sees today: A Republican Party in disarray, a Republican Party that can't govern. That is the bottom line.

Ms. JACKSON-LEE of Texas. If the Members could indulge me as well just for a moment, because by my good friend Mr. DELAHUNT calling up those memories, Mr. DELAHUNT, you remember in essence Newt Gingrich rode in on a revolution, a revolution of change, a revolution of a government that would be smaller and allegedly more efficient.

His first act was, of course, many of us claim it to be a Contract on America, but he called it at that time a Contract with America. A balanced budget was allegedly his goal, along with a number of other issues.

Certainly, this whole question of a misdirected war or an undeclared war I don't think would have been the kind of effective and efficient government, and, of course, I am not in any way characterizing the work of our soldiers, but that he would have argued. I wanted to raise this point so you can get to that bottom line, Mr. DELAHUNT, which, if I read it correctly, talks about the mismanagement of the Iraq war.

Many people will condemn the words that we have offered about the Iraq war, saying there is a question of patriotism. But this former Speaker says mismanagement of the war in Iraq, and that the government has squandered billions of dollars in Iraq.

Let me just cite this point from the International Relations Committee. The Special Inspector General for Iraq has cast grave doubts on the results and effectiveness of the United States reconstruction plan, including the failure to complete three-quarters of oil and gas reconstruction projects, half of all the electricity projects and about 40 percent of water and sanitation projects financed by the U.S. So Mr. Gingrich is, like you said, Mr. DELAHUNT, telling it is like it is.

I simply leave you with this question: If we are in the business of governance, balancing the budget, why do Democrats have to beg for hearings so that the American people can find out the truth? Not to question the valid, courageous efforts of our soldiers, but why we have money that is wasted, so soldiers, for example, have no equipment? This is what Democrats are trying to do, clear up the mess.

Ms. WASSERMAN SCHULTZ. Do you know why? Because this is a rubber stamp Republican Congress. We had an amazing thing happen today, and my good friend from Florida, Mr. MEEK, he has a much bigger rubber stamp that we use to show what is going on in this place.

Mr. MEEK of Florida. You can hold it.

Ms. WASSERMAN SCHULTZ. I feel privileged to hold it, although I don't want to hold it too long, lest it rub off.

But we got today more than 100 of these ''Rubber Stamp Republican Congress'' stamps from bloggers and people in the communities all over the country who are fed up and frustrated and who want us to continue to talk about what is going on here. Because it appears as though, and I mean this respectfully, that when people on the other side of the aisle come in this room, that they are checking, and I don't know whether they are checking their brains at the door or their opinions at the door or their convictions at the door, but we have watched, all of us, the board light up here with yesses and noes, and I know I have had conversations with Republican Members on the other side who say, ''I know I am going in there and I am voting this way.'' Then you watch it, the board, the light next to their name goes from red to green or green to red, and you watch their arm being wrenched behind their back, and out comes the rubber stamp.

Mr. RYAN of Ohio. We have seen tears shed on this floor.

Ms. WASSERMAN SCHULTZ. Out comes the rubber stamps. We need to throw away the rubber stamps. It is time to be done with the rubber stamps.

Mr. RYAN of Ohio. I think the whole thing is that is missing here, I think time and time again, there is one little general theme, and I think the former Speaker sums it all up for us in that same article. He noted that a Congressional watchdog agency recently smuggled a truck carrying nuclear material, and we talked about this last week a few nights, into the country, smuggled a truck carrying nuclear material into the country to test security. This is a direct quote from the former Speaker.

''Why isn't the President pounding the table? Why isn't he sending up 16 reform bills?'' Now, nuclear materials snuck into the country, and there is no one really even talking about it in the Republican House, the Republican Senate or the White House right now.

All we are saying is, and we come here every night, sometimes two or three times a week, to basically say there is no leadership in Washington D.C., Mr. Speaker.

The Democrats in this House want to step up and take the lead, because, quite frankly, not only us, you couldn't do any worse than this outfit does. We have plans for security, comprehensive plans. We have plans for innovation, plans for job creation, plans for health care. We have an agenda ready to implement for this country, including balancing the budget. But, time and time again, everything is rubber stamped. The bobblehead Congress. ''Yes, Mr. President. Yes, Mr. President. Yes, Mr. President.'' At some point you have to stop and say, hey, wait a minute. The country is going in the wrong direction.

Ms. WASSERMAN SCHULTZ. What we have been asking, what Democrats have been asking, is where is the outrage? What is their limit? Where do they reach the breaking point, individual Republican Members? When do they say ''that is it? There is a point at which I cannot support the direction that my leadership is taking this country anymore,'' meaning theirs. When do they say, ''I have got to stand up and do the right thing?''

It appears that their tolerance level for being pushed to do exactly as they are instructed is unbelievably high, far higher than my constituents, and I know your constituents, are comfortable with. We have got to make sure that we start moving the country back in the right direction and change some of these facts on the ground here.

Mr. RYAN of Ohio. I think what we need to do here the last 15 minutes or

so that we have, I think we need to tell the Speaker of the House and the other Members what we are going to do when we get in.

Ms. JACKSON-LEE of Texas. I think that is a good point. May I just give some history for a moment, because you set the tone or you set sort of the parameters for an indictable offense.

When the Clinton administration was ending its tenure, as many of you are aware, it was one of the most maligned and accused 8 years by this majority-controlled House, even though there was a high degree of success. But I think the most striking success was the Balanced Budget Amendment in 1997, which generated an enormous amount of surplus, putting us in the black, which created the Children's Health Insurance Program that went all over America, except for the State of Texas, which returned back money because with our Republican leadership we couldn't find children to insure.

□ 2250

But we had at that time billions of dollars of surplus. Now we have this gift given to the American people: Republicans increased the debt limit by $3 trillion. And we get to $3 trillion. And if you want to calculate what that means for each child, each grandchild, each mother and father, each grandparent, you can see the enormity of this amount. So it is crucial for Democrats to come and to make and select and to emphasize priorities.

Mr. RYAN of Ohio. Will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I would be happy to yield.

Mr. RYAN of Ohio. Because time and time again, how many debates have we had on the floor over the past several years? No one on the majority side, Mr. Speaker, has been able to explain to this House or the American people how this is somehow good. Somebody explain to the Speaker of the House and somebody explain to the Congress how increasing the debt limit by $3 trillion is good. Is it good for the economy? Is it good for the next generation? Who is benefiting from this? Nobody, except foreign countries. This is bad. This is bad for the American economy, this is bad for job creation, this ends up raising the burden for the next generation. This is terrible. Since the President has been in, June of 2002 raised the debt limit $450 billion. May of 2003, $984 billion. November of 2004, $800 billion. And get that poster ready, Mr. MEEK. March of 2006, $781 billion. $3 trillion debt limit increase.

Mr. MEEK of Florida. Really quick, because we are going to rapid fire here because we only have a few minutes left. I just want to quickly again, you have seen this, this will be in the National Archives one day because we talk about this time and time again. Let me, Mr. Speaker, move this education plan that Democrats have and this prescription drug plan so the Members can see this chart here. I think it is important. This $1.05 trillion that the President has accumulated with the Republican Congress in just 4 years versus the 42 presidents before this president and this Congress was only able to accumulate $1.01 trillion, and that is World War I, World War II, the Great Depression, you name it. You talk about the Democratic plan, Mr. DELAHUNT, Ms. JACKSON-LEE, Ms. WASSERMAN SCHULTZ, and Mr. RYAN, the bottom line is that we have countries that are owning America right now, not because Americans went out and made bad decisions; because this administration has made bad decisions, and this Congress, the rubber stamp Congress has allowed it to happen and has been doing this all along. All they have to do is be invited to a breakfast at the White House and it is like, ''Yes, sir, Mr. President. We will do exactly what we have to do. Not only will we do it, we will defend your wrong actions.''

Mr. DELAHUNT. You are saying we have an ownership society, Mr. MEEK.

Mr. MEEK of Florida. So, in closing, you want to know the Democratic plan? The Democratic plan is paying as we go. Paying as we go. Because when you are in debt, you do not continue to use a credit card. So if Americans want to do away with the $882.8 billion that Japan owns, we will pull this off the chart. China, if you want to do away with the $249.8 billion that China owns right now of our debt, and pay as we go, and we have evidence and third-party validators that will be explained to the American people and the Members, have a Democratic Congress. The U.K., you want to get rid of the $223.2 billion in foreign debt that they own of our country? I am destroying this chart here. But get a Democratic Congress, because we have shown, we balanced the budget, and we are committed to doing this because we believe in the way we believe when we were elected that we are here to represent the people. Caribbean nations, many of our folks are going and traveling to the Caribbean and saying, oh, how great America is. Well, when you land there, they are owning a piece of the American pie, so you need to respect them. We will be able to do away with that $115.3 billion that we owe them. Taiwan, $71.3 billion they own of our debt, thanks to the Republican Congress and to the President of the United States. Also, Canada, $53.8 billion. Korea, $66.5 billion. Germany, $65.7 billion. OPEC nations and, you know, Mr. DELAHUNT, I know that is your specialty, I do not really want to talk about that, but those are nations that we are very concerned about at this time that they own $67.8 billion.

So if you want to get the reverse factor of what the Republicans have done in putting us in unprecedented debt, no other time, Mr. Speaker, in the history of the republic, no other time. You cannot say, well, the Democratic Congress was once at this level. That was not ever the case. In 4 years, this has happened, the mismanagement.

Mr. RYAN of Ohio. What we have been trying to do over the past so many years consistently and constantly, amendment after amendment after amendment, the Democratic Party has offered and we have it all here, you will be able to go to our Web site and see these charts: In 2006 budget resolution, we offered to put pay as you go, that you are not going to spend any money unless you get it somewhere else or cut it out of a program and pay for it. Democrat, Mr. SPRATT, offered that amendment. Zero Republicans voted for that. Rollcall vote number 87 March 17, 2005. 30-Something's aren't making this up.

Mr. DELAHUNT. But they raised the debt limit. Didn't they?

Mr. RYAN of Ohio. They found the votes to raise the debt limit. Mr. SPRATT again offered the 2005 budget resolution, H. Con. Res. 393, rollcall vote number 91, March 25, 2004, right here in black and white. Republicans, how many voted to put spending under control, reign in this Republican Congress? Zero.

Mr. DELAHUNT. It is a lot easier to raise that debt limit, Mr. RYAN.

Mr. RYAN of Ohio. We are tired of the rhetoric, Uncle Bill.

Ms. WASSERMAN SCHULTZ. Mr. RYAN, how many Americans, do you think, think it is okay to just put all their debt on their credit card and never mind how much money they have coming in?

Mr. RYAN of Ohio. You cannot do it at home, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. But I guess the Republican leadership think here it is fine.

Mr. RYAN of Ohio. They are taking advantage of their power, and it is hurting the country. June 17 of 2003, Mr. OBEY tried to increase port security, which is another huge issue we have been trying to do here. $500 million. And we will go through all this. All these charts will be on our Web site, Mr. Speaker, for other Members to access and find out. We have tried consistently to increase funding for port security, and we will pay for it. We have tried to rein in spending. Republican Congress will not let us.

Ms. JACKSON-LEE of Texas. If I may add to your question, if you would. I do not think most Americans know that 70 percent of the Nation's ports are owned by foreign operators. Of course, to hear this administration tell the story, they tell you of course that does not interfere with security, the Coast Guard handles it. What they do not tell you is the Coast Guard makes checks on compliance; they do not handle the security operation of our ports. So this is an important issue that was rejected by the Republican Congress time after time, every time we try to rebuild America, put America on the right track, eliminate a $3 trillion debt limit, Republicans turn the clock back. I think the Democrats have a better story to tell for the American people.

Ms. WASSERMAN SCHULTZ. No question about it. I want to follow up

on something that the gentlewoman from Texas focused on, because a lot of people in America, even I have a hard time getting my mind around what a billion and a trillion is. It is hard to think about it in everyday terms. So we had it boiled down in very convenient chart form to help illustrate what a billion is.

For example, a billion hours ago, humans were making their first tools in the Stone Age. A billion minutes ago, it was 104 AD, and the Chinese first invented paper. A billion seconds ago, it was 1975, and the last American troops had just pulled out of Vietnam. All of those things, a very long time ago. A billion is a big, big number, clearly, measured in terms of time.

But a billion dollars ago, under this administration and this Republican Congressional leadership, was only 3 hours and 32 minutes ago at the rate that our government currently spends money. That is astonishing. That is what it means when you think about what a billion means under this Republican leadership.

Mr. RYAN of Ohio. We need the American people to give us a chance to lead this country. We want it. Put us in, Coach. We will put the PAYGO back into effect. We will rein in the spending that the Republican Congress that they think they can cut taxes, borrow money, and spend at levels unprecedented. And I am sure many of you saw the USA Today yesterday. I am sure you made it past the sports section with the recap of the games and everything. The Federal Government spending is outstripping economic growth at a rate unseen in more than half a century. The Federal Government, quote, is currently spending 20.8 cents of every dollar the economy generates, up from 18.5 cents as one White House budget document shows. It is not our documents, it is White House documents. That is the most rapid growth during one administration since Franklin Roosevelt.

□ 2300

Now, what happened to this outfit that came in in 1994 that said they wanted a balanced budget amendment, they wanted to make government smaller, spending it like drunken sailors, get this government under control, make it nimble and efficient and address the needs?

With all the technology and ability to communicate in the 21st century, we cannot even respond to a storm we know 5 days in advance is coming. It is ridiculous, and this country deserves better. We should not expect this comedy of errors that we get from FEMA and Halliburton and everybody in Iraq. It is a comedy of errors, and we need to get things straightened up here.

Mr. DELAHUNT. But it is a tragic comedy because the lives of young men and women in Iraq are constantly at risk. We all know what we have lost in terms of our youth, and we all know what the cost has been in terms of the taxpayers' dollars.

What I find extraordinary is, and SHEILA JACKSON-LEE alluded to it earlier, every Democrat on the International Relations Committee recently, in fact yesterday, signed a letter requesting an oversight hearing in terms of what is going on in Iraq, why the rampant fraud, abuse and corruption. We have been requesting that for 2 years, and you know what, we have never received an answer, not a single hearing.

If I were a Republican Member of this House, Mr. Speaker, and I read the op-ed piece by Retired Army Major General Paul Eaton, who was responsible for the training of Iraqi security forces, and received hardly anything in terms of support from the civilian leadership of this Defense Department, if I read what he said, I would insist that we listen to this individual, someone who served his country well, and you know what, they just want to ignore it. But I have to read what General Paul Eaton had to say because I think it is remarkable.

Secretary of Defense Donald Rumsfeld is not competent to lead our Armed Forces. In sum, he has shown himself incompetent strategically, operationally and tactically, and is far more than anyone else responsible for what has happened to our important mission in Iraq. Mr. Rumsfeld must step down.

That is from an individual who has served this country in Iraq with valor and distinction and his recommendation to this Congress is this: ''Congress must assert itself. Too much power has shifted to the executive branch, not just in terms of waging war but also in planning the military of the future. Congress should remember it still has the power of the purse; it should call our generals, colonels, captains and sergeants to testify frequently, so that their opinions and needs are known to the men they lead.

''Our most important, and sometimes most severe, judges are our subordinates. That is a fact I discovered early on in my military career. It is, unfortunately, a lesson Donald Rumsfeld seems incapable of learning.''

What a damning indictment, and yet not a sound from the majority in Congress. If I had read that, I would have asked him to come and testify before the committee of jurisdiction the next day.

Mr. RYAN of Ohio. Gingrich is saying send up reform, lead, do something; this government cannot function. This is not just us. This is Mr. Gingrich saying the same thing.

Ms. JACKSON-LEE of Texas. It says shame on them, shame on them that they would tolerate this kind of abuse.

Let me just quickly say, Democrats have been saying this over and over again. Democrats have been asking in the most polite way for Mr. Rumsfeld to step aside, to resign. TOM LANTOS says that Americans will not tolerate this waste of tax dollars, but let me give an anecdotal story.

What is happening in Iraq and other places, where Americans go and make commitments, we are going to build schools, we are going to reconstruct, we give these contracts to no-bid competitor, huge contracts. They sit in their offices. They give it to another contractor, another contractor, another contractor, who takes a piece of the pie. By the time you get down to the reconstruct in Mosul or Baghdad, nothing happens. What do the Iraqi people say? Americans have made a promise. What do the taxpayers say? You want to pay all this money for foreign aid and defense and you give us nothing. Then we get bad diplomacy because our allies or who we are trying to help looks and says we are masquerading.

Let me just finish by saying I have spoken to contractors and to the independent contractors who say they are living large in Iraq, while sadly our soldiers are looking for water, are looking for body armor, and some of the contractors are living large.

Let me say this, there are many who are over there sacrificing in danger. I am not condemning the workers who are on the front lines, who are civilians, who are in those places where our soldiers are. We thank them. But some of those who they work for are layering the contracts, and therefore, by layering the contracts, American people are expending dollars, and no one is turning on the light like the International Relations Committee has asked for, to have oversight to answer the question of what is going on. I believe we owe the American people more than this.

Shame on this House, shame on this leadership.

Mr. DELAHUNT. Amen.

Mr. RYAN of Ohio. That is the job. That is the job. That is the responsibility that we have here of oversight.

Mr. DELAHUNT. There is no oversight.

Mr. RYAN of Ohio. And it is because the President does not want any oversight, and the Republican Congress says, yes, Mr. President.

Ms. WASSERMAN SCHULTZ. There is no oversight. There is no outrage. There is no conscience. There is no heart. There is no ability of the leadership on the other side to recognize that the country has to move in a new direction and that we have to do something to restore the American people's confidence in their government. When will that happen?

Mr. RYAN of Ohio. As we wrap up, I would suggest that over the course of the next few months, Mr. Speaker, the American people will not get an answer from the leadership on the Republican side about what why the debt limit was increased by $3 trillion, why we are borrowing billions upon billions upon billions and even trillions of dollars from foreign countries, selling off. You will not hear a good answer, reining in spending, the most rapid spending growth during one administration

since Franklin Roosevelt. This is the outfit that wanted to have a revolution.

Mr. Speaker, www.housedemocrats.gov/30something for those Members. All the charts that were up tonight are on the Web site, www.housedemocrats.gov/30something.

Enjoyed it. Go Gators.

Mr. MEEK of Florida. Mr. Speaker, with that, we would not only like to say thanks to Mr. DELAHUNT but Ms. JACKSON-LEE who joined us tonight from the great State of Texas, also Mr. RYAN and Ms. WASSERMAN SCHULTZ for being here tonight.

We would also in the 30 Something Working Group recognize the great contribution of Dr. Martin Luther King who was assassinated on this date and Mr. Ron Brown who was our Secretary of Commerce that went down in a plane crash yesterday, the day before, on Monday. We want to let both families know we appreciate the contributions of these two great Americans to our country. We will be forever better because of their contributions.

At the same time, Mr. Speaker, the evidence that was just overwhelming tonight from the Members of not only what we are saying, because we are concerned as Americans, not just as Democrats, we are saying that we are willing to lead. We are also saying, Mr. Speaker, that when you have the past Speaker of this House, the first Republican Speaker in 40-something years coming before this body and make the statements that he believes the majority will lose the majority this time around because of what he identified this time of the evidence of why it will happen is just powerful and hard to defend on the majority side.

□ 2310

We are not asking for the majority side to defend what the past Speaker has said, but I think it is important to take note and that the American people take note of what is happening right now. So I think the American spirit will rise up over partisan politics and allow us to lead.

With that, I want to thank our vice chair, Mr. LARSON, of the Democratic Caucus; Mr. CLYBURN, our chairman; STENY HOYER, our Democratic whip; and Ms. PELOSI, who is the Democratic leader, for allowing us to have this time. We look forward to coming back to the floor to address not only the Members but the American people.

CUT UNNECESSARY TAB ACT

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized until midnight.

Mr. KING of Iowa. Mr. Speaker, I thank you for the privilege of being recognized to address this House this evening, and I would start out with some responses and some answers to these questions that you have been advised you will never hear the answers to. I didn't come prepared to answer these questions, but I actually think I am prepared to answer them.

The remarks with regard to the need to balance the budget. I agree, and I have a plan to balance this budget. I don't want to balance it by raising taxes. I want to balance this budget by controlling our spending. That is the issue. That is what the American people want. That is what I want. That is what we would do if we were a family balancing our budget or a small business balancing our budget or a large business balancing our budget. We would take a look at our spending.

Of course, we would work on the revenue side. Our revenue side has been growing. It grew 14.5 percent more than anticipated last year because we kept the taxes down. So I would suggest my colleagues on the other side of the aisle join with me. I will be introducing a piece of legislation. It is called the CUT legislation, which means cut unnecessary tab. Cut the unnecessary tab of this Federal Government.

It is going to be a new process that has never been offered to this Congress before, Mr. Speaker. It is a process that will allow for a privileged motion to come to the floor under an open rule that would be a rescissions bill once every quarter. Once every quarter, leadership will have the first 10 days of each quarter to offer a recissions bill. If they do not do that, any Member can offer a rescissions bill under a privileged motion. And if the Speaker recognizes them, they can bring forward a shell bill or a bill that has a thousand cuts in it, for that matter, but it will allow every single line item that has been appropriated by this Congress to be brought back before this Congress and removed from the budget under rescissions.

When an appropriation bills leaves the House and goes to the Senate, and the Senate works their will on the appropriation bill and it comes back to conference and we agree and do final passage on an appropriation bill, it then goes to the President for his signature. From the instant that that bill is enacted, and generally from the instant that the President's signature and ink goes on that bill, it will be subject then to rescissions that will happen four times a year in this Congress.

Four times a year Congress will take up a rescissions bill, and it will allow any Member to bring an amendment that will be ruled in order, provided it is in the proper sequence in the structure of the rescissions bill, which will allow actually for rescissions of all appropriations that have gone out that haven't been expended. So every Member then will have that opportunity to have their attempt at a line item veto. And when that budget is done and when the expenditures are spent, then a majority of this Congress will have had their say on every single line item.

If they object to a particular issue, like say, for example the Cowgirls Hall of Fame would be one that comes to mind, they would simply bring an amendment that would be added to the rescissions bill, put it up, debate the amendment, and we would vote that amendment up or down. If the amendment succeeds and it is to strike the funding for the Cowgirls Hall of Fame, then that would become part of the rescissions bill that would come off this floor, presumably pass and go over to the Senate for them to act on it. Now, whether they do or not is an open question as well, Mr. Speaker. But certainly the public would put some pressure on the Senate to do the right thing and do the responsible thing.

That is one way to control earmarks. It would allow Congress to address every single earmark and rescind, if they chose, those earmarks that are not appropriate spending. So the pork and the fat that is in the bill, particularly the appropriations that come in in conference that don't have a vote on the House or the Senate, unless they are part of the overall conference report, those kinds of appropriations then could be singled out in our rescissions bill and we could strike the unnecessary spending.

It would be something that would empower the rank-and-file members of this Congress and help them offset some of the powerful tactics of the appropriations people when they sit down in conference and put these appropriations in the bill. It is appropriate. It is something I believe our Founding Fathers would agree with. It is something that will control, to some degree, the overspending of our budget.

Now, one can argue that it is entitlements that are the big part of this, and I will agree. Medicare, Medicaid, Social Security and interest, those four items, are swallowing up more than half of our budget. Our discretionary portion of the budget is getting smaller and smaller. But we can still address the overspending in our discretionary budget. And this doesn't mean we can't address our entitlements. I am for going down that path of addressing the entitlements too, Mr. Speaker.

Now, my CUT bill will be introduced sometime in the next 2 weeks, and that means Cut the Unnecessary Tab of Congress. It is new. I think it is unique. I do not think anything has ever been offered like this in Congress before. I don't want to go so far as to say that it is revolutionary, but I will go so far as to say that I believe it is necessary. It is necessary for us to shine some sunshine on the things we do here in this Congress and let the people see how we do business, and put people up in this Congress for a vote so we can read their voting record and determine where they really stand.

So these kind of nights when you hear this rhetoric go on over and over and over again, that we are spending too much money and we are irresponsible and the national debt is going up and up and up and up, I would say to the people that have been making

those statements night after night down here, what is your plan? What plan do you propose, other than raising taxes?

You are talking like we don't respond to you. We respond to you. I am responding to you right now and asking you to join me in my CUT bill. We will do something responsible. We will slow down Federal spending and make everybody in this Congress accountable, to have a vote on potentially every single line item in the entire $2.7 trillion budget.

That is a responsible thing for us to do, and I am asking for support on both sides of the aisle. I actually think there will be some significant Democrat support on the other side of the aisle, and I am confident there will be significant support here on the Republican side of the aisle. That is one thing we can do.

Now, this foreign debt issue. Well, foreign debt just comes two ways. One is if we have deficit spending and then we are borrowing to keep this government going. All of that debt isn't foreign debt. A percentage of it is, and I have seen the numbers. It isn't a shocking piece that is foreign debt. But we have foreign countries that invest in U.S. Treasury bills because they believe in our currency. So you can declare that to be foreign debt, and I won't deny it. And I am not comfortable with an ever-growing foreign debt.

Another way we can get foreign debt is to have a negative balance of trade. A year ago it was a minus $617.7 billion in a negative balance of trade. A lot of that is because of oil and another big chunk of it is because of China. Those two things added together, I believe, are nearing about $400 billion between those two categories all together. That was a year ago, minus $617.7 billion. This last year, it was just reported out a month or a little more ago, a minus $725 billion imbalance in trade deficit.

So whenever we come with a trade deficit, that means that there are companies and countries, foreign companies and foreign countries that will hold collateral of the United States. We buy more than we sell, so that deficit becomes collateralized in collateral here in the United States. I know at one point the Japanese owned Rockefeller Plaza. So that would be an example. They have since sold it, but that kind of collateral is held here in this country and it grows: $725 billion.

This kind of growth rate of our trade deficit, we are approaching that point where it will be $1 trillion a year. And if you do $1 trillion a year for 10 years, you have got, miraculously, $10 trillion in debt. These numbers continue to grow. It can't go on forever. We need to reverse that.

Unlike my colleagues on the other side of the aisle, I have a plan to address that as well. And it is not a difficult plan to understand. It is one that serious economists will not disagree with, and it is called the fair tax. The fair tax is a national consumption tax. And what it does is it recognizes that what you tax, you get less of. Well, we're taxing all productivity in America under this policy that we have today under the Internal Revenue Code: The corporate income tax and the individual income tax and all of the taxes we have that roll around that.

□ 2320

I propose under the FAIR Tax, H.R. 25, to take all tax off productivity in America. Ronald Reagan said what you tax you get less of. So I want to take all tax off of all productivity. We will more than double the economy in this country in 10 to 15 years. If we do that and put the tax on consumption, then we are providing the incentive for savings and investment. To take the earnings, put it in savings and investment. People will decide when they will pay the taxes. But the important part is to untax productivity so we get more productivity. When that happens, gross domestic product jumps and doubles. People have 56 percent more money in their pockets because we are not withholding from their paycheck and they go out into the retail businesses and spend money. The tax is collected there, and it comes into the national treasury and that is a wash. We do not collect any more or less taxes than we do under the income tax system, but what we have done is taken this burden of our taxes off. We have gotten rid of a trillion dollars in anchor that we are dragging every year to fund our IRS and force our IRS, and then the disincentives when people will no longer work that overtime or invest that money in their production line.

The FAIR tax is the solution to this economy. It fixes the balance of trade. The way it does that, for example, if you had a Mazda on a dealer's lot with a $30,000 price tag and you had a Chevy or a Ford sitting on a dealer's lot with a $30,000 price tag. Competitively they have matched their prices so the vehicles are built with competitive value and competitive prices; $30,000 is an example.

Then we pass the FAIR tax, and it will remove 22 percent out of that automobile because that is the embedded Federal tax that has to be built into that price so that the corporations can pay taxes: Their corporate income tax, their payroll tax, and a series of other taxes that are built into the burden of running a company. Passing the FAIR tax takes the income tax pricing component out of that automobile, the $30,000 Ford or Chevy or American-made vehicle goes down to $23,400. And the Mazda made in Japan stays at $30,000.

Then we add the embedded tax back in, the 23 percent tax and you write the check for the Chevy or the Ford for $30,420. You write the check for the Mazda for $39,000. That is a 28 percent marketing advantage for the American-made vehicle. That means those $800 million worth of Mazdas coming over from Japan every year do not come in any where as near as great of numbers any more, and some of those Chevies and Fords go to Japan to be sold. And over there, they are priced at 22 percent less because we have taken the Federal tax out of the pricing component and put it on the sales size.

That is how we fix this minus $725 billion imbalance of trade. And when we have revenue coming into the Federal Government, we also have repaired the problem with regard to balancing our budget. We will be able to do this. What we need, though, 44 percent of Americans are not paying taxes at all. They are not filing their returns. They do not have a tax liability.

It was Alexander Tyler who said that when Americans understand that a majority of them can vote themselves benefits from the public treasury, on that day democracy ceases to exist. We are closing in on that 51 percent number that Alexander Tyler was so concerned about. It is 44 percent today, and perhaps the number is larger. We need to turn that around. We need to make taxpayers out of every American. Get them vested in this. We can untax the poor in America at the same time.

But I want to point out an anecdote that I think illustrates how the face of America gradually would be changed. That is I have often said that little Johnny would have to put a couple dimes up on the counter when he bought his baseball cards or little Sally on her Barbie doll clothes, and they would understand that they had to fund the expensive Federal Government. That would change the politics of America one transaction at a time, one child at a time, growing to adulthood. Every time they make a transaction, they would realize they had to pay for this expensive Federal Government. That has been the story I have used and created because it illustrated something I wanted to express.

Well, last Friday night I was at a dinner in Iowa. A young candidate for Congress stepped forward and he told about his son, Michael, who was buying a package of Skittles for 85 cents. I believe Michael is 8 years old. He put the Skittles on the counter and the checkout lady said that will be 91 cents. And Michael said the Skittles are 85 cents, why do you want 91 cents?

You have to pay the tax.

I have to pay tax on Skittles, he said.

Yes. The answer is you have to pay tax on the Skittles, the baseball cards, the automobile, the Barbie doll clothes, the prom dress, the pampers and the limousine service if it is for personal service, all of those things. And every time we dug into our pocket and put that cash out for Uncle Sam, all of us would be reminded we have an expensive Federal Government and we would ask, can we get along without some of these services. Can we be a little more personally responsible? Could we get a little more efficiency out of our churches because we do not get much efficiency out of our Federal

Government? Those kinds of questions would go on one at a time by the tens and hundreds of millions over the generations, and the face of America and attitude of America toward government would change.

So two things, fix the problems which have been laid out here tonight by the people on the other side of the aisle, and one of those things is the CUT bill, the Cut the Unnecessary Tab that America has so we can do a rescissions bill under an open rule so we can cut the earmarks that are unnecessary, the pork that is unnecessary, and put a final stamp of approval on a budget and all of us be proud that we voted our conscience and our needs.

The other side is let us reform our taxes. Serious economists will not argue with the position I have taken here tonight. But what I do recognize is we have had a long, strong economy. This long, strong economy, we had ten quarters in a row where we had 3 percent or more growth in our gross domestic product. Unemployment has been ratcheting down. It is about 4.7 percent right now. When you get that kind of smooth sailing for 10 quarters, and now the 11th quarter was the last one and I think that settled in around 1.6 or 1.7. You cannot carry that run on forever, but no one can find a better run in this economy at least going back to the early Reagan years and perhaps well before that because even before a similar kind of 3 percent run of growth for 10 consecutive quarters did exist in the early 1980s, it existed in an environment of 22 percent interest and high unemployment and high inflation rates. We had to get that under control.

A strong growth and economy was not doing as much as the strong growth we have had over the last 11 quarters here in the United States of America. So this solid economy that we have really works against us in a way because I do not believe we will find the political will to reform our taxes under this kind of an economic environment.

So I will say there are only two ways we can pass H.R. 25, the FAIR tax bill, and one of those ways is if we had an economic collapse or a dramatic economic downturn. That would cause us to look for solutions to bring our economy out of the potential doldrums.

That is not something I anticipate nor do I desire. I do not want to do business and get tax reform under that kind of an environment, although I think it would be better for us to go through that kind of pain and come out the other side with the FAIR tax as a policy.

I want to avoid an economic collapse or a downturn, so the other alternative is if we had a Presidential candidate who runs for the candidacy on the FAIR tax and wins the Presidency and receives a mandate from the American people. That kind of mandate from the American people would bring it to this Congress, good economy or not, and we could hammer out a good fair tax policy that would be a reform. That fixes our balance of trade and our deficit spending and it fixes the borrowing from foreign governments and lets us pay all of that back. It makes the United States of America the destination Nation of choice for the capital in the world. It brings back $11 trillion in stranded American capital that is in foreign economies.

□ 2330

All of those things happened good out of this. These are solutions, Mr. Speaker, to the problems that were raised over here on the other side of the aisle tonight. I ask again, what is your plan? I have laid out my plan and there are clear solutions. There are well thought out solutions, and I present them to this Congress, Mr. Speaker, and ask for endorsement and support of those clear and logical and rational and, in fact, with regard to the FAIR tax, irrefutably solid economic plan, one that serious economists will not challenge.

Now, Mr. Speaker, I didn't come here to the floor to talk about taxes. I came here and listened to the statements made by my colleagues and that, Mr. Speaker, is my rebuttal for their remarks.

I came here to talk about immigration because I think it is important for us to look ahead to the future of this Nation. And I have watched people marching in the streets across this country. It sounds to me as though they have a series of marches that are planned in the near future.

I recall in my mind's eye the television shots of a half a million people in the streets of Los Angeles, a half a million pouring into the streets to march and march under the Mexican flag in a big way. And as I looked across there and tried to do my count, my judgment was that perhaps there were 10 Mexican flags for every American flag in the streets of Los Angeles.

These protests went on in other cities around the country as well. Students walked out of school in places like Marshalltown, Iowa, for example, and marched with Mexican flags. I don't know how many of them actually knew what they were doing or understood the issue at all. Part of it might have just been a reason to get out of school. And I don't know how many of them salute our American flag, put their hand over their heart and pledge allegiance to the flag. Perhaps most of them do.

But I also saw anger in the streets of Los Angeles, and it reminds me that was the place where the American soccer team some years ago played the Mexican soccer team, and the American soccer team, when they came through the tunnel, were pummeled with garbage and trash and food wrappers and anything that the people in the stands in Los Angeles could throw at our American soccer team.

There is a friction there, Mr. Speaker. And the people that are marching under Mexican flags aren't marching with a request that we accept them underneath the American flag. If they were, they would be marching under an American flag. I think that is a simple piece of logic.

The questions that are not asked on this immigration issue, it is much rhetoric. It has been an intense effort to repeat over and over again certain fallacies, and those fallacies seem to be, they seem to believe if they repeat them enough, soon or later people will accept them and regard them to be true.

For example, we can't deport 12 million people. Yes, we can. We could do that if we mobilized our Nation. We could deport 12 million people. It would be the largest human deportation ever in the history of the world. We don't have the will to do that. I don't propose that we do that, but I don't accept the idea that we could not deport 12 million people if we chose to do so.

But I will submit instead, Mr. Speaker, that we set policies in place that shut off the jobs magnet. The 12 million people and, in fact, I believe that number is significantly larger than 12 million people. But the 12 million number that the Pew Foundation has put out within the last couple of weeks, and now we have adjusted our 11 million to 12 million, they came here on their own. They got here on their own dime, so to speak and maybe on $1,500 or so to a coyote to get them across the border and up into the United States. But they came here on their own. They found their own resources to get here on their own, and we can set up policies that shut off this jobs magnet and they can find a way to go back home on their own. That's the right kind of policy to have.

We don't want to go out and pull people out of houses and load them up in buses and haul them back down to south of the border. We want to set a policy that we should have had in place a long time ago, and we want to enforce the policy that we should have had in place a long time ago.

I sit on the Immigration Subcommittee of the House Judiciary Committee. I sit on immigration hearings, sometimes two, three, perhaps even more per week. I have done that for more than 3 years, listening in these hearings, and you get educated about immigration policy if you are listening in that fashion and asking questions and reading and probing.

And I will say the part that is missing is this: Employer sanctions. I cannot determine that the Federal Government has sanctioned a single employer in the last 2 years. I did get a report that they have sanctioned three employers in the last year. But then I got a report that there were none in the year before. And when I drill down into that information I tend to find out they were civil actions that were brought, not other actions from our Department of Justice. And so I would ask the Department of Justice demonstrate what employers have been

sanctioned, how many and for how much and what are the violations, Mr. Speaker.

I am going to live with the belief though that there are no effective employer sanctions. That is probably the most accurate way to state at least the last 2 years, and the years prior to that there have been a few sanctions but they get less and less as the years go on, and it demonstrates the administration has no will to enforce these laws in the workplace. So I submit that we need to enforce employer sanctions to the fullest extent the law. I support enhancing those employer sanctions.

I do not know how to get the administration to do their job and enforce the law. And so since Americans know that there is no enforcement of employer sanctions, employers know that they can hire illegals with impunity. They are not accountable.

Now if you are an employer and you are competing against other businesses, perhaps in foreign countries or maybe across town, and those other businesses have a cheaper labor supply than you have, if they are across town they might be hiring illegal labor.

Say, perhaps you are a landscape company and you go out and cut grass and spray lawns and fertilize them and trim trees and lay sod and do yards for new houses and those kind of things where it takes a lot of labor, labor that can go out and be effective in their work. If you do that, Mr. Speaker, and you are competing against someone who is paying half the price for labor that you are, you have got to get twice the work out of your employees in order to be able to compete with that. And you can only push people so hard.

And I have spent my life in the construction business and hired a lot of men and we have done a lot of work. And I met payroll for over 28 years, over 1,400 some consecutive weeks, signed pay checks, met the cash flow, hired people, took on all the liability, the Worker's Comp, the Unemployment, the health insurance, the retirement fund and the liability insurance that goes with that, the H.R. issues that go with hiring personnel when you know you want to keep them there. I put my people in a seasonal business, giving them 12 months out of the year work with vacation pay and benefits because I wanted to keep those employees and have them on hand when I needed them.

Now, some of my competition looked at it the other way and decided, well, if STEVE KING has to pay $17 an hour to start out an unskilled employee, we can go out here and get ourselves one for 7 or $8 an hour, and we will put them on the job and we can have twice as many. Actually they could have three times as many because the illegals don't carry with them those burdens of health insurance, unemployment benefits, you know, I gave you the list. So smart money will go for the cheap help.

And they don't have to maintain that help throughout the winter, the non working season. They can just simply work them when they need them, cut them loose when they don't need them. And I won't say that is necessarily abuse because these people are willing to accept that wage. They are glad to. It is the opportunity that they have. But it puts the worker who is working legally at a disadvantage. It puts the employer who wants to hire legal employees at a disadvantage. And we are doing a tremendous disservice against the people who are complying with our laws. And I don't hear anything coming out of the United States Senate these days that would change that, Mr. Speaker. I don't hear a word that would change that with regard to the guest worker/ temporary worker policies that are coming.

There are those who stand with me on this issue certainly. And those I applaud for standing for American sovereignty.

Borders. If there is any institution that has survived and thrived in the 20th century, it is the nation state. The nation state has come through all of the chaos of two world wars and a Cold War and numerous other battles and economic collapse that we saw in 1929 and other blips in our economic bubble that we have had, and throughout all of that and through all the strife and the stress that goes on, the nation state survives.

A nation state must have borders. And you can't call them borders if you don't enforce them. If you simply draw a line on a map but people cross that border at will, if they haul goods and services across the border at will, if they haul contraband across the border at will, you don't have a border, and pretty soon you don't have a nation.

I made a point before a group in Texas last weekend on Saturday night down in Dallas, and I asked them to forgive me if my precision on Texas history wasn't exactly right. But I am going to make another attempt here tonight on the floor of the Congress, Mr. Speaker, and it is going to be close, if not precisely correct.

I would take us all back to 1821 in Texas. Texas was a territory of Mexico at the time. And one of the earliest Anglo settlers in Texas was the father of the famous Steven F. Austin. His name was Moses Austin.

□ 2340

He negotiated with the king of Spain for a permit to establish an Anglo colony in Texas, the first nonHispanic, I guess we could call it, or they all called it the Anglo colony in Texas. In 1821 he negotiated to establish that settlement. He began to establish that settlement, and then there was a revolution in Mexico. Spain lost control of Mexico later that same year, in 1821, and the successor then to the king of Spain was the new king of Mexico, King Augustin de Iturbide. And that new king of Mexico honored the agreement with Moses Austin and allowed them to continue with their colony that they were establishing, I believe, near Nacogdoches, Texas.

So as these years unfolded and there was a contest and a battle for who could be the leader of Mexico, in 1825, Texas still being a territory of Mexico, they issued an offer out to the rest of the continent, and the offer was this: If you are married and you will come to Texas and promise to pay $30 over the next 6 years to the government of Mexico, we will give you a league of land. A league of land being 4,428 acres. Well, that is a pretty good offer even back in those days when $30 was really $30.

So that started a vast land stampede, and people came from the United States, all over the United States, but, of course, we always think of Davy Crockett from Tennessee and Colonel Travis and Jim Bowie. Those folks poured into Texas. They came in to seek their fortune. They came in to claim that league of land. I do not know how many of those guys were actually married so they could do that, but a lot of Anglos poured into Texas. That was 1825 when that offer came, and Texas was well on its way to independence by 1836, 11 years later. Only 11 years after an open borders plan that was offered by the territory of Texas, which was a territory of Mexico, they said, Come down here. We will give you some land. We need some folks to settle here. It will be good for our economy. We cannot get along in Texas unless we have some settlers down here; so we are going to take them from wherever we can get them, and it does not matter if they do not culturally match the people that are there. Well, it was clear that that was the clash that came at Goliad, the clash that came at the Alamo, the clash that culminated down at San Jacinto.

So I posed that question in Dallas Saturday night. Texas is not part of Mexico anymore, is it? Or is it yet, Mr. Speaker? That is the question that is before this Congress. That is the question that is before the Senate today. It makes a difference when you open borders up. It makes a difference when you allow in perhaps 4 million people a year that have contempt for our laws.

Their very first act upon setting foot in the United States of America is to violate our laws, and we think they are going to respect our laws if we grant them a free pass?

Thomas Sowell wrote some words. He said, What if bank robbers who were caught were simply told to give the money back and not to do it again? What if murderers who were caught were turned loose and warned not to kill again? Would that be proof that it is futile to take action when no action was taken? Could it be that it is impossible to enforce our border laws when no one has tried? That is Thomas Sowell, Mr. Speaker.

And I think I have quite a lot of material here, but I am not so unique in my presentation that I would not love to concede some of this time to the gentleman from Texas, my good friend Mr. GOHMERT.

I yield to the gentleman.

Mr. GOHMERT. Well, I appreciate very much my friend from Iowa for sharing this Special Order. And I appreciate the things that you have been pointing out.

Of course, as you talk about Texas history, you are talking about my State. It is where I was born, reared, grew up. Except for my 4 years in the service and the summer I spent in the Soviet Union on an exchange program, it has been home. And when you talk about Nacogdoches and San Augustine, right in that area where the first settlement in Texas occurred, that is my district. That is my home. That is my district. So it is interesting. And I love history. I was a history major in college.

And one of the things we were taught in elementary school, one of the things we were taught in junior high; high school; and college; Texas A&M, where I attended, we got the same thing all the way through schooling: What two words in common language are the basis for America's strength? ''Melting pot.'' We are a melting pot. People came from all over the world to America. They assimilated. They came together through heat and difficulties and problems of the day. And the heat that tests people and makes them pure and stronger, that heat brought us together and melted us together into one Nation under God, indivisible, and, yes, there was liberty and eventually justice for all.

But I thought about it as you mentioned earlier, Mr. KING, the discussion about immigration. Immigration has been a lifeblood to this country, and that does not need to stop. But as we have gotten wise in our own eyes, as you can find reference in the old Testament, ''wise in our own eyes,'' we quit using the melting pot metaphor and gone to using something that some people today like to say is even better: We are now a tossed salad, where each ingredient retains its individuality and just mixes together.

A tossed salad. That was never the strength of America. The America that became strong, the America that we studied, the America that made it through world wars, the America that is responsible for France not speaking anything but French now and Germany speaking German, the great America that has allowed England to speak the language that it was accustomed to, the America that has not been imperialist, as some French people would say. Some French people say, You are imperialist. I say, Then why are you not speaking English instead of French? That is because it was never our intention. Why do Iraqis not speak English? Because that is not our intention. We are a great country and have always been.

And if you would allow me and indulge me, the thing that I would like to share further is the oath of allegiance that is taken when someone becomes a citizen, and if the gentleman would continue to yield, I would like to go through that.

Mr. Speaker, I think it is important for people to be reminded. This is the oath. You want to assimilate in this country? You want to be a citizen of this country? Take this oath. And you have got to mean it. It is under oath.

''I hereby declare, on oath, that I absolutely and entirely renounce and abjure,'' and, of course, in Texas we do not abjure a lot, but we know what ''renounce'' means, ''renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen.'' That is pretty strong language.

And if you have any comments on that first part of this oath.

Mr. KING of Iowa. Well, thank you, Mr. GOHMERT. I have got to speak to naturalized citizens in the courthouse. Sioux City is a location where we have the most activity there in my district, and I look forward to those events and take that very seriously.

In fact, I bring a Constitution to every one of those new students, and this will be an example of it. And I will sign that and date that and present that to them as a cherished document.

And in the Constitution, of course, we have also the Declaration of Independence as part of that. And I talk to them about the immigrant heritage of my family and how we had opportunities here and how my ancestors and myself and my children and then my grandchildren, hopefully, will remain grateful for the privilege that this country has offered.

And I know that my grandmother came from Germany, and she reared six sons. She sent one to the South Pacific. That was my father. And one was physically unable to serve in the military, and the other four went back to Europe to fight against the old country.

□ 2350

They put their roots down in this country solid and hard from the beginning. And my father went his first day to kindergarten speaking only German. And when he came home from school that day, he said ''hello'' to his mother in German. And she turned to him and said ''Speaking German in this household is for you from now on verboten. I came here to become an American, and you will go to school and learn English, and you will bring it home and you will teach it to me. That is the only way that I can learn.''

She never really came away from her German accent, but she spoke English well, and I could always understand her.

I yield back to you, Mr. GOHMERT, if you have other comments.

Mr. GOHMERT. The gentleman from Iowa understands what it means then through his heritage to absolutely, entirely renounce fidelity to any foreign state or sovereignty. That is critical. And my great grandfather came over, was a European immigrant, in around 1870, came to South Texas and settled there. He didn't speak English and he had about $20.

Within 25 years, he built one of the nicest homes that is still there, it has a historical marker, State of Texas and national historical marker, because he learned English and he worked his tail off and he assimilated and he made the community better, the State better and the country better. And that has been the legacy of immigrants.

But it goes on. That is not enough. That means I am going to wave my American flag. That American flag is what is going to be the most important flag to me in my heart and soul. That is what in that oath means, American flag.

Mr. KING of Iowa. I might point out that in one of my travels around Iowa, I pulled down around in Keokuk, and there used to be an old Federal hospital there that was built and put in place during the Civil War. They would bring the wounded up the river and then offload them there at the hospital in Keokuk and take care of them.

So one of the monuments there, down in the river bottom near the Mississippi River, is a big stone, a great big heavy stone, and there is a big brass plate in there, and it is mounted in there by the daughters of the American Revolution. And it says ''One Nation, One Flag, One Language.'' That was established just after the Civil War.

They understood how important and powerful it was to have a common, unifying language. That is something that has been recognized by all nations in the world. They all have established an official language, except here in the United States. It becomes more and more important for us to bond each other together by having that common form of communications currency.

''One Nation, One Flag, One Language.'' That was the creed in 1865, and it should be the creed today.

I yield to the gentleman.

Mr. GOHMERT. I thank the gentleman, my good friend. I would continue on with the oath. That I will support and defend the Constitution, not just the Constitution, it goes on, I will support and defend the Constitution and the laws of the United States of America. All laws. The Constitution and the laws of the United States of America.

Gee, that would seem to include immigration laws, wouldn't it?

It goes on, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by law.

It is not enough simply to pledge allegiance. You have to be willing to risk your life for the American flag and all that it stands for. You have to be willing to pledge allegiance to the United States, the Constitution and the laws of the United States.

It goes on, and I know your time is running short and I don't want to intrude on the gentleman's time. I guess

we have got about 7 minutes, but I did want to point this out, at least this point of the oath of citizenship.

If this Nation is going to continue to be stronger, I would only submit to you the Hispanics that have settled in my district from Central America, from Mexico and assimilated, have made East Texas a better place in which to live.

I have some dear friends. As a judge I presided over the wedding of some dear Hispanic friends that had come in and assimilated. I am telling you, they have made Tyler, Texas, and East Texas a better place. They have assimilated. They are wonderful people. They bring family values, and they are strong in their faith and love and joy and mirth. It has just been wonderful. But they assimilated.

That would be the one thing I just wanted to add. Melting pot is the strength, and that is what we need to get back to.

Mr. KING of Iowa. Thank you, Mr. GOHMERT. I appreciate the gentleman coming to the floor at this hour of the evening to add to the dialogue here.

Mr. Speaker, I want to pick up with that. Certainly assimilation, we are the nation that has been successful in assimilation. The Israelis established their country in 1948, and in 1954 they established Hebrew as their official language. They did that because they needed a common language to tie them together.

I asked them, why did you do that? Where did you get that inspiration? They said, well, we saw the success the United States had with assimilation, so we wanted to adopt a similar policy.

They resurrected a language that wasn't used functionally other than in prayer for 2,000 years and put it in the workplace, and everyone that comes to Israel learns Hebrew, and that is how they tie themselves together as a nation.

But I would like to point out another statement that gets repeated that is not challenged often, and that is we can't replace all these workers, the ones that are here illegally. If we shut off the jobs magnet and they go home, we can't replace them.

Here are some numbers that one might work with to give us an idea on whether we can replace them or not. The Pew Foundation put out some numbers, this is a year ago, so they have raised them a little bit, but at that time they were working with 11 million illegals in America. 6.3 million of them were working. About the same proportion if you want to go to 12 million, but I don't have that factor figured in.

If you are were going to replace the 6.3 million working illegals in the United States, the first place we would go would be the unemployment rolls. That is 17.5 million on unemployment. We are paying them not to work. One would think we could just simply pay them to work and replace the 6.3 million. Maybe they continue to have the skills necessary and you can develop some skills in them, but there would be 7.5 million there in that category.

Then of those who have exhausted their unemployment benefits, that is another 5.2 million that are looking for work but they are not on the unemployment roles. So we are at 12.7 million.

Another 9.3 million teenagers between the ages of 16 and 19 are not in the workforce, even on a part-time basis. We would go to them to help work in our fields, for example, and flip some burgers. Add to that 4.5 million who are the young seniors, ages 65 to 69. Some of those people would go to work if they didn't have a disincentive, Mr. Speaker.

Then of those between the ages of 20 and 64, the really prime work age, there is another 51 million in America that are simply not in the workforce. They could be retired, they could be working on the black market, they maybe are doing some kind of dishonest enterprise, but they are not in the workforce in any meaningful way. They would also become part of that force that we could hire from.

Added up altogether, 77.5 million non-working Americans between the ages of 16 and 69. We could surely tap one out of every 12.3 of those to fill the gap for the 6.3 million illegals that are working in this country. That is before we bring technology to bear. That is before we find other solutions for any kind of gaps we might have in our hiring practices. So there are solutions out here, Mr. Speaker.

And it is not true that there are jobs that Americans won't do. Americans are doing all of these jobs right now today. For example, in the construction business, 12 percent in the construction industry are illegal workers. Thirteen percent is the unemployment rate in the construction industry.

There are the other comparable rates. In those kind of sectors where there is a high concentration of illegals, there is also a high unemployment that corresponds with that. The reason is because those American workers have been displaced by cheaper labor and they can't afford to go do that work for that kind of money.

So, Mr. Speaker, there is piece after piece of this immigration issue that needs to be discussed. It is a very, very complicated issue. It is a very emotional issue. I stand on enforcement first. Let's establish that we can defend and protect our borders. Let's build a fence. Let's eliminate birthright for citizenship. Let's shut off the jobs magnet. Let's pass my New Idea bill, which removes the Federal deductibility for wages and benefits paid to illegals.

If we can do those things and establish that we can enforce the law in this country and respect for the law, then we can have a legitimate debate on what kind of workforce we need and where they need to come from.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCGOVERN (at the request of Ms. PELOSI) for today.

Ms. SCHAKOWSKY (at the request of Ms. PELOSI) for today.

Mr. TANNER (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

Ms. WATSON (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of official business.

Mrs. EMERSON (at the request of Mr. BOEHNER) for today on account of inspecting tornado damage in her district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. MILLENDER-MCDONALD) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. RANGEL, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Members (at the request of Mr. MCHENRY) to revise and extend their remarks and include extraneous material:)

Mr. DREIER, for 5 minutes, today and April 5 and 6.

Mr. MCHENRY, for 5 minutes, today and April 5, 6, and 7.

Mr. POE, for 5 minutes, today and April 5, 6, and 7.

Mr. BURTON of Indiana, for 5 minutes, today, and April 5, 6, and 7.

Mr. ENGLISH of Pennsylvania, for 5 minutes, April 7.

Mr. KELLER, for 5 minutes, today.

Mr. KENNEDY of Minnesota, for 5 minutes, today.

Mr. LATHAM, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 60. Concurrent resolution designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's

National Negro Leagues Baseball Museum; to the Committee on Resources.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 5, 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:

6865. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 05-02, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

6866. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities for Fiscal Year 2005, pursuant to Public Law 104–201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

6867. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General Charles F. Wald, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

6868. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of major general accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

6869. A letter from the Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the 2005 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

6870. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

6871. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Department of the Air Force's proposed lease of defense articles to the Government of the Federal Republic of Germany (Transmittal No. 05-05); to the Committee on International Relations.

6872. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Defense Information Services Agency's proposed lease of defense articles to the Government of Argentina (Transmittal No. 02-06); to the Committee on International Relations.

6873. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDTC 055-05); to the Committee on International Relations.

6874. A letter from the Director, Office of Management, Department of Energy, transmitting the Department's Year 2005 Inventory of Commercial Activities, as required by the Federal Activities Reform Act of 1997, Pub. L. 105-270; to the Committee on Government Reform.

6875. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6876. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6877. A letter from the Board Members, Railroad Retirement Board, transmitting a copy of the annual report for Calendar Year 2005, in compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

6878. A letter from the Chief Administrative Officer, United States Capitol Police, transmitting the semiannual report of receipts and expenditures of appropriations and other funds for the period October 1, 2005 through March 31, 2006 as compiled by the Chief Administrative Officer, pursuant to Public Law 109–55, section 1005; (H. Doc. No. 109–96); to the Committee on House Administration and ordered to be printed.

6879. A letter from the Chief Scout Executive and President, Boy Scouts of America, transmitting the Boy Scouts of America's 2005 Report to the Nation, pursuant to 36 U.S.C. 28; to the Committee on the Judiciary.

6880. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting As required by Section 417(b) of the USA Patriot Act of 2001 (Public Law 107-56), the fourth annual report on the status of the implementation of machine-readable passports (MRPs) in countries participating in the Visa Waiver Program (VWP); to the Committee on the Judiciary.

6881. A letter from the United States Trade Representative, Executive Office of the President, transmitting a report on the intent to initiate negotiations for a free trade agreement between the United States and Malaysia, pursuant to Section 2104(a)(1) of the Trade Act of 2002; to the Committee on Ways and Means.

6882. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the Department's report to Congress on Critical Infrastructure Risk Assessment and Readiness, pursuant to Public Law 108–458, section 7306; to the Committee on Homeland Security.

6883. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's annual report on entitlement transfers of basic educational assistance to eligible dependents under the Montgomery GI Bill (MGIB); jointly to the Committees on Armed Services and Veterans' Affairs.

6884. A letter from the Acting Chairman, National Transportation Safety Board, transmitting a legislative proposal and justification to amend the Independent Safety Board Act of 1974 to provide authorization for the National Transportation Safety Board; jointly to the Committees on Transportation and Infrastructure and Appropriations.

6885. A letter from the Chairman, Federal Election Commission, transmitting the Commission's FY 2007 Budget Request Justification, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Administration, Appropriations, and Government Reform.

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. OXLEY: Committee on Financial Services. H.R. 4916. A bill 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 (Rept. 109–403). Referred to the Committee of the Whole House on the State of the Union.

Mr. DREIER: Committee on Rules. House Resolution 755. Resolution providing for consideration of the bill (H.R. 513) to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes (Rept. 109–404). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LATOURETTE, and Ms. CORRINE BROWN of Florida):

H.R. 5074. A bill to amend the Railroad Retirement Act of 1974 to provide for continued payment of railroad retirement annuities by the Department of the Treasury, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STARK (for himself, Mr. MCDERMOTT, Ms. BEAN, and Mr. INSLEE):

H.R. 5075. A bill to amend the Internal Revenue Code of 1986 to clarify the restriction on disclosures and use of information by tax return preparers; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. MICA, and Mr. COSTELLO):

H.R. 5076. A bill to amend title 49, United States Code, to authorize appropriations for fiscal years 2007, 2008, and 2009, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LUCAS:

H.R. 5077. A bill to amend title 31, United States Code, to provide a clear line of demarcation with regard to private ownership of any coin, medal, or numismatic item made or issued by the United States Government before January 1, 1933, that is not in the possession of the United States Government, to establish certain guidelines and requirements with respect to the inventory, preservation, public display, and disposition of certain United States coins, medals, and numismatic items that were struck or made after December 31, 1932, and for other purposes; to the Committee on Financial Services.

By Mr. BOEHLERT (for himself and Mr. MICHAUD):

H.R. 5078. A bill to elevate the Environmental Protection Agency to Cabinet-level status and redesignate such agency as the Department of Environmental Protection; to the Committee on Government Reform.

By Mr. WALDEN of Oregon:

H.R. 5079. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior

and the North Unit Irrigation District, and for other purposes; to the Committee on Resources.

By Mr. BRADY of Texas:

H.R. 5080. A bill to provide for the expansion of human clinical trials qualifying for the orphan drug credit; to the Committee on Ways and Means.

By Mr. CARTER (for himself, Mr. REYES, Ms. JACKSON-LEE of Texas, Mr. KUHL of New York, Mr. HAYES, Mr. MCGOVERN, Mr. ROTHMAN, Mr. EVANS, Mr. CALVERT, Mr. GOODE, Mr. WILSON of South Carolina, Mr. STRICKLAND, Mr. GONZALEZ, Mr. MCCAUL of Texas, Mr. KLINE, Mr. LUCAS, Mr. POMBO, Mr. MCKEON, Mr. REHBERG, Mr. PORTER, Mr. CULBERSON, Mr. DELAY, Mr. BURTON of Indiana, Mr. MARCHANT, Mr. JENKINS, Mr. COBLE, Mr. SAM JOHNSON of Texas, Mr. PEARCE, Mr. WALSH, Mr. SMITH of Texas, Ms. HARRIS, Mr. KINGSTON, Ms. GRANGER, Mr. BURGESS, Mr. SHIMKUS, Mr. RENZI, Mr. WAMP, Mr. CANTOR, Mr. SESSIONS, Mr. MCHENRY, Mr. BRADY of Texas, Mrs. BLACKBURN, Mr. ALEXANDER, Mr. DAVIS of Tennessee, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. HAYWORTH, Mr. SHAW, Mr. BONILLA, Mr. GERLACH, Mr. KELLER, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. FEENEY, Mr. GOHMERT, Mr. MICA, Mr. GINGREY, Mr. GENE GREEN of Texas, Mr. ORTIZ, Mr. EDWARDS, Ms. GINNY BROWN-WAITE of Florida, Mr. OTTER, Mr. TERRY, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. LINDER, Mr. COLE of Oklahoma, Mr. SIMMONS, Mr. OXLEY, Mr. DOOLITTLE, Mr. HASTINGS of Washington, Mr. HUNTER, Mr. AKIN, Mr. POE, Mr. EHLERS, Mrs. MYRICK, Mr. YOUNG of Alaska, Mr. PETRI, Mr. MARSHALL, Mr. SULLIVAN, Mr. JONES of North Carolina, Mr. PAUL, Mrs. LOWEY, Mr. KING of New York, Mr. BONNER, Mr. COOPER, Mr. LAHOOD, Mrs. CUBIN, Mr. ENGLISH of Pennsylvania, Mrs. CAPITO, Mrs. MUSGRAVE, Mr. KING of Iowa, Mr. DANIEL E. LUNGREN of California, Mr. WICKER, Mr. BLUNT, Mr. BOEHNER, Mr. SHUSTER, Mr. GARRETT of New Jersey, Mr. FITZPATRICK of Pennsylvania, Mr. REYNOLDS, Mr. MARKEY, Mr. CAMP of Michigan, Mr. BISHOP of Georgia, Mr. RYUN of Kansas, Mr. LOBIONDO, and Mr. OSBORNE):

H.R. 5081. A bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit; to the Committee on Ways and Means.

By Mr. DAVIS of Alabama:

H.R. 5082. A bill to amend the Consolidated Farm and Rural Development Act to provide for comprehensive community and economic development in the distressed Southern Black Belt and Mississippi Delta region while leveraging existing efforts, entities, and resources; to the Committee on Agriculture, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky (for himself, Mr. BOUSTANY, and Mr. ISRAEL):

H.R. 5083. A bill to amend title 10, United States Code, to provide equity between active and reserve component members of the Armed Forces in the computation of disability retired pay for members wounded in action; to the Committee on Armed Services.

By Mr. DINGELL:

H.R. 5084. A bill to amend the Internal Revenue Code of 1986 to restrict the disclosure information by tax return preparers to third party entities and to prohibit private tax collection contracts; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mrs. BLACKBURN, Ms. BALDWIN, Mr. GILLMOR, and Mr. BOUCHER):

H.R. 5085. A bill to amend the Communications Act of 1934 to promote and expedite wireless broadband deployment in rural and other areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAHOOD (for himself, Mr. HASTERT, Mr. RUSH, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. EMANUEL, Mr. HYDE, Mr. DAVIS of Illinois, Ms. BEAN, Ms. SCHAKOWSKY, Mr. KIRK, Mr. WELLER, Mr. COSTELLO, Mrs. BIGGERT, Mr. JOHNSON of Illinois, Mr. MANZULLO, and Mr. SHIMKUS):

H.R. 5086. A bill to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the ''Lane Evans Post Office Building''; to the Committee on Government Reform.

By Mr. PALLONE (for himself and Mr. GEORGE MILLER of California):

H.R. 5087. A bill to amend title 5, United States Code, to increase the maximum age up to which an individual may be afforded health coverage under chapter 89 of such title as a dependent child; to the Committee on Government Reform.

By Ms. SOLIS:

H.R. 5088. A bill to require Federal agencies to support health impact assessments and take other actions to improve health and the environmental quality of communities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STUPAK:

H.R. 5089. A bill to enable the Great Lakes Fishery Commission to investigate effects of migratory birds on sustained productivity of stocks of fish of common concern in the Great Lakes; to the Committee on Resources.

By Mr. POMBO:

H.J. Res. 83. A joint resolution to memorialize and honor the contribution of Chief Justice William H. Rehnquist; to the Committee on Resources.

By Mr. FATTAH:

H. Con. Res. 377. Concurrent resolution honoring the Educational Commission for Foreign Medical Graduates (ECFMG) for fifty years of distinguished service; to the Committee on Education and the Workforce.

By Mr. BOEHLERT (for himself and Mr. DEFAZIO):

H. Res. 753. A resolution commending American craft brewers; to the Committee on Government Reform.

By Mr. LATHAM:

H. Res. 754. A resolution electing Members to certain standing Committees of the House of Representatives; considered and agreed to.

By Mr. MARIO DIAZ-BALART of Florida (for himself, Mr. MCHENRY, Mr. MILLER of Florida, Mr. LINCOLN DIAZ-BALART of Florida, and Mrs. MILLER of Michigan):

H. Res. 756. A resolution expressing the gratitude and appreciation of the House of Representatives to the professionalism and dedication of the United States Capitol Police; to the Committee on House Administration.

By Mrs. DRAKE:

H. Res. 757. A resolution commending the Virginia Wesleyan College Marlins men's basketball team for winning the 2006 National Collegiate Athletic Association Division III National Basketball Championship; to the Committee on Education and the Workforce.

By Mr. DREIER (for himself, Mr. PRICE of North Carolina, Mr. KOLBE, Mr. GILLMOR, Mr. KIRK, Mr. BOOZMAN, Mr. WILSON of South Carolina, Mr. COLE of Oklahoma, Mrs. MILLER of Michigan, Mr. FORTENBERRY, Mr. REYES, Mrs. CAPPS, Mr. HOLT, Mr. SCHIFF, Mr. DAVIS of Alabama, and Ms. SCHWARTZ of Pennsylvania):

H. Res. 758. A resolution welcoming the members and staff of the parliaments of East Timor, Georgia, Indonesia, and Macedonia to the House of Representatives as the first partner parliaments of the House Democracy Assistance Commission; to the Committee on International Relations.

By Mr. EVANS (for himself and Mr. SMITH of New Jersey):

H. Res. 759. A resolution expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge and accept responsibility for its sexual enslavement of young women, known to the world as ''comfort women'', during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, and for other purposes; to the Committee on International Relations.

By Mr. PALLONE (for himself and Mr. SHAW):

H. Res. 760. A resolution supporting the goals and ideals of National Clean Beaches Week and recognizing the considerable value of American beaches and their role in American culture; to the Committee on Resources.

By Mr. STEARNS (for himself, Mr. MILLER of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. MEEK of Florida, Mr. FEENEY, Mr. MACK, Mr. CRENSHAW, Mr. BOYD, Mr. LINCOLN DIAZ-BALART of Florida, Mr. HASTINGS of Florida, Mr. DAVIS of Florida, Ms. WASSERMAN SCHULTZ, Mr. FOLEY, Ms. CORRINE BROWN of Florida, Mr. BILIRAKIS, Ms. ROS-LEHTINEN, Mr. SHAW, Mr. MICA, Mr. WELDON of Florida, Mr. YOUNG of Florida, Mr. PUTNAM, Mr. KELLER, Mr. MARIO DIAZ-BALART of Florida, and Ms. HARRIS):

H. Res. 761. A resolution to commend the University of Florida Gators for their historic win in the 2006 National Collegiate Athletic Association Division I Men's Basketball Tournament; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GILLMOR introduced a bill (H.R. 5090) for the relief of Manuel Bartsch; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. SCOTT of Virginia.

H.R. 94: Mrs. JONES of Ohio.

H.R. 202: Mr. MOORE of Kansas.

H.R. 294: Mr. JONES of North Carolina.

H.R. 389: Mrs. KELLY.

H.R. 450: Mr. SOUDER and Mr. PRICE of North Carolina.

H.R. 503: Mrs. DAVIS of California.

H.R. 517: Mr. GALLEGLY.

H.R. 559: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. RANGEL.

H.R. 583: Mr. ROGERS of Kentucky, Mr. RYAN of Wisconsin, Mr. CAPUANO, and Mr. DOGGETT.
H.R. 697: Mrs. MCCARTHY.
H.R. 699: Mrs. CAPITO, Mr. CAPUANO, Mr. EHLERS, and Mr. JOHNSON of Illinois.
H.R. 713: Mr. DOOLITTLE.
H.R. 717: Ms. CORRINE BROWN of Florida.
H.R. 809: Mrs. NORTHUP.
H.R. 865: Mr. FILNER and Mr. AL GREEN of Texas.
H.R. 874: Mr. CAMPBELL of California.
H.R. 886: Mr. SHIMKUS, Mr. MEEKS of New York, and Mr. BERMAN.
H.R. 910: Mr. DOYLE.
H.R. 986: Mr. MARSHALL.
H.R. 998: Ms. CARSON.
H.R. 1002: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 1016: Ms. HERSETH.
H.R. 1105: Mr. KUHL of New York.
H.R. 1227: Mr. GUTKNECHT, Mr. MEEHAN, Mr. RYAN of Wisconsin, Mr. REICHERT, Ms. WOOLSEY, Mrs. BLACKBURN, and Mr. CONYERS.
H.R. 1249: Mr. EVANS.
H.R. 1288: Mr. GALLEGLY.
H.R. 1356: Ms. MATSUI, Ms. MILLENDER-MCDONALD, Mr. ACKERMAN, and Mr. ABERCROMBIE.
H.R. 1357: Mr. BOOZMAN, Mr. HUNTER, Mr. REHBERG, Mr. SMITH of Texas, Mr. HYDE, and Mr. MCCRERY.
H.R. 1393: Ms. BERKLEY, Mr. BOOZMAN, Mr. SCHWARZ of Michigan, Mr. MILLER of North Carolina, and Ms. HERSETH.
H.R. 1402: Mr. POMEROY.
H.R. 1425: Mr. FITZPATRICK of Pennsylvania.
H.R. 1426: Mrs. JO ANN DAVIS of Virginia and Mr. LATHAM.
H.R. 1548: Mr. CHABOT and Mr. CAMPBELL of California.
H.R. 1578: Mr. KANJORSKI and Mr. LAHOOD.
H.R. 1582: Mr. CAPUANO.
H.R. 1639: Mr. MCGOVERN.
H.R. 1687: Ms. HOOLEY.
H.R. 1709: Mr. SCOTT of Georgia and Mr. BISHOP of New York.
H.R. 1798: Mr. ANDREWS.
H.R. 1951: Mr. RANGEL, Mr. KING of New York, Mr. NADLER, and Mrs. MALONEY.
H.R. 2037: Mr. BROWN of Ohio.
H.R. 2071: Mr. LEVIN.
H.R. 2121: Mr. DENT and Mr. MARSHALL.
H.R. 2134: Mr. MCCOTTER.
H.R. 2206: Mr. FORD, Mr. SOUDER, Mr. FRANK of Massachusetts, Mr. BONNER, Mr. CARDIN, Mr. BAIRD, and Mr. POMEROY.
H.R. 2230: Ms. BALDWIN.
H.R. 2250: Mr. KENNEDY of Minnesota.
H.R. 2328: Mr. BISHOP of New York.
H.R. 2357: Mr. JEFFERSON.
H.R. 2369: Mr. BACA and Mr. DANIEL E. LUNGREN of California.
H.R. 2421: Mr. ORTIZ, Mr. UPTON, and Mr. DAVIS of Illinois.
H.R. 2429: Mr. MURTHA.
H.R. 2458: Mr. PETRI and Mr. POE.
H.R. 2629: Mr. CUMMINGS.
H.R. 2669: Mr. TOM DAVIS of Virginia.
H.R. 2730: Mr. HONDA.
H.R. 2793: Mr. LATHAM.
H.R. 2861: Mr. FOLEY.
H.R. 3098: Mr. BLUNT and Mr. NORWOOD.
H.R. 3131: Mr. BURGESS.
H.R. 3142: Mr. LEACH.
H.R. 3144: Mr. KENNEDY of Minnesota.
H.R. 3151: Mr. WYNN.
H.R. 3183: Mr. FEENEY and Ms. HERSETH.
H.R. 3185: Mr. CONYERS.
H.R. 3318: Mr. ALEXANDER.
H.R. 3323: Ms. HERSETH.
H.R. 3361: Mr. WELLER and Mr. KENNEDY of Minnesota.
H.R. 3385: Mr. LATHAM and Mr. VAN HOLLEN.
H.R. 3436: Mr. GALLEGLY.
H.R. 3476: Mrs. LOWEY.
H.R. 3579: Mr. HIGGINS and Ms. BERKLEY.
H.R. 3628: Mr. SCHWARZ of Michigan and Mr. CONYERS.
H.R. 3658: Ms. LINDA T. SÁNCHEZ of California, Ms. CARSON, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3685: Mr. WAMP.
H.R. 3717: Mr. BOUSTANY.
H.R. 3753: Mr. EHLERS, Mr. PICKERING, Mr. LATHAM, and Mrs. CUBIN.
H.R. 3779: Mr. SANDERS.
H.R. 3883: Mr. MARCHANT and Mr. BONILLA.
H.R. 3997: Mr. WOLF, Mr. MCCOTTER, and Mr. FOLEY.
H.R. 4005: Mr. SANDERS.
H.R. 4025: Ms. MATSUI.
H.R. 4183: Mr. SANDERS.
H.R. 4184: Ms. HERSETH and Mr. MOORE of Kansas.
H.R. 4190: Mr. MARSHALL, Mr. WAXMAN, and Ms. HERSETH.
H.R. 4229: Mr. CASE.
H.R. 4259: Mr. BRADY of Pennsylvania, Mr. MICHAUD, and Mr. PUTNAM.
H.R. 4282: Mr. GOODE.
H.R. 4398: Mr. FORD.
H.R. 4399: Mr. SMITH of New Jersey.
H.R. 4421: Mr. HAYWORTH.
H.R. 4423: Ms. WATSON.
H.R. 4452: Mr. PASCRELL.
H.R. 4542: Mr. HASTINGS of Florida, Mr. SCOTT of Georgia, Mr. RUPPERSBERGER, Ms. HARMAN, Mr. SERRANO, Ms. CARSON, and Mr. MARKEY.
H.R. 4547: Mr. GALLEGLY, Mr. KINGSTON, and Mr. NORWOOD.
H.R. 4624: Mr. MICHAUD.
H.R. 4681: Mr. RYAN of Ohio, Mr. SCHWARZ of Michigan, Mr. FATTAH, Mr. CRAMER, Mr. AL GREEN of Texas, Mr. MCCOTTER, Mr. DAVIS of Alabama, Mr. FRELINGHUYSEN, Mr. SALAZAR, Mr. PASTOR, Mr. THOMPSON of Mississippi, Mr. HOYER, Mr. PALLONE, Ms. GRANGER, Mr. LEVIN, Mr. FLAKE, Mr. OTTER, Mr. WU, and Mr. SHIMKUS.
H.R. 4736: Ms. ZOE LOFGREN of California, Mr. PAYNE, Mrs. LOWEY, Mr. HONDA, Mrs. MCCARTHY, Ms. SCHAKOWSKY, Mr. ISRAEL, Mr. ROTHMAN, Ms. MATSUI, and Mr. WEXLER.
H.R. 4740: Ms. BEAN, Mr. JINDAL, Mr. LYNCH, Mrs. MUSGRAVE, and Mrs. NORTHUP.
H.R. 4746: Mr. SANDERS.
H.R. 4751: Mr. BOEHLERT and Mr. EMANUEL.
H.R. 4755: Mr. DENT, Mr. CRAMER, Mr. WU, Mr. LANGEVIN, Mr. PORTER, Ms. WATSON, Ms. ZOE LOFGREN of California, Mr. MARSHALL, Mr. GIBBONS, Mr. LANTOS, Mrs. CHRISTENSEN, Mr. LYNCH, Mr. BACA, and Mr. INSLEE.
H.R. 4761: Mr. SIMPSON, Mr. BOREN, and Mr. PRICE of Georgia.
H.R. 4790: Mr. FRANKS of Arizona and Mr. ENGLISH of Pennsylvania.
H.R. 4798: Mr. CALVERT.
H.R. 4799: Mr. SANDERS and Mr. SCHWARZ of Michigan.
H.R. 4824: Mr. SHADEGG, Mr. PRICE of North Carolina, Mr. BISHOP of Georgia, and Ms. HERSETH.
H.R. 4843: Mr. KOLBE.
H.R. 4844: Mr. FEENEY.
H.R. 4865: Mr. ORTIZ.
H.R. 4873: Ms. HERSETH.
H.R. 4890: Mr. HOEKSTRA and Mr. DEAL of Georgia.
H.R. 4898: Mrs. CHRISTENSEN, Ms. MOORE of Wisconsin, and Mrs. MALONEY.
H.R. 4903: Mrs. MCCARTHY.
H.R. 4917: Mr. LEWIS of Georgia.
H.R. 4922: Mr. FOLEY, Mr. SAM JOHNSON of Texas, and Mr. GALLEGLY.
H.R. 4924: Mr. CANTOR.
H.R. 4949: Mr. UDALL of New Mexico, Mr. SERRANO, Ms. MCCOLLUM of Minnesota, Mr. MCNULTY, Mr. KENNEDY of Rhode Island, Mr. MCDERMOTT, Mr. LANGEVIN, Ms. SCHAKOWSKY, Mr. UDALL of Colorado, Mr. DOYLE, Mr. KUHL of New York, Mrs. CAPITO, Mr. EMANUEL, Ms. KAPTUR, and Ms. DELAURO.
H.R. 4953: Mr. STUPAK, Mr. GRIJALVA, Mr. BROWN of Ohio, Mr. KIND, and Mr. LIPINSKI.
H.R. 4992: Mr. PETERSON of Minnesota and Mr. GOODE.
H.R. 5007: Mr. MICHAUD.
H.R. 5013: Mr. POE, Mrs. MILLER of Michigan, Mrs. MUSGRAVE, Mr. BOUCHER, Mr. ROGERS of Alabama, and Mr. BISHOP of Utah.
H.R. 5014: Mr. DELAHUNT.
H.R. 5017: Mr. THOMPSON of Mississippi.
H.R. 5022: Mr. JEFFERSON, Mr. SMITH of Washington, Mr. STARK, Ms. ZOE LOFGREN of California, Mr. PALLONE, and Mr. DINGELL.
H.R. 5023: Mr. DAVIS of Illinois, Ms. MATSUI, Ms. MOORE of Wisconsin, and Mrs. NAPOLITANO.
H.R. 5032: Mr. BISHOP of Georgia and Mr. MCCOTTER.
H.R. 5039: Mr. CLAY.
H.R. 5043: Mr. LARSON of Connecticut.
H.R. 5063: Mr. JEFFERSON, Mr. FARR, Mr. SANDERS, and Mr. BISHOP of New York.
H.R. 5065: Mr. PALLONE and Ms. CARSON.
H. J. Res. 81: Ms. WASSERMAN SCHULTZ.
H. Con. Res. 100: Mr. MORAN of Virginia, Mr. PICKERING, Mr. BLUMENAUER, and Mr. SNYDER.
H. Con. Res. 179: Mr. GRIJALVA.
H. Con. Res. 197: Mr. SMITH of Washington.
H. Con. Res. 231: Mrs. KELLY.
H. Con. Res. 235: Mr. MILLER of Florida.
H. Con. Res. 302: Mr. POE.
H. Con. Res. 306: Mr. ANDREWS.
H. Con. Res. 340: Mr. OXLEY and Mrs. DAVIS of California.
H. Con. Res. 346: Mr. FEENEY, Ms. BORDALLO, and Mr. FRANKS of Arizona.
H. Con. Res. 348: Mr. OBERSTAR.
H. Con. Res. 355: Mr. SPRATT, Mr. PAUL, Mr. LARSEN of Washington, Mr. OWENS, Mr. FORTUÑO, Mr. KENNEDY of Rhode Island, Mr. KUHL of New York, and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Con. Res. 363: Mr. ENGEL and Mr. JEFFERSON.
H. Con. Res. 365: Mr. MCCOTTER, Mr. WOLF, and Mr. RYAN of Ohio.
H. Con. Res. 366: Mr. DOYLE, Mr. INSLEE, Mr. CAPUANO, Mr. SNYDER, Mr. CARTER, Mr. MOORE of Kansas, Mr. SCHIFF, Mr. GALLEGLY, Mr. MCCOTTER, Mr. DANIEL E. LUNGREN of California, Mr. MCGOVERN, Mrs. WILSON of New Mexico, Ms. WATSON, Mr. THOMAS, Mr. BARTON of Texas, and Mr. HOLT.
H. Con. Res. 368: Mr. BROWN of Ohio and Mr. PORTER.
H. Con. Res. 370: Mr. SESSIONS, Mr. MCNULTY, and Mr. MILLER of Florida.
H. Con. Res. 371: Mr. PETERSON of Minnesota.
H. Res. 123: Mr. SIMMONS.
H. Res. 222: Mr. WOLF and Mr. POE.
H. Res. 335: Mr. ORTIZ.
H. Res. 518: Mr. GORDON, Mr. FOLEY, Mr. SOUDER, and Mr. MILLER of Florida.
H. Res. 526: Mr. FRANKS of Arizona.
H. Res. 556: Mr. COSTELLO, Miss MCMORRIS, and Mr. CALVERT.
H. Res. 600: Mr. MILLER of North Carolina, Mr. EMANUEL, Mr. SCOTT of Virginia, Mr. LEVIN, Mr. KENNEDY of Rhode Island, Mr. MCNULTY, Ms. Schwartz of Pennsylvania, Mr. BROWN of Ohio, Mr. DEFAZIO, Mr. PAYNE, and Mr. LARSEN of Washington.
H. Res. 608: Miss MCMORRIS and Mr. BISHOP of Georgia.
H. Res. 697: Mr. BURTON of Indiana, Mr. OBERSTAR, Ms. WATSON, Mr. SWEENEY, Mr. BISHOP of Utah, Mr. MCDERMOTT, Mr. CASTLE, Mr. BASS, Mr. GILCHREST, Mrs. MYRICK, Mr. SALAZAR, Mrs. MALONEY, Mr. CANNON, Mr. INSLEE, Mr. TANCREDO, Mr. CROWLEY, Mr. GIBBONS, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. WILSON of South Carolina, Mr. ROTHMAN, Mr. BACHUS, Mr. BACA, Mr. POE, Mr. GALLEGLY, Mr. LAHOOD, Mr. BROWN of Ohio, Mr. FALEOMAVAEGA, Mr. SMITH of Washington, Mr. RAMSTAD, Mrs. NAPOLITANO, and Mr. RADANOVICH.

H. Res. 699: Mr. BOYD.

H. Res. 703: Mr. MCNULTY.

H. Res. 721: Mr. SHADEGG, Mr. SANDERS, and Ms. WOOLSEY.

H. Res. 723: Mr. MCDERMOTT, Mr. ANDREWS, Ms. PELOSI, Mr. SOUDER, and Mr. CLEAVER.

H. Res. 729: Mr. ROGERS of Kentucky.

H. Res. 730: Mr. GOHMERT, Mr. SESSIONS, and Mr. RUPPERSBERGER.

H. Res. 731: Ms. GINNY BROWN-WAITE of Florida, Mr. ALEXANDER, Mr. MILLER of Florida, Mr. BARTLETT of Maryland, Mr. BISHOP of Georgia, Mr. KUHL of New York, and Mr. GALLEGLY.

H. Res. 737: Mr. NEAL of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAYNE, Mrs. MALONEY, Mr. DAVIS of Illinois, Mr. COOPER, Mr. Davis of Kentucky, Ms. MCCOLLUM of Minnesota, Mr. LAHOOD, Mr. KIRK, Mr. WICKER, Mr. NEUGEBAUER, Ms. SCHWARTZ of Pennsylvania, Mr. DAVIS of Alabama, Mr. MILLER of North Carolina, Mr. SHIMKUS, and Mr. GERLACH.

H. Res. 744: Mr. ENGEL.

H. Res. 750: Ms. LINDA T. SÁNCHEZ of California.

H. Res. 752: Mr. DAVIS of Illinois.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. CON. RES. 376

OFFERED BY: MR. FILNER

AMENDMENT NO. 1: Paragraph (2) of section 101 (the appropriate levels of new budget authority) is amended by increasing new budget authority for fiscal year 2007 by $1,300,000,000.

Paragraph (3) of section 101 (the appropriate levels of total budget outlays) is amended by increasing total budget outlays for fiscal year 2007 by $1,300,000,000.

Paragraph (4) of section 101 (deficits (on-budget)) is amended by increasing the deficit for fiscal year 2007 by $1,300,000,000.

Paragraph (15) of section 102 (Veterans Benefits and Services (700)) is amended by increasing new budget authority and outlays for fiscal year 2007 by $1,300,000,000.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable JIM DEMINT, a Senator from the State of South Carolina.

PRAYER

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

Let us pray.

O God of time and eternity, we praise and honor Your Name. You give strength and hope to the weary. You are more than we can comprehend, yet You dwell with those who have contrite spirits.

Bless the Members of this body. Keep them steadfast and always excelling in the things that glorify You. Remind them that those who serve You will not labor in vain.

Although we do not know what this day will bring, we trust You to use us as instruments of Your will. Consecrate our actions with the power of Your love.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM DEMINT 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, April 4, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM DEMINT, a Senator from the State of South Carolina, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. DEMINT 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, this morning, at 10 a.m., we will proceed to a vote on the confirmation of Michael Chagares to be a U.S. circuit judge for the Third Circuit.

Following that vote, we will resume debate on the border security bill. We have four first-degree amendments pending to the bill at this time, and we expect to begin votes on those amendments today. The chairman is ready to dispose of those amendments so that we can consider additional amendments to the bill. This is the final week before the Easter break. However, I believe it is ample time to consider this bill, if we get everybody's cooperation and participation. If we can consider amendments under reasonable time agreements, then we can make substantial progress each day and evening in order to finish our work on the bill. Having said that, we will have votes each day this week, with late-night sessions possible as we move forward on the bill.

TENNESSEE STORMS

Mr. FRIST. Mr. President, on Sunday evening, severe storms and tornadoes struck the western part of Tennessee, leaving a damage trail 25 miles long and a quarter to a half mile wide throughout Dyer County. It really struck two counties, Dyer and Gibson. The assessment is underway. About 2,000 homes and businesses have been destroyed or suffered substantial damage, a devastating blow to these small rural communities which have suffered the greatest impact from the storm. There have been reported 23 fatalities that have been confirmed as a result of the tragedy. A number of other Tennesseans—right now, the count is roughly 82—have been injured, 17 critically. This morning, I offer my deepest sympathy to the loved ones, the families that have been affected. My thoughts go out to those recovering from these unforeseen events.

Governor Bredesen has requested a major disaster declaration for the State, and yesterday I asked the President for expeditious review and approval of Tennessee's request for assistance. I spoke yesterday with the Acting Director of FEMA, David Paulison, as well to express my strong support for the State's request. I will continue working with the administration and my colleagues in the Tennessee delegation to ensure State and local officials have the resources they need to assist our communities.

Again, our thoughts and prayers go out to all of the families affected.

IMMIGRATION REFORM

Mr. FRIST. Mr. President, I wish to comment on the immigration reform debate. Our borders are dangerously porous, and our immigration system is flatout broken. That is why it is so important for us to debate and focus on the issue of immigration reform and to bring that debate to closure over the course of this week. It is my hope that by Friday we will have a bill that is fair and equitable, that gives priority to our security concerns and at the same time respects America's strong and proud immigrant tradition. We are a nation of the rule of law and a strong nation of immigrant heritage.

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

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Last October, I met with a number of Senators, including Senators CORNYN and MCCAIN, to discuss my intention to bring the immigration issue to the floor this spring. Why? Because the system is broken. There are millions of people coming across our borders, 25 percent growth last year in illegal immigrants coming across our borders. It is broken. It is broken at the borders, in the interior. And our temporary worker program is broken.

I laid out at that time a specific plan for border security where we had broad agreement and then build on the consensus of border security with a comprehensive approach that included what happens on the interior; that is, the worksite, workplace enforcement, as well as, in the third dimension, fixing the temporary worker program.

Over last week and the first part of this week, we have followed the plan laid out last October. We started with strong border control and expanded to interior and worksite enforcement, as well as what I hope will be a fair, equitable, commonsense temporary worker program. All three elements are necessary.

I am optimistic that by staying focused and by working together—again, this is not a partisan issue, as the Democratic leader knows in talking to his caucus and as I know in talking to my caucus, this is not a Republican or Democratic issue; it is a challenge for all of us to put together a workable, realistic immigration reform bill—we can forge a plan that deals effectively with our national security, that protects the rule of law, and that recognizes that our economic interests can be reflected in strong legal immigration programs.

What we cannot support, however, is amnesty. To me, amnesty is when you give someone who has clearly broken the law a leg up on the pathway to citizenship. Giving illegal immigrants a special path to citizenship essentially rewards people who have broken the law. It simply doesn't make sense when you have other law-abiding people around the world who are being disadvantaged. You are punishing people who follow the law. To give amnesty, as we did in the 1980s and as some propose to do today, simply sends a strong signal to the world or to anybody who would like to come to America that they don't need to obey the law; if you sneak into this country, eventually there is going to be another round of amnesty. That aggravates the problem. It creates a magnet to attract people to this country illegally.

Twelve million illegal immigrants now reside in the United States. We hear the figures—11 million, 12 million, or is it 21 million? We don't really know because they are illegal immigrants. We don't know what their names are. We don't know where they are. We don't know exactly what they are doing. One of the goals has to be to bring them out of the shadows.

What has become increasingly clear from our discussion in the Senate is that this is not a monolithic group, these 12 million people. Forty percent have been here longer than 10 years. In all likelihood, they are much better assimilated, maybe fully assimilated into our society today. Forty percent have been here less than 5 years. It may be that we will need to break down this group and look at it. Maybe the 40 percent who have been here for greater than 5 years should have some access to a green card, and the 40 percent who have only been here a few months or maybe even a couple years could be dealt with differently. It is not a monolithic group. A successful, realistic immigration program has to acknowledge the different groups and treat them accordingly. Only then do I believe that we can succeed in getting the 12 million people out of the shadows, encouraging them to identify themselves and then function within the system.

In addition, I support a strong and fair temporary worker program that allows people to fill what employment needs we have, to learn a skill, to send money home, to return to their hometowns to help build and develop their communities. As I said last October, we need this three-pronged approach which begins with border security, strengthens workplace enforcement, and offers a fair and realistic temporary worker program for the hard-working men and women who come to this country to earn for their families back home. All three elements are vital. All three require action. Only a comprehensive approach will fix this broken system.

I look forward to continuing our debate this week. I am optimistic that by working together and applying a little common sense, we will come up with a plan that gets the job done and makes America safer and more secure.

Mr. DURBIN. Mr. President, I would like to respond briefly to the majority leader.

Pending before the Senate is a historic piece of legislation, maybe one of the most important bills we have considered in years. We are trying to fix a broken immigration system. It is entirely broken. Everyone concedes that our borders are out of control. At this point, we cannot control the flow of people across our borders, and we have no idea who is coming and going and staying in America. We couldn't afford that in normal circumstances. We can't afford it, certainly, when we are facing a war on terrorism where security is paramount.

The bill we have before us says: Let's fix the borders. Let's make sure we have the appropriate number of officers on the borders, the technology so that people are not coming across illegally. Let's do it right.

After 5 years of failure under this administration, we need to have borders that are better and stronger, and we need to know who is coming.

Secondly, we have to acknowledge that there are 11 or 12 million people in America who are not legally recognized. They are here. They are working every day. They are an important part of our economy, but they are not legally recognized. The question before us is, How do we bring them out of the shadows to the point where we know who they are, where they live, and where they work? The only way to do that is to create an opportunity for them to reach legal status. But it is something they have to earn, not just automatically, not amnesty, no free ride. Don't put them in the front of the line but say to them: If you are willing to struggle hard for 10 or 11 years and meet those requirements, we will give you a chance for the legal pathway to citizenship. That is what this bill is all about.

I yield the floor.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF MICHAEL A. CHAGARES TO BE U.S. CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session.

The clerk will report.

The legislative clerk read the nomination of Michael A. Chagares, of New Jersey, to be United States Circuit Judge for the Third Circuit.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. shall be equally divided for debate.

Mr. LAUTENBERG. Mr. President, I rise to express my support for the confirmation of Michael Chagares to a seat on the U.S. Court of Appeals for the Third Circuit.

A Federal judge must be fair, impartial, and well-qualified. I strongly believe that if you look at Mr. Chagares' record and his appearance before the Senate Judiciary Committee, it is obvious that he is the right person for this assignment.

Mr. Chagares is currently in private practice, but he served in the U.S. Attorney's office in New Jersey for 14 years.

Through hard work and diligence, he rose to become the head of the civil division, where he supervised and managed all civil cases on behalf of the United States Government, its agencies and officials. He oversaw litigation, directed legal positions to be taken in court, and approved settlements.

Before he became head of the civil division, Mr. Chagares directed the Affirmative Civil Enforcement Unit of the U.S. Attorney's Office for several years. During his tenure in the U.S. Attorney's office, Mr. Chagares received a

number of awards and commendations, including two director's awards for superior performance as an assistant U.S. Attorney.

Mr. Chagares is a graduate of Seton Hall Law School in Newark, where he has also taught as an adjunct professor since 1991.

His familiarity with the Third Circuit goes back to the late 1980s, when he worked as a law clerk for the honorable Morton Greenberg.

The Third Circuit is based in Philadelphia, and it considers appeals from Federal district courts in Pennsylvania, New Jersey and Delaware. It is a vitally important court, and his is an important seat, as he will replace Michael Chertoff, who left the court to serve as Secretary of the Department of Homeland Security.

I hope my colleagues agree with me that Mr. Chagares is more than qualified for this position, and I hope they will join me in voting for his confirmation.

Mr. LEAHY. Mr. President, this morning, the Senate will confirm Michael Chagares to a lifetime appointment to the U.S. Court of Appeals for the Third Circuit. This confirmation will bring the total number of judicial appointments since January 2001 to 235, including the confirmations of 2 Supreme Court Justices and 44 circuit court judges. Of course, 100 judges were confirmed during the 17 months when there was a Democratic majority in the Senate. In the other 45 months, under Republican control, only 135 judges have been confirmed. Ironically, the Senate was almost twice as productive under Democratic leadership as under Republican leadership.

Recently, President Bush withdrew the nominations of Judge Henry Saad to the Sixth Circuit Court of Appeals and Judge Daniel P. Ryan to the Eastern District of Michigan. These withdrawals are long overdue and bring to a close a sad chapter in history of judicial confirmations when the President and the chairman of the Judiciary Committee ignored opposition to nominations by the home State Senators.

Even with negative blue slips opposing the nominations in 2003 from the home State Senators, the former Judiciary Committee chairman took the position to ignore them and proceed with hearing and to force the Saad nomination through the committee on a party-line vote. That was the first time the committee voted on a nominee with two negative blue slips and it may have been the first time any chairman and any Senate Judiciary Committee proceeded with a hearing on a judicial nominee over the objection of both home State Senators. It is certainly the first time in the last 50 years, and I know it was the first time during my 32 years in the Senate.

When Chairman HATCH chaired this committee and we were considering the nominations of a Democratic President, one negative blue slip from one home State Senator was enough to doom a nomination and prevent a hearing on that nomination. Indeed, among the more than 60 Clinton judicial nominees who this committee did not consider there were several who were blocked in spite of the positive blue slips from both home State Senators. So long as one Republican Senator had an objection, it appeared to be honored, whether that was Senator Helms objecting to an African-American nominee from Virginia or Senator Gorton objecting to nominees from California.

The blue-slip policy in effect, and enforced strictly, by the Republican chairman during the Clinton administration operated as an absolute bar to the consideration of any nominee to any court unless both home State Senators had returned positive blue slips. No time limit was set, and no reason had to be articulated. Remember, before I became chairman in June of 2001, all of these decisions were being made in secret. Blue slips were not public, and they were allowed to operate as an anonymous hold on otherwise qualified nominees. In the 106th Congress alone, more than half of President Clinton's circuit court nominees were defeated through the operation of the blue slip or other such partisan obstruction.

Perhaps the best documented abuses occurred in the Sixth Circuit, when the nominations of Judge Helene White, Kathleen McCree Lewis, and Professor Kent Markus to that court were blocked. Judge White and Ms. Lewis were themselves Michigan nominees. Republicans in the Senate prevented consideration of any of President Clinton's nominees to the Sixth Circuit for years. When I became chairman in 2001, I ended that impasse. Under Democratic leadership, in spite of the abuses by Republicans, we proceeded to consider and confirm 2 nominees to the Sixth Circuit among the 17 circuit judges we were able to confirm in our 17 months. We have continued to confirm judges, and the vacancies that once plagued the Sixth Circuit have been cut dramatically. Where Republican obstruction led to 8 vacancies on that 16-judge court, Democratic cooperation has allowed these vacancies to be filled and only 2 remain. The Sixth Circuit currently has more judges and fewer vacancies than it has had in years.

Ignoring the opposition of Michigan's Senators, President Bush renominated Judges Saad and Ryan in 2005 rather than nominate consensus nominees for those vacancies that could be easily confirmed. In fact, Judge Ryan's nomination was not withdrawn until last week even though he received a majority ''not qualified'' rating from the American Bar Association in March 2005. I look forward to the White House reconsidering its confrontational posture and working with the Senate to send to the Senate well-qualified nominees who can be confirmed with the support of Michigan's Senators.

These are not the only nominations the President has withdrawn recently. Last month, the President also withdrew the nomination of James Payne to the Tenth Circuit Court of Appeals after information became public about that nominee's rulings in a number of cases in which he appears to have had a conflict of interest. Those conflicts were pointed out not by the administration's screening process or by the ABA but by online journalists.

As I discussed last month, at a minimum that case and the other withdrawals reinforce concerns about this White House's poor vetting process for important nominations which became apparent with the withdrawals of Bernard Kerik to head Homeland Security, Harriet Miers to the Supreme Court, and Claude Allen to be a Fourth Circuit judge. It was not the administration's vetting but reporting in a national magazine that doomed the Kerik nomination. It was opposition within the President's own party that doomed the Miers nomination. Democratic Senators resisted the nomination of Allen, a Virginian, because the President was seeking to appoint someone from another State to a Maryland seat on the Fourth Circuit. Unfortunately, rather than being thorough in selecting lifetime appointments of judicial officers who are entrusted with protecting the rights of Americans, all too often this White House seems more interested in rewarding cronies and picking political fights.

As today's confirmation demonstrates, Democrats in the Senate cooperate with this White House when it focuses on sending the Senate qualified consensus nominees. Unfortunately, as the recent withdrawals demonstrate, this White House too often does not want to cooperate with us.

I congratulate the nominee and his family on his confirmation today.

Is all time yielded back on the nomination?

Mr. DURBIN. I yield back all time on the minority side and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Michael A. Chagares, of New Jersey, to be United States Circuit Judge for the Third Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

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

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—98

Akaka	Domenici	McCain
Alexander	Dorgan	McConnell
Allard	Durbin	Menendez
Allen	Ensign	Mikulski
Baucus	Enzi	Murkowski
Bayh	Feingold	Murray
Bennett	Feinstein	Nelson (FL)
Biden	Frist	Nelson (NE)
Bingaman	Graham	Obama
Bond	Grassley	Pryor
Boxer	Gregg	Reed
Brownback	Hagel	Reid
Bunning	Harkin	Roberts
Burns	Hatch	Salazar
Burr	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Cantwell	Inouye	Schumer
Carper	Isakson	Sessions
Chafee	Jeffords	Shelby
Chambliss	Johnson	Smith
Clinton	Kennedy	Snowe
Coburn	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Stevens
Conrad	Landrieu	Sununu
Cornyn	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wyden
Dole	Martinez	

NOT VOTING—2

Cochran Rockefeller

The nomination was confirmed.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. KYL. Mr. President, I move to lay that motion on the table.

The ACTING PRESIDENT pro tempore. Without objection, under the previous order, the President shall be notified of the Senate's action.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now return to legislative session.

ORDER OF PROCEDURE

Mr. LEAHY. Mr. President, we have a number of people who want to speak on both sides, and the distinguished chairman is here. I was going to ask unanimous consent—let me discuss one thing first before I do—to first allow the two distinguished Senators from Florida to speak briefly on a matter not involving immigration but involving——

Mr. CRAIG. Does that have to do with basketball?

Mr. LEAHY. A group by the name of the Gators.

But before they do that—I hope to maybe go back and forth—I would like to ask to be able to lock in on this side, realizing that we will probably go the traditional way, back and forth on the bill on both sides, that it would be Senators NELSON, MENENDEZ, LIEBERMAN, SALAZAR, DURBIN, and KENNEDY.

What I was going to recommend is we ask people to be able to speak in 15-minute blocks, each one of them speaking for 15 minutes, realizing that if we work it this way, I would imagine the distinguished chairman would want 15 minutes on his side, and go back and forth.

So I would propound that following discussion by Senators NELSON and MARTINEZ, recognizing the significant accomplishment for Florida, we have 15 minutes a side for discussion and that the Senators on our side in the slotted times be Senator NELSON of Florida, Senator MENENDEZ, Senator LIEBERMAN, Senator SALAZAR, Senator DURBIN, and Senator KENNEDY.

Mr. SPECTER. Mr. President, reserving the right to object, and I may well object, the question that comes to my mind is, When are we going to proceed to consider amendments and try to move the bill? When the distinguished ranking member says to give the chairman a chance to speak—I have spoken enough. We went on this bill on Wednesday afternoon and we spoke all day Thursday, and there weren't too many speakers around on Friday, but there was an opportunity to speak. And we were here yesterday afternoon, and not too many speakers pursued an opportunity to speak.

So the question that I have—and perhaps I can better talk to Senator LEAHY about it privately—when are we going to move to amendments? We need to finish this bill this week, and I would like to move to amendments.

Mr. LEAHY. Mr. President, I have the floor.

Mr. SPECTER. Wait a minute. I don't know who has the floor, but I will yield to you.

Mr. LEAHY. No, no. Finish what you were saying.

Mr. SPECTER. Mr. President, Senator KYL is ready to offer an amendment. Senator ALLARD is ready to offer an amendment. I see Senator KENNEDY with his portfolio; maybe he has an amendment. I would like to move to amendments to try to move the bill.

Mr. LEAHY. Mr. President, I know there are amendments on both sides. I have already stated my admiration for the way the Senator from Pennsylvania moved this bill through the committee and on to the floor. I would like to have finished the bill last week, and I share his sense of urgency to finish. I suspect there will be discussions about this in both the caucuses this noon. I wonder if possibly the Senator from Pennsylvania and I, and whomever else he would like, could try to sit down and work out an order for amendments so that we can move forward. But that probably will not happen until after the caucuses, and I thought we could at least have others speak. I have spoken, and I will include another statement for the legislative record this morning. But I think if we get Senators down here to talk about it, we can also work out the time for amendments.

Mr. KYL. Mr. President, would the Senator from Vermont yield for a question from me regarding this unanimous consent request?

Mr. LEAHY. Of course.

Mr. KYL. That would not preclude the offering of an amendment by unanimous consent?

Mr. LEAHY. Mr. President, for offering an amendment, it would require, of course, unanimous consent. I have not included, just because it gets too complicated—that is why I wanted to work out with the distinguished chairman when such amendments might be offered. It would allow Senators to speak, but any Senator speaking, if they wanted to offer an amendment, would still require unanimous consent then. Rather than trying to micromanage this all the way down the line, I will let each Senator make that request.

Mr. KYL. I thank the Senator. I just wanted to get an amendment pending but not to speak on it.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SPECTER. Mr. President, we are only going to move ahead if we come to an understanding; I recognize that. If the Senator from Vermont wants to have a speaking sequence, I will not object, and we can retreat from here into his cloakroom to try to figure out when we are going to move the bill. We are giving up almost 2 hours; perhaps we can work this evening to make up that time.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ALLARD. Mr. President, I have an amendment I am ready to offer, and I would like to speak to that amendment. So the way the agreement is being put together now, I will be expected not to offer that amendment until after we have had more discussion between both sides; is that correct?

Mr. SPECTER. Mr. President, I think Senator ALLARD accurately states it. When he has his 15 minutes, nothing will stop him from talking about the amendment.

Mr. LEAHY. That is right.

Mr. SPECTER. And he can lay the groundwork so that when he does offer the amendment later, he will not have to speak quite as long.

Mr. LEAHY. Mr. President, the Senator from Pennsylvania states it accurately. A number of Senators, I suspect, on both sides are going to talk about amendments they intend to offer. Unanimous consent will not be given for anybody to offer an amendment on either side during this time, but I would encourage Senators to talk about the amendments they intend to offer.

Mr. KYL. Mr. President, I object to the request.

The ACTING PRESIDENT pro tempore. The objection is heard.

Mr. LEAHY. Mr. President, any Senator can object. I have been told that there are those on the Republican side who would object to a Democrat offering an amendment, so I suspect there would be similar objections here. But any Senator can speak about his or her amendment. Any Senator can offer an amendment. Any Senator can make an objection. But insofar as there are going to be objections on the Republican side to some Democratic amendments, and vice versa—there is a

Democratic amendment pending, of course, that of Senator MIKULSKI—I thought, until we get to the caucus, at least we could accomplish something by talking about the amendments we want to offer.

I will again make a unanimous consent request that after the two distinguished Senators from Florida speak about the Gators, there be 15 minutes a side to talk on the bill or amendments Members wish to offer. And if we do that, again, I realize we would alternate. On the Democratic side it would be Senator NELSON of Florida, Senator MENENDEZ, Senator LIEBERMAN, Senator SALAZAR, Senator DURBIN, and Senator KENNEDY.

I renew that request.

Mr. KYL. Mr. President, might I direct an inquiry to the Senator from Vermont?

Mr. LEAHY. Certainly, Mr. President.

Mr. KYL. If the Senator from Vermont would agree to have the two Senators from Florida speak to their State's accomplishment, as you noted it, perhaps we could then work out the rest of it. I simply have an amendment I want to lay down and not to speak to it, but I hope nobody would object to that. That is what I wish to discuss with the Senator. Can we amend the unanimous consent request to get the conversation started and we can go back and see what we can work out to accommodate Senators?

Mr. LEAHY. Mr. President, I ask unanimous consent the two Senators from Florida be allowed to speak at this point about the Gators as in morning business, but I will then again request at least on our side we have an order of speakers as I have noted.

I ask unanimous consent now simply that the two distinguished Senators from Florida be allowed to speak as in morning business.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The Senator from Florida.

CONGRATULATING THE FLORIDA GATORS

Mr. NELSON of Florida. Mr. President, for anyone who watched on national TV or was privileged to be there in Indianapolis to see the game, there is a profound respect that is now accorded to the University of Florida Gators basketball achievement of being the national champions.

What teamwork. What individual accomplishment. But in that individual accomplishment, what teamwork. For all of that, certainly, a great deal of credit has to be given to the coach.

Florida has long been known as a football powerhouse. But the basketball coach of the University of Florida has now made it, in athletic history, a basketball powerhouse.

Floridians are celebrating this morning, as they have celebrated throughout the night, and with just occasion. The Florida Gators, coming in, were not at the top seed. Indeed, at the beginning of the season the Florida Gators were not even ranked. Yet this incredible talent, all melded together in extraordinary teamwork, has produced a national champion.

This Senator joins with my colleague from Florida and we offer our heartiest congratulations. Later in the day we will be jointly offering a resolution.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I join my colleague from Florida in congratulating the University of Florida, the Florida Gators, Jeremy Foley, the athletic director, Billy Donovan, the brilliant head coach, and all the members of that very distinguished team in their first historic national championship in basketball for a Florida school.

As a dyed-in-the-wool Florida State Seminole, I must say I take my hat off to the Gators. Today is a day for all Floridians to rejoice in this accomplishment and this victory.

In this accomplishment we have seen not only the magnificent leadership of the coach—and I think he ought to be recognized nationally for that—but also this team that worked and performed in such an unselfish way. We hear the phrase, ''they were an unselfish team.'' In this day and time, when it is the ''me'' culture—so much of it is about me, me, me—these guys played as a team. They passed the ball to each other, they contributed as a team, and all were able to make a contribution. The average margin of victory in the tournament was 16 points, which speaks volumes for this very tremendously competitive tournament.

But focusing on Billy Donovan, he is only 40 years old and is now competing in his second National Championship game—the unusual feat of doing it as a player with Providence and now doing it as a coach for the University of Florida. John Wooten, the much heralded and historic coach at UCLA who actually led the Bruins to victory against Florida State in 1972 in the final game, was at UCLA for 15 years before he won his first national title. Billy Donovan is way ahead of that mark.

Today is a terrific day to rejoice, for all Floridians to rejoice for this great accomplishment of teamwork, of a job well done. I will be very happy to join with the senior Senator from Florida in a joint resolution that we will make part of the record.

I want to make sure all in Gainesville and throughout the State know how proud we are here in the Nation's Capitol of the accomplishment of those young men who played so well and displayed such good sportsmanship and unselfishness.

I yield the floor.

SECURING AMERICA'S BORDERS ACT—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 2454) to amend the Immigration and Nationality Act to provide for comprehensive reform, and for other purposes.

Pending:

Specter/Leahy amendment No. 3192, in the nature of a substitute.

Kyl/Cornyn amendment No. 3206 (to amendment No. 3192), to make certain aliens ineligible for conditional nonimmigrant work authorization and status.

Cornyn amendment No. 3207 (to amendment No. 3206), to establish an enactment date.

Isakson amendment No. 3215 (to amendment No. 3192), to demonstrate respect for legal immigration by prohibiting the implementation of a new alien guest worker program until the Secretary of Homeland Security certifies to the President and the Congress that the borders of the United States are reasonably sealed and secured.

Dorgan amendment No. 3223 (to amendment No. 3192), to allow United States citizens under 18 years of age to travel to Canada without a passport, to develop a system to enable United States citizens to take 24-hour excursions to Canada without a passport, and to limit the cost of passport cards or similar alternatives to passports to $20.

Mikulski/Warner amendment No. 3217 (to amendment No. 3192), to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, now that we are back on the immigration bill, I thought I might for a few moments discuss in general some of the provisions in it that I think are extremely important and that are being discussed by a good number of my colleagues. I understand the Senator from Colorado wishes to discuss in general an amendment he will offer later. I hope no one would object to that because it does not actually offer the amendments but allows the debate to move forward while the chairman and the ranking member are determining the schedule of events here.

Mr. LEAHY. Mr. President, will the Senator from Idaho yield, without losing the floor, for a suggestion?

Mr. CRAIG. I yield for that purpose.

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

Mr. LEAHY. Mr. President, may it be in order to ask consent that when the distinguished Senator has finished speaking, the senior Senator from Florida be then recognized to speak, all sides retaining their rights, of course, on the offering of amendments?

Mr. CRAIG. With the understanding following that the Senator from Colorado will be recognized? Does that fit his schedule?

Mr. ALLARD. That will work out fine for me.

Mr. LEAHY. I ask further consent that following the distinguished Senator from Colorado the distinguished Senator from New Jersey, Mr. MENENDEZ, be then recognized.

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

The Senator from Idaho.

Mr. CRAIG. Mr. President, for at least a few moments this morning, we have an order to continue discussion on this critically important legislation. Let me say in general that S. 2454, attempting to be a comprehensive reform of national immigration law, setting forth very strict border control efforts, authorizing tremendous expenditures for the purpose of controlling our borders, is a bill that finally is awakening the Senate. Some of us have been engaged in the debate on immigration for a good number of years, but many of my colleagues have, for whatever reason, chosen not to be. They are busy. But there is no question in my mind and I think the minds of almost every Senator today that the American people have said immigration reform is a priority, border control is a priority: Congress, get with it. We no longer can, nor should we, tolerate within our boundaries whatever that number is—7 million, 8 million, 9 million? If you want to listen to Lou Dobbs on television, he will say it is 20 million. Lou Dobbs doesn't know, nor do we know, exactly how many undocumented foreign nationals are here.

We do know some fundamental basics. If we do not control our borders, if we do not control in-migration, in time we can lose our character as a country. We are a nation of immigrants and we are proud of it. We are, as has been said by many, over a historic period of time, a melting pot of the world. It has proved us as a nation to be unique. It has given us our strength. It makes us something no other nation is. How many people can become Japanese? How many people can become an Italian? How many people can become a German? Any one of those nationalities can become an American. Why? It is the uniqueness of our country.

But in becoming an American, we have always put parameters around it. We have always said you had to study, you had to learn, you had to move yourself into the American culture and the American dream. You had to have, and we allowed, an assimilation. What we have lost in the last two decades by not controlling our borders is that very assimilation in the style with which it operated in the past.

Many of us, and most Americans, wish to regain that. It isn't that we deny our heritage; we are tremendously proud we are a nation of immigrants. We want to continue that tradition. It is our strength. But in doing so, you control your borders, you control the in-migration, and you do so in an orderly fashion.

If we control our borders, if we are successful in shutting them down and only allowing to move through that which is legal, in an orderly fashion, what do we do then? With the unknown number of some 8 or 10 million foreign nationals who are here illegally, what do we do with them? Mr. President, 99 percent of them are hard workers. Many have been here for years. They are a part of our economy. They are a part of our lifestyle. Most of them are contributors. Very few of them are detractors.

A few are. A few are criminals, and they ought to be arrested, if we can find them, and they ought to be thrown out of the country. But what do we do if we take all the rest and toss them out? Who fills those jobs? Who meets those demands? Who does the kind of work about which the average American citizen today says, ''I won't do that,'' yet it is critically important—for the food on the supermarket shelves of America, for the beds in the resorts and the hotels, for the landscape, for construction, for the oil patch. You name it. Illegal foreign nationals are everywhere in our economy today whether we like it, whether we are willing to admit it. They are here in part because of our negligence, but they are also here because they have been needed, because our economy asked them to come and there were no restrictions for them to gain entry other than to walk across a border that was unguarded and uncontrolled.

In that act they broke the law, our law. This bill tries to fix it. I can't tell you on face value it does. What I do know is it will take billions of dollars and a lot of trained personnel to go job site by job site to secure those who are illegal and to move them through a process toward legality or out of the country. I am not sure we are prepared to do that yet.

I am convinced of one thing: We can control the borders and we should.

Starting nearly 5 years ago, I recognized this in American agriculture because American agriculture came to me. I have worked with them closely on a variety of issues. And they said: Senator, nearly 70 percent of our workforce is illegal and we know it, and it is wrong and we want to fix it because we don't want to be operating on a shaky base. We need these people to pick the crops, to harvest the crops, and to process the crops. We need them on a timely basis. They need to be reliable. The current system is broken and it doesn't allow it. It only identifies 40-some thousand legal agricultural workers a year, and there are 1.2 million that are necessary. The system is broken.

I began to work with them. We worked collectively and came up with a bill. We worked with Democrats and Republicans, House and Senate. We worked with Hispanic groups, we worked with labor unions, we worked with the farm organizations, and we produced a bill known as AgJOBS. We looked at all of the compromises that had to be made. We tried to recognize those who had been here illegally but had been here for a long while, and those who were just coming and going—the day laborers on the Mexican-Arizona-California border who come across to work for the day and go back across at night to their homes.

This is a phenomenally complicated issue. S. 2454 is the bill that I and others crafted known as AgJOBS.

For just a few more minutes, I will walk you through one portion of it. It is a two-part bill.

It deals with those who are currently here working in agriculture, and then it goes over and reforms the H–2A guest worker program, to streamline it, to take out the bureaucracy, to make it function in a way that is the kind of program that many are talking about today, a seasonal worker, guest worker program, to come to work, to go home but to recognize the need to treat those folks humanely, to offer to them the jobs that Americans won't do, to assist where we can, to recognize that our economy needs them and they ought to be dealt with appropriately.

How do we then deal with this 8 million? Let me talk to you this morning not about 8 million but about 1.2 million, just a small window but I believe an opportunity while looking through that window to see what the rest of America is like and in part what those 8 million illegals might be like. It is to recognize them, it is to identify them, it is to have them come forward if they have been here 3 years—since 2003—working and can demonstrate that they worked for 150 days in agriculture and then to allow them to earn the right to stay by continuing to work in agriculture for another 150 days up to 5 years.

It is a pilot program. It allows only 1.2 million during that 5-year period. It allows them to adjust and to gain a blue card—legal working status.

Is it amnesty? Well, somebody will call it that. Others have already called it that. I call it earning a status. They have to pay a fine. They have to pay a $500 fine. They have to have a background check. If they have a legal record of misconduct and criminal conduct, they don't qualify. They will have to be deported.

So there is a true tightening of the relationship with these workers, but it is a clear understanding that those workers are needed and necessary in the workforce. Agriculture, like no other business, is what it is at the time it is. By that I mean when the fruit is ripe, you pick it. If it isn't picked, it rots on the vine.

Much of what we do in agriculture is hand labor. It is intensive, hard work, backbreaking in the hot Sun kind of labor. The average American citizen says: I don't do that kind of work anymore but, oh, do we love the abundance of the supermarket shelf.

There are people who will do that work. Many of them are here as migrant workers, illegal foreign nationals doing just that work. They see it as an opportunity because any job in America is better than an entry job in Mexico. They come here, earn money, and 90 percent of them want to go home after they have earned their money. They go back to their nation, Mexico. They can live better than they have

ever lived because of the money they earned in America—in the United States. But 90 percent of them say: We don't want to become American citizens. We want to come and work. We are Mexicans. We like being Mexicans. We are proud of that.

The story goes on and on. I will spend more time on the details of this issue.

There are those offering amendments to change the AgJOBS provision. Some may pass, I don't know. I believe we have a quality product that has been years in the making, not only before the Judiciary Committee but Democrats and Republicans alike. Farm workers and farm organizations and American agriculture have been meeting for 5 years to try to identify the problem and to correct it. That work effort is here in this bill. It is a quality work effort. It is one that ought to be defended. It is one that clearly recognizes all of the differences in the American economy today and the uniqueness of agriculture.

Let me close with this thought. The average illegal in our country today will say when asked—and they have been asked by people they trust—how long do you stay in an agricultural job? It has been said by some—and I believe it is true because it has been said by those who are here in those jobs—they say: We see agriculture as the door to entry. We stay there a couple of years. We learn the ropes. We get to know your country a little better, and then we go out to other jobs—construction, home building, the service industry and oil patch, and a variety of other areas across the country where day laborers, backbreaking labor, hard labor is required as the uniqueness of that particular place of employment.

So agriculture is kind of the window, the door of entry that many come and work in before they go elsewhere. That is why it is important, no matter what we do, that we try to get this right, to control our borders, to begin to identify where the borders are controlled, where people go, and what our needs are and what their needs are and to treat them appropriately and humanely.

That is the essence of a part of the bill. Other amendments will come as we work through this bill in the coming hours and in the coming days.

To all of my fellow citizens who are listening and watching, the Senate is now focused. You have asked us to deal with immigration in one form or another. There are 100 different ideas on how we get it done, some very Draconian and some very forward-looking. I think AgJOBS kind of fits in the middle. I think it kind of sorts out the problem. It is a realistic, practical approach to identify how the fruit of America literally gets picked in a reasonable, responsible fashion while at the same time treating those who do that work in a humane and appropriate way.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, is it my understanding that I will not offer the amendment but will speak on it?

Mr. LEAHY. Mr. President, the Senator from Florida is correct. I am told that amendments will be offered on the side. It would be either the Democrat side or the Republican side. There would be objection but Senators agree to speak about amendments and are encouraged to speak about amendments they intend to offer.

Mr. NELSON of Florida. Mr. President, I thank the Senator. At some point I will be offering amendment No. 3220 and amendment No. 3221. I want to take this opportunity to explain those amendments as we are coming down to the moment of truth and what we are going to do on an immigration bill.

It has been the position of this Senator that we have two goals to achieve. It is essential in immigration reform that we achieve both of these goals. One is the protection of our borders, not only for the purpose of immigration but also for the purpose of protection from terrorists infiltrating the country. The other goal is the protection of our economy.

Where we have in effect American amnesty, as my colleague from Florida has already described, under the existing situation with 11 million illegal aliens or undocumented workers in this country and nothing has been done about it—in effect, amnesty is the de facto situation.

How do you accommodate the economic needs of major industries in this country with the workforce that they need and have 11 million undocumented workers come out of the shadows so that they can have a legal status? That is the balance that we are trying to achieve.

On the one hand, border security, on the other hand, the provision of an economic workforce that will keep the economic engine of this country humming.

I might say that three of the major industries that employ undocumented workers are three big industries in the Presiding Officer's State and in my State of Florida; that is, agriculture, the construction industry, and the service industry, particularly the travel and tourism industry which is very apparent in our States.

Finding that right balance is what this is all about. What I want to do is offer a couple of amendments that will help us enhance our border security provisions more so than the existing committee bill that has come out of the judiciary. Specifically, what I would like to see based on the GAO report and also the inspector general's report, which both recommended that with the enhanced electronic surveillance and new kinds of technological devices such as unmanned aerial vehicles, that we integrate all of this in more of a comprehensive system that can talk to each other.

For example, if we are talking about electronic sensors on a fence, the electronic signal goes off. Instead of that just coming, as the committee bill would provide, to a Department of Homeland Security employee who then would have to notify someone, that electronic signal would automatically be integrated to activate cameras in that particular area. And you would have this integrated technological system. That is one of the amendments I will be offering to automatically activate, in this particular example, a camera to focus itself on the direction of the triggered sensor rather than relying on a DHS employee wasting time trying to find the right spot and focus the camera.

Another example would be to require the sensing equipment on an unmanned aerial vehicle be fully integrated with the systems used by DHS personnel on the ground so the images and the data are sent automatically to multiple ground stations. We have seen in the past where DHS has unsuccessfully exercised its discretion to implement and integrate an automated program as evidenced by the report from GAO and also the inspector general's report. That is why this amendment is going to be necessary to enhance what the Judiciary Committee has already done.

Later on I will offer amendment 3221. This amendment is going to address the problem we have now, which is absolutely inexplicable and inexcusable at what our border people are forced to do. They arrest someone who has illegally come into this country. They arrest them and then release them. Not back in their country of origin; they release them in America. And then guess who doesn't show up when their immigration hearing is called. It defies common sense. This catch-and-release program we have now is not effective or efficient. It is bewildering. In some areas of the border, up to 90 percent of the captured aliens are released after being caught by DHS. Of course, of those 90 percent who are released, only 10 percent appear for their subsequent immigration court hearings. That is simply not acceptable.

How are we going to remedy this? The Judiciary Committee bill started the process. What they are offering is to build some new facilities or detention facilities. The committee does not build enough. What I am suggesting is we build facilities with an additional 20,000 detention beds over and above what the committee is recommending so we can begin to get control, get our arms around this immigration system. If it is not possible for DHS to secure

further detention space quickly enough, this amendment, which I will offer, will require DHS to examine other secure alternatives to detention.

This amendment will also ensure that there are no questions on whether detention facilities are safe, if they are clean, if they are secure, and if they are consistent with DHS policies and consistent with America's tradition of providing secure, safe, clean facilities to people fleeing persecution from other countries.

I will offer two commonsense amendments that my colleagues will accept. Clearly, it is intended as an enhancement to improve the committee bill. Hopefully then we can come out with a good work product and address this immigration chaos we have in this country at this moment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, in this debate on immigration reform, there are three basic goals I have in mind. No. 1, and foremost, I want us to seal our borders. I wish to see us identify the illegal aliens we have in this country. We don't know for sure how many are in this country. We hear a lot of numbers thrown out. Originally it was 8 to 10 million and now it seems the common number being thrown around is 11 million. But when you get right down to it, nobody knows how many illegal immigrants we have in this country. We need to identify those individuals to help reach some reasonable conclusions.

The third goal is to do it in a manner that does not disrupt our economy.

And, finally, I don't believe we should have amnesty.

I have a couple of amendments I am going to be presenting to the Senate. The first amendment is an attempt to put together a plan. We direct the agencies to come together with a plan on how they are going to manage immigration, both from a diplomatic point of view as well as from a border immigration point of view. That particular amendment I hope will be accepted as a managers' amendment. I don't expect it to be controversial.

The other amendment I will talk about this morning I hope to call up later today for a vote. That is amendment numbered 3216. I will not call it up this morning, but I will debate it in the Senate and describe the amendment as to what it does.

I rise today to share with my colleagues six words I believe will be as surprising to others as to me. Those words are ''advocacy of terrorism not always exclusionary.''

Am I reading these from a terrorist handbook? No. Am I reading them from the United States law passed by the Congress and signed by the President? Most certainly not. Am I reading it from a how-to book on exploiting loopholes in the United States visa system? I may as well be.

Colleagues, believe it or not, I am reading from our very own Department of State Foreign Affairs Manual. The same Foreign Affairs Manual issued to the Department's 25,000 employees located in more than 250 posts worldwide. Even more alarming, this is from the chapter that instructs our consular officers to whom visas should be issued.

Visas are, of course, the ticket foreigners, including terrorists, need to enter the United States. This instruction says to the consular officer deciding whether to issue a visa that they need not deny a visa to an individual who advocates terrorism. I, for one, cannot imagine a more pertinent ground for denial. If advocacy of terrorism is not grounds for exclusion, then I don't know what is.

Not only am I concerned about the message this sends to our dedicated consular officers, I am just as concerned about the message this sends to terrorists. It says to them, feel free to lay the groundwork for an attack at home, apply for a visa, and come to America to finish the job. This is not the message the United States should be conveying to terrorists. This Congress has already passed important legislation denying visas to terrorists, including in the PATRIOT and REAL ID Acts. The REAL ID Act, signed into law on May 11, 2005, specifically states one who endorses or espouses terrorist activity is inadmissible. The REAL ID Act became public law on May 11 of last year, 8 days after publication of this manual. Yet today, more than 10 months later, the State Department is still instructing its consular offices that advocacy of terrorism may not be a ground for exclusion.

Certainly, the State Department needs to send a message that we in Congress are serious about securing our borders and particularly serious about preventing known advocates of terrorism, people who are most likely to wish harm to our country, from entering into the United States. Admittance to the United States is a privilege; it is not a right. My amendment says if you advocate terrorism, you lose the privilege of coming to the United States, recognizing, of course, that special circumstances under which someone who meets these criteria may nonetheless need to be admitted. My amendment does nothing to change the authority of the Secretaries of State and Homeland Security in consultation with the Attorney General to waive an individual's inadmissibility when they deem it in the interest of the United States.

I will urge my colleagues to join me in voting for this amendment that slams the door shut on the face of advocates of terrorism who seek to cross the borders into our country.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, from the district I had the honor of representing over 13 years in the House of Representatives, one can see the Statue of Liberty. Ellis Island is a place that has been the gateway to opportunity for millions of new Americans. For me, it is a shining example of the power of the American dream, a place that launched millions down their own road to success.

Like millions of Americans, my own parents came to this country fleeing tyranny in Cuba and searching for freedom. Because of this debate we continue today, this has a special and personal interest to me.

America has a proud tradition as a nation of immigrants and a nation of laws. Unfortunately, our current immigration law and systems are broken and have failed us. We need tough, smart, and comprehensive immigration reform that reflects current economic and social realities, that respects the core values of family unity and fundamental fairness, and that upholds our tradition as a nation of immigrants.

We need to aggressively curtail crossings at the border. We need tough border security and enforcement measures that prevent undocumented immigration so our immigration system is safe, legal, orderly, and fair to all.

Our goal should be neither open borders nor closed borders but smart borders. In a post-September 11 world, our efforts must be tough and swift to ensure the borders of the United States are controlled. Unfortunately, that is not the case right now. We have all heard about and seen what is happening along our borders. Crimes are up in our border communities and overpowering local law enforcement's ability to address these challenges.

So-called ''coyotes'' or human smugglers charge thousands to bring people into this country illegally. Because of this, organized criminal organizations have entered the business of trafficking humans into the United States. In fact, there are reports there is more money in smuggling undocumented aliens into our Nation than smuggling drugs. That is why the first step of any immigration reform proposal must be to secure our lax and broken immigration system.

Our porous and dangerous border and uneven enforcement of our Nation's current laws are significant security risks. Immigration reform is needed to protect America and restore the rule of law.

It is unbelievable, however, under the nature of that reality that when we look at the Clinton administration in 1999, 417 businesses were cited for undocumented immigration violations. If we look at the Bush administration in 2004, only three employers were issued notices by the Bush administration. That is why I support stronger immigration enforcement, not only at our borders but at our workplaces as well.

We must take full command of both human capital and technology to truly secure the borders. This can be done by stronger screening at our consulates and ports of entry, better use of technology, such as unmanned aerial vehicles along our borders, and ensuring that our border agencies have both the

necessary staff and the resources to do their jobs.

Time and time again, we in Congress have passed many of these provisions into law. The question is not whether we will pass them again but whether we will actually provide the funding to make these security improvements a reality.

Over a year and 3 months ago, President Bush signed into law the Intelligence Reform and Terrorism Prevention Act.

I was one of the conferees on that bill. I would remind our colleagues that it contained over 40 sections and 100 pages of immigration-related provisions. These tough but smart, new measures included, among others, adding thousands of additional Border Patrol agents, Immigration and Customs investigators, detention beds, and criminalizing the smuggling of immigrants, just as the 9/11 Commission recommended.

Now, I am sure the American people assume that their Government not only implemented but also fully funded these tough measures to secure our borders and ensure our Nation's safety. Unfortunately, the President and this Congress have chosen not to do so. In fact, as part of the fiscal year 2006 appropriations process, Congress has only funded 1,500 of the 2,000 new Border Patrol agents called for this year by that law, less than half of the 800 immigration enforcement investigators, less than half of the 8,000 additional detention beds required. So much for being tough and for fully funding what has already been passed and called for.

While the Senate must be tough and smart in the legislation it passes, I do not want it to be mean-spirited. I was still a Member of the House of Representatives last December when that body considered the Sensenbrenner bill, H.R. 4437. Beyond the heated rhetoric that existed during the debate on that legislation, the bill itself was shortsighted and even mean-spirited.

Since it makes a felon out of anyone who is here in an undocumented status, it would require the most massive roundup and deportation of people in the history of the world. I believe that is both highly unlikely and impractical on many levels, including due to both the budgetary and economic impact on our Nation and its economy.

That bill would also criminalize citizens of the United States. Under the guise of a much broader definition of smuggling, that bill could allow the Government to prosecute almost any American who has regular contact with undocumented immigrants.

Under the Sensenbrenner bill, an American citizen who helps an undocumented alien under any of these circumstances would be found guilty:

A rape crisis counselor who is assisting a woman who has been raped would be guilty of a crime for ''assisting''; the church group that provides food aid, shelter, or other assistance to members of its community would be guilty of a crime for ''assisting or encouraging''; an aid worker who finds an illegal entrant suffering from dehydration in the desert and drives that person to a hospital would be guilty of a crime for ''transporting''; a counselor who assists a victim of domestic violence and her children would be guilty of a crime for ''assisting or encouraging''; Catholic Charities or other faith-based groups or lawyers who give advice on immigration procedures would be guilty of a crime.

I don't believe any of those provisions are the Christian values we so often hear talked about on the Senate floor. Because of those very troubling provisions, I certainly could not vote for that legislation. In doing so, I hoped that the Senate would work not as Democrats or Republicans but as Americans to bring our policies in line with our Nation's ideals and values.

History is replete with examples of the United States of America being a welcoming nation. But, unfortunately, the public dialog through the years has been less than welcoming. Over the decades, the influx of immigrants of various ethnicities has caused concerns and in many cases heated comments against such immigrants to our Nation. In some cases, there were even laws enacted to limit or ban certain ethnicities from being able to come to the land of opportunity.

Before the American revolution, Founding Father Benjamin Franklin wrote of the influx of German immigrants to Philadelphia. He said:

> Those who come hither are generally the most stupid of their own nation.

Henry Gardner, the Governor of Massachusetts, in the middle of the 19th century, saw the Irish as a ''horde of foreign barbarians.''

Finally, a 1925 report of the Los Angeles Chamber of Commerce stated that Mexicans are suitable for agricultural work ''due to their crouching and bending habits . . . , while the white is physically unable to adapt himself to them.''

We should not stand for rhetoric that focuses solely on the weak and says nothing about those who benefit the most from immigrants' contributions—the corporations and, ultimately, all of us, the consumers of these goods and services. Let's face it, we are all a part of the equation that contributes to this unfortunate situation in which we currently find ourselves—the fortunate among us in our country who have nannies to care for our children, maids to clean our hotels, motels, and even our homes, landscapers who maintain our lawns, and so many others who make a difference in our daily lives. Yet they seem to be invisible to us. Yet they, too, those who employ them, are part of the problem as well.

It does not end with the rhetoric. There has been a concerted effort over the past few years, through piecemeal proposals, to make our civil servants do things they do not even have the proper training to do. These efforts have included anything from trying to make our caregivers and doctors into police officers and our school teachers into INS and border security agents.

Changes to our immigration system cannot be done in a patchwork approach. They need to be undertaken in a comprehensive manner that can provide us with a safe and orderly immigration system that preserves family values, rewards hard work and sacrifice, and is in the national interest and benefits all Americans.

Now, let me be clear. I am first and foremost for hiring any American who is willing to do any job that is available in this country, any American who wants to do the backbreaking work that is so needed in our agricultural sector, to clean the bathrooms in our hotels on their hands and knees, and to do the work in our meat-packing plants across our Nation. These are done largely by immigrants. They should be available to any American who wants to do it first.

But many of us know all too well this is not the case. Like my parents—and I am sure many others here—immigrants have not come to this country to be taken care of. They have come to work hard—very hard—to provide for their families, and all they want is a better life for their children.

It is in the national interest to have all those here seeking the American dream to be able to fully participate and contribute to American society. Those who bend their back every day picking the fruits and vegetables that end up on our kitchen tables are part of America. Those who, through the sweat of their labor, dig the ditches that lay the infrastructure for the future are part of America. Those who are on their knees cleaning the hotel and motel rooms for our travelers are part of America. Those who plucked the chicken or deboned the meat we had for dinner last night are part of America. And those whose steady hands and warm hearts help the aged, the sick, and disabled meet their daily needs are part of America.

These men and women who, through hard work and sacrifice, are seeking the American dream need to be brought out of the darkness and into the light of America's promise. It is in the national security interest of the United States to know who is here to seek the American dream versus who is here to destroy it.

That is why I support the comprehensive immigration reform proposal that was reported out of the Senate Judiciary Committee in a bipartisan manner. It is perfect? No. But it is tough, smart, and balanced, unlike either the Sensenbrenner bill or the bill offered by the majority leader.

The Judiciary-reported bill will enforce our laws, protect our national and homeland security, while also reflecting current economic realities and respecting the core values of family

unity and fundamental fairness. It secures our borders through the increased use of aerial vehicles and sensors, while increasing the number of Border Patrol agents and immigration enforcement investigators. The Judiciary Committee bill has very strong border security and enforcement provisions that go even beyond the bill offered by the majority leader. For example, it makes tunneling under our borders a Federal crime, adds new criminal penalties for evading immigration officers, makes manslaughter an aggravated felony, and adds 12,000 new Border Patrol agents over the next 5 years. This bill provides a way for future workers to safely migrate to the United States in a legal process, works with labor and worker protections, and addresses the family backlog so that families can be reunited.

The Judiciary Committee legislation would also allow the possibility for temporary guest worker permits. Those who try to portray the bill as amnesty are, I believe, moving us in a direction to seek to, in essence, express the sense of fear. In fact, the Judiciary Committee legislation would punish those who are here in an undocumented status by requiring them to meet all of the following requirements before they can even join the path toward earned legalization. They would have to pay a couple thousand dollars in fines and fees. They would have to pass a criminal background check. They would have to go to the back of the line behind all applicants waiting for green cards. They would have to pay any and all back taxes. They would have to remain continuously employed going forward. They would have to pass a medical exam, and, yes, they would have to learn English and learn U.S. history and government.

So as Senator GRAHAM stated, this is an 11-year path—an 11-year path—to earned citizenship, not amnesty.

There is a broad and diverse coalition supporting the comprehensive immigration reform in the Judiciary bill. This unusual coalition includes individuals and organizations from our business, civic, civil rights, faith, immigrant, and labor communities.

So in closing, let me commend Senators SPECTER, LEAHY, KENNEDY, GRAHAM, and all the Senators on the Judiciary Committee for the work they did in producing a bill that moves us much closer to once again controlling our borders, while upholding our tradition as a nation of immigrants and laws.

However we got here, from wherever we came, we know that we are now in the same boat together as Americans. And together, hopefully, this Senate will act to make this journey a safe, orderly, and legal process that preserves and fulfills that American dream for all.

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

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

The legislative clerk proceeded to call the roll.

Mr. VITTER. 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. VITTER. Mr. President, I rise today to speak about the crucial issue we are addressing as a nation and as a U.S. Senate, this immigration question.

I continue to have grave concerns about many of the provisions that are now before us. I am going to talk about some of those general concerns, and then I am going to outline two specific amendments I will be offering on the floor of the Senate that help meet them.

It is often said that Americans have a very poor sense of history; we do not read history much; we do not remember past mistakes and past lessons; we don't learn from history. I am afraid much of the debate and activity on this question on the floor of the Senate is another example of that because we went through very much the same sort of debate in 1986, the last time the Congress addressed illegal immigration in a major way and passed a more limited amnesty program.

It is instructive to look back and read those debates. It is enormously instructive to understand the arguments pro and con, during that debate in this very Chamber. And if one does that, one gets an eerie sense of history repeating itself. Unfortunately, it is a history of mistakes and missed opportunities which only made the problem worse. I encourage all of my Senate colleagues to go back to those debates, to read those words and statements and the arguments pro or con to get a sense of that history.

In terms of supporters' arguments for the legislation in 1986, many of exactly the same arguments were made. If we deal with this problem one time, if we create this program and deal with then 3 million illegal workers and immigrants in this country, we can solve it once and for all, and then we will have a true enforcement mechanism that will never let the problem recur or grow again—an interesting set of arguments, the same arguments we are hearing now.

What has happened since 1986? On that, the history and the record should be crystal clear. We didn't solve the problem back then. We passed major legislation which included an amnesty program, and the problem grew by 400 or 500 percent, a problem that was maybe 3 million illegal workers in our country back then. Even after so many of them were granted amnesty and given legal status, what do we face now? We face 12 million, perhaps more, illegal immigrants in this country.

What is the simple lesson of that bit of history? The simple lesson is that we never got real with border security. We never got real with enforcement. And perhaps the most important lesson—that anything akin to an amnesty program is going to encourage a lot more of that illegal activity which we are still not fully prepared to deal with on our borders.

The simple but basic conclusion I reached from that important history is that we need to address border security and enforcement first. We need to get real and prove ourselves on that side of the equation first because we have never effectively addressed that in the past, including 1986.

My plea to all of my colleagues is that we address this major issue in a simple two-step approach. First, let's do what there is wide consensus on, let's pass important border security provisions. Let's pass important and vital enforcement provisions, including those which go directly at employers who break our law by hiring illegals. And let's prove to ourselves and our constituents that this can and will be done.

Talk is cheap. And if it is cheap anywhere, perhaps it is cheapest, quite frankly, in the Congress. We talk a good game about this issue. We talk about enforcement in the context of this debate. But the simple fact is that we have never proven ourselves on the issues of enforcement and border security.

Talk is cheap. When we talk about authorization language, we all know authorization language is one thing, but appropriating the money to have true border security and true enforcement is quite a different and more challenging step. So let's not just talk. Let's act and let's prove ourselves. Let's do that before we run headlong into other provisions that are being debated, such as provisions that would be tantamount to amnesty.

I will offer two amendments—one a broad global amendment and one a much more focused amendment—that are both consistent with this general philosophy that talk is cheap and that we need to act and prove ourselves with regard to border security and enforcement before we run headlong into these other issues.

My first amendment is No. 3264. It does several essential things with regard to the Specter substitute No. 3192 currently before the Senate. It would strike what is often called the temporary worker program in the Specter substitute. It would also strike the title VI amnesty program in the Specter substitute. It would direct different elements of our Government to study important issues that have come up in the debate so we have a fuller sense of the implications of what some would rush headlong into.

Specifically, it would direct three studies to be done within 1 year of enactment of this bill. First, the Department of Labor would study the need for guest workers on a sector-by-sector basis and the impact of any proposed temporary worker program on wages and employment opportunities available to American workers. Clearly, in

this country there are needs in our economy that are not adequately being met by American citizen workers. But just as clearly, opening ourselves full throttle with a very broad amnesty program or a very broad temporary worker program that would grow automatically over time has the risk of bringing down wages and opportunities for American workers. We need a much more careful and precise examination by some entity such as the Department of Labor on a sector-by-sector basis as to what the consequences of this would likely be.

Secondly, my amendment would propose a GAO study establishing minimum criteria for effectively implementing a temporary worker program and determining whether the Department of Homeland Security has the capability to enforce such a program. If GAO determines that Homeland Security does not effectively have that capability right now, then they should determine what additional manpower and resources would be required to ensure effective implementation.

Again, some on this floor are proposing a mammoth change to our immigration policy—a new temporary worker program—without our having a precise idea of what manpower and other authorities Homeland Security needs to implement and enforce such a program. We need to know that on the front end. We need to have that in place on the front end before we rush headlong into any temporary worker program.

The third study my amendment would mandate is a Department of Homeland Security study to determine whether border security and interior enforcement measures enacted as part of this act are being properly implemented and whether they are effective in securing U.S. borders and curbing illegal immigration. We often talk a good game in terms of border security. We often talk a good game in terms of enforcing the laws presently on the books in the interior of the country. But we need a much more precise sense of what it will really take to bring enforcement to all of those provisions—proper, full implementation. We need to hear from DHS in a lot more detail about what they will need—manpower, authority—to actually implement and make this work before we rush headlong into temporary worker, amnesty, and other provisions.

I will offer a second amendment on the floor. That will be No. 3265. That is a much more focused micro-amendment. The first amendment I described is a broad amendment to meet the major objections I have with the Specter substitute. The second amendment is much more narrow. It specifically addresses the following issue: Right now, the Specter bill requires that illegal aliens prove they have been employed since January 7, 2004, in order to take the next steps toward citizenship.

How does one prove that? Well, they can show IRS records. That is one possibility. They can show Social Security records—that is another—or other records maintained by Federal, State, or local governments. Their employer can attest that they have been working. That is yet another possibility, although one has to wonder how often that is going to happen since we are talking for the most part about illegal workers. Their labor union, daycare center, and other organizations can attest that they have been dealing with these people inside the country since at least January 7, 2004. But that is not the only thing they can produce.

If all else fails, they can do the following: They can have a nonrelative sign an affidavit, an attestation, that they have been in this country since January 7, 2004. Anyone who is not blood-related to them may do so. Clearly, this is an open-ended invitation to fraud and abuse. Clearly, having such an affidavit as a possibility with no supporting documentation, with no testimony from any Federal Government agency or State government or local government agency is a wide-open invitation for abuse. So my second amendment will simply close this door to fraud and strike the sworn affidavit or attestation provision in the language currently on the floor.

I urge all of our colleagues to look carefully at these two amendments. More broadly speaking, I urge my colleagues to think long and hard about the lessons of history with regard to this particular issue. We have history to study. Let's not ignore it. Let's not ignore those lessons and plunge headlong into repeating the mistakes of history, particularly those of Congress's action in 1986, because the only difference in so many of the provisions now before us from those in 1986 is that this would be on a far broader and grander scale, the problem having at least quadrupled since those mistakes of 1986.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to support the Judiciary Committee's superb product, the immigration reform, border security bill. I also wish to speak on an amendment Senator BROWNBACK and I intend to offer. I gather we are not offering amendments now, but this is an opportunity to speak on this amendment. This would address America's treatment of people who come here seeking asylum.

I am pleased to be working with Senator BROWNBACK. Over the years, my colleague from Kansas has done so much good work to protect the rights of refugees overseas and those who seek asylum on our shores for a host of reasons—that they might escape persecution for reasons of faith or politics. Senator BROWNBACK is a partner I am truly proud to be working with on this matter.

This amendment rises out of a report that was issued in February of last year by the U.S. Commission on International Religious Freedom. It is a Commission established by law, by act of Congress. One of its duties is to issue annual and often more frequent reports. This report last February raised very serious concerns, objections about insufficient protections for asylum seekers arriving in this country. The Commission reported an unacceptable risk that genuine asylum seekers were being turned away because their fears and the real dangers of being returned to their home countries were not fully considered. The Commission also found that while asylum seekers are having their applications considered, they are often detained for months in maximum-security prisons without ever having had a chance before an immigration judge to request release on bond.

The Commission described conditions of detention that are completely unacceptable for a just nation to impose on people who are trying to escape war, oppression, religious persecution, even torture.

The amendment I am honored to be offering with Senator BROWNBACK will implement the Commission's most important recommendations. It calls for sensible reforms that will safeguard the Nation's security, improve the efficiency of our immigration detention system, and ensure that people fleeing persecution are treated in accordance with this Nation's most basic values. Remember, our purpose was stated in the original American document, the Declaration of Independence, which said that the Government was being formed to secure the rights to life, liberty, and the pursuit of happiness which were the endowment of our Creator, not just to every American but to every child of God. this Nation has been, over the decades, a land of refuge where people seek freedom and sanctuary from the deprivations they endured in the countries they were in. It is our attempt in this amendment to revitalize and make more credible and honest and true the asylum process that our country has to implement those ideals.

The amendment we are introducing would implement quality assurance procedures to ensure that Government employees carefully and accurately record the statements of people who say they have a fear of returning to their countries. Aliens not subject to mandatory detention would be entitled to a hearing—basic American due process—to determine whether they could be released. Providing bond hearings for low-risk aliens will also free up space for the cases that really ought to be incarcerated.

The amendment also promotes secure alternatives to detention of the type that the Department of Homeland Security, I am pleased to say, has already begun to implement. These new programs and procedures would also make our use of detention space more effective and efficient at an average cost of $90 per person per day. But, of course,

that is the average. Often it is much higher. Detention beds have always been scarce.

Provisions in the legislation before us—the Judiciary Committee proposal—would vastly increase the number of aliens being held in detention. The underlying bill, which I strongly support, is a tough bill. It is so tough that it will inevitably increase the number of people who are not in legal status who will be held in detention. Our immigration system will need to prioritize available space because it is limited for aliens who pose a risk of flight, a threat to public safety, or are otherwise subject by law to mandatory detention.

For those who may remain detained, we are obliged as a just society to provide humane conditions at immigration facilities and jails used by the Department of Homeland Security.

The amendment we are introducing includes modest requirements to ensure decent conditions, consistent with our best American values, especially for asylum seekers, families with children, and other vulnerable populations. It requires improvements in areas such as access to medical care and limitations on the use of solitary confinement. It creates a more effective system within the Department of Homeland Security for seeing and inspecting these facilities.

The United States has been, is, and hopefully always will be a land of refuge for those seeking liberty. Many of our Nation's Founders, of course, fled here themselves to escape persecution for their political opinions, their religious beliefs, or even their ethnicity. Since that time, the United States has honored its history and its founding values by standing against persecution around the world, offering refuge to those who flee from oppression and welcoming them as contributors to American society.

That brings me now briefly to the larger immigration debate before us this week. I want to start with a bit of history. It was in March of 1790 that the first Congress of the United States began debating an immigration and naturalization act that would spell out how new arrivals could become citizens of our new Nation. The main requirement of the law finally approved was that an immigrant needed to live in the United States for 2 years and in the State in which he settled for 1 year to attain legal status. The Senator from Pennsylvania at the time, Mr. William Maclay, thought immigration would be such a benefit to the new Nation that he wanted those residency requirements removed. Senator Oliver Ellsworth of Connecticut, who I believe occupied the seat in the Senate that I am honored to occupy now in the succession, wanted the residency requirement kept in. Senator Maclay of Pennsylvania lost the debate and, frustrated, wrote in his diary afterward:

> We Pennsylvanians act as if we believe that God made of one blood all families of the earth. But the Eastern people——

Parenthetically, he must have been referring to us nutmakers from Connecticut——

> seem to think that he made none but New England folks.

I am sure Senator Ellsworth would have objected to that diary entry on behalf of himself and the people of Connecticut.

Today, this Senator from Connecticut is proud to stand with one of the two Senators from Pennsylvania today, the chairman of the Judiciary Committee, Senator SPECTER, and my fellow New Englander, ranking member of the Judiciary Committee, Senator LEAHY, in supporting the balanced, strong, practical, progressive immigration reforms that they have reported out of the Judiciary Committee.

I thank them and congratulate them on this balanced and bipartisan bill. I also give special tribute to Senators KENNEDY and MCCAIN for all of the work they did in introducing their initial legislation, which I was proud to be an original cosponsor of, much of which has now been embraced in the Judiciary Committee bill.

The proposed legislation before us, the underlying bill, would enhance our national security, promote our economic well-being, and create a fair and just path to citizenship for those who come here to work hard, pay their taxes, respect the law, and learn the English language.

We all agree we have to do more to secure our borders and control illegal immigration. What we are doing now simply doesn't work. This debate has to be about practical solutions, about fixing that problem. That means we will never fix our broken borders without fixing our broken immigration system, in my opinion.

People talk about this as a choice between better border security and immigration reform. That is a false choice. Not only do we need both, unless we have both we will not achieve either better border security or the practical immigration reform we need.

The bill reported out of the Judiciary Committee contains all of the essential security and enforcement provisions in the bill introduced by the majority leader. Both bills substantially increase Border Patrol and immigration enforcement personnel, detention beds, border fences, resources for border security systems and technologies. Both bills create new criminal penalties or make existing penalties more severe. Both bills establish new mandates and authorities for detaining and deporting aliens.

However, the Judiciary Committee bill omits a couple of parts of the majority leader's bill which ought to be omitted—those that criminalize the so-called Good Samaritan behavior toward undocumented immigrants and those who would criminalize the undocumented immigrants that we have. To me, that is foolish; it will not work. In fact, it will push the undocumented immigrants further into the shadows because now their status is not only a violation of immigration law but it would be a crime. It would subject them to much greater exploitation by employers in this country and, in that sense, constitute increasingly difficult competition for Americans who want to work. But overall, this bill on border security contains all of the provisions, except those two, in the majority leader's proposal to toughen border security.

I think history should have told us something—that as important as tough border security measures are, they are not going to solve the problem of illegal immigration because people want so desperately to come here. I have said before, and I will say it again: With very few exceptions, the 11 million undocumented immigrants that we have in the country today came to America for the same reasons my grandparents did. But my grandparents arrived at Ellis Island and they were let in. Why did the undocumented come then and today? For freedom, for opportunity, for a better life for their children—to be Americans. Think about it: freedom, opportunity, and a better life for our children, which are American values and the American dream.

I think history has shown us that border security ought to be toughened, but it is not going to stop this flow. Let me cite this statistic for you to prove it. In recent times, from 1993 to 2004, the number of Border Patrol agents was tripled because of concerns about illegal immigration. Spending on border enforcement quadrupled. We have 10,835 Border Patrol agents and almost $4 billion a year is spent—quadrupled on border enforcement. What happened to the number of undocumented immigrants in that time? It has doubled, from 4.5 million to 9.3 million. The reason, obviously, is that as long as we fail to provide legal channels to these people who desperately want to come to this country, they are going to find some way to come here illegally. They are going to come here to work.

You have all seen the Pew Charitable Trust studies that show that 95 percent of the working-age men who are undocumented immigrants have full-time, year-round jobs. In fact, they make up 5 percent of the American workforce overall.

So the reforms this bill adopts, creating a path to earn citizenship, not only is the right thing to do for our economy, but it is consistent with our values. It is also the most practical thing to do to deal with the problem of illegal immigration and border security and, as others have said, would free up resources at the border to stop the few coming over who come in for bad reasons. Particularly, I focus on potential terrorists and those who want to deal in controlled substances, drugs, in this country.

I will wrap up now because I see my friend and colleague and supporter of

this legislation, the Senator from Colorado, on the floor. I support it strongly. I think we have an extraordinary opportunity in this Senate to do something right this week, and to do something practical to fix the immigration crisis in our country. The immigration system is not working now and this bill gives you an opportunity to make it work. I know there has been discussion of possible compromises. I think the Judiciary Committee bill itself is a compromise, and a good strong one. Although the particular compromises that have been floated in the last 24 hours I don't accept, I am encouraged by them because they speak to momentum in favor of coming together across party lines, regional lines—every line you could imagine—as Americans, to do what is right and practical, and to assist our security and our economy.

I close with a wonderful quote I found from Thomas Jefferson going back to the initial days of immigration when he said:

> Born in other countries, yet believing you could be happy in this, our laws acknowledge, as they should, your right to join us in society.

It is that spirit Jefferson articulated right at the beginning of the American experience that I think challenges us, informs, and elevates the proposal before us. We have a real opportunity to act on that ideal this week. I can't help but go back to what that wise Senator from Pennsylvania once said: God, in fact, made all the families of Earth of one blood.

I yield the floor and thank the Chair.

The PRESIDING OFFICER (Mr. BURR). The Senator from Colorado.

Mr. SALAZAR. Mr. President, at the outset, I recognize my friend from Connecticut and agree with his comments and applaud his voice of moderation and centrist views. Those are the kinds of views that are bringing together the coalition that ultimately will allow us to succeed in passing comprehensive immigration reform in the Senate.

I want to speak about two issues today. One is about the law and order aspects of this bill, and the second is to refer to the nature of this debate we are seeing around the country on immigration.

The first point I want to make is that the Judiciary Committee bill which was produced with great work on the part of both Democrats and Republicans is, in fact, a law and order bill. For those people who have said it is not, they are wrong. This is a law and order bill because what it does is it takes the immigration issues we are facing in this country and addresses the strengthening of our borders. It also addresses the enforcement of our immigration laws within the interior of the United States. And finally, it applies penalties and registration to those who are here illegally in our country. So I believe the appropriate characterization we should be giving this legislation is that it is a law and order bill.

I want to review some of the aspects of border security which are very important. All of us know that today we are involved in this debate because we have broken borders, both to the South and to the North. It is not just the border between the United States and Mexico we are addressing today, but it also is the border with Canada. It is a system of broken borders we have in this country today.

What this legislation does is toughen border security in ways we have not done for the last 20 years. In this post-9/11 world, it seems to me there can be no higher imperative for our Nation's calling than to make sure we are doing everything we can to protect the Nation and protect our homeland. How can we do that if we have porous borders? That is what this legislation, the Judiciary Committee bill, before the Senate does. It addresses that issue of border security.

It adds 12,000 new Border Patrol agents. These officers will help double the number of law enforcement officials we have working on the borders to make sure we have secure borders.

It creates additional border fences in places that are vulnerable, where we see significant crossings in some of the major cities between the North and the South, but we know with these additional fences in vulnerable areas that we can increase border security.

It provides new criminal penalties for a whole range of activities, including the construction of tunnels which have been found in California and other places so that those who are involved in the construction of the tunnels will be subject to some very heavy criminal penalties.

It adds new checkpoints and points of entry so we can make sure the flow of people from one country to another is, in fact, being checked and that we can, in fact, make sure they are legal entrants into our country.

It expands the security system at all land borders as well as our airports.

One of the law and order legs of this stool is the fact that we will have much more strengthened border security if we are able to get this immigration reform package through the Senate.

The second aspect of this legislation, which I think stands tall for law and order, is the enforcement of our immigration laws. For far too long we have turned and looked the other way when our immigration laws have been broken.

This immigration bill produced by the Judiciary Committee will have us look in the right direction. It will have us stand tall and say: We are going to enforce our immigration laws.

It adds 5,000 new investigators within the interior of this country to make sure we are enforcing those immigration laws. That more than doubles the capacity of our interior enforcement with respect to immigration.

It establishes 20 new detention facilities so we can process those who are caught here illegally for violation of our immigration laws.

It reimburses the States that now have the responsibility, in many cases, of apprehending and detaining aliens. This legislation will provide assistance to the States for that detention.

It requires a faster deportation process so that once there is someone who is caught illegally, they are subject to deportation in a prompt process.

It creates additional criminal penalties for gang members, for money laundering, and for those who are involved in human trafficking. We go after that lawlessness which has been created by the broken borders we have today.

It increases document fraud detention and, as the President said, for people who are here under the guest worker program, they will have a tamperproof card so we can make sure the fraudulent business that has been created is something we stop.

It expands authority to remove suspected terrorists from the United States.

And it is strong in pushing for the employer sanctions which are now part of the law and adds some additional employer sanctions.

It is a tough immigration law enforcement bill that addresses the issues within our interior.

The third point I want to make with respect to this bill, which is a law and order bill, has to do with the fact that we penalize those who have broken the law. Some people have decided they want to call this legislation amnesty legislation. There is nothing that could be further from the truth. It is a falsehood to say this legislation provides amnesty.

For those who have broken the law, we require them to pay a penalty. It is a substantial monetary fine. We in America who have worked in law enforcement know that many Americans, when they break the law, have to pay some kind of civil penalty. Here the penalty that is proposed for those illegally here today is $1,000. In addition to paying the penalty, we require these people to register with the Government. As American citizens, none of us are required to register with the Government. We, in this bill, however, require the undocumented people who are in this country to register with the U.S. Government. So we have penalties and we have registration.

There is a whole host of other items included in this part of the legislation that address the 11 million undocumented workers in this country, including the requirement that they obtain a temporary work visa, that they provide an additional $1,000 penalty, that they pass a background check and remain crime free while in the United States, that they pay all back taxes, that they learn English, that they learn American history and Government, that they pass a medical exam, and that they prove they are continuously employed with a temporary guest visa.

When we look at all these requirements, what we are doing is creating a system where for an 11-year-period these people are going to be punished and they are going to go through what I call a purgatory of time. It is an 11-year waiting period before they are eligible to obtain citizenship.

So this legislation ought to be correctly characterized as legislation that stands up for law and order, that addresses our broken borders and the lawlessness that comes from those broken borders.

I wish to briefly also address the tenor of the debate in the United States of America with respect to this issue of immigration reform, which we are debating in Washington, DC, and across our great Nation.

I think President Bush had it right when he talked about this issue a few days ago. He said:

> When we conduct this debate, it must be done in a civil way. It must be done in a way that brings dignity to the process. It must be done in a way that doesn't pit one group of people against another. It must be done in a way that recognizes our history.

That is what President Bush said about the kind of debate we ought to be having in America today on immigration.

Yet the reality is that the kind of debate that is going on in some places in America is a debate that is very vitriolic and is very poisonous. It serves to divide our country as opposed to uniting our country.

I myself have been the subject of many of these attacks by telephone and e-mails as well, I am sure, as many of my colleagues who are working in the Senate today. Some of those attacks that have been launched against me have said I should simply go back to Mexico because I am a ''spic.'' I resent that because my family founded a great part of this country, including the city of Santa Fe, NM, some 400 years ago. My family has supported this country through war and depression and a whole host of different ways.

Like all Americans, I believe we are equal and that we should be celebrating the diversity that makes us a strong country. So the kind of comments and the kind of poison that sometimes comes from these comments we are getting from around the country, including my own State of Colorado, is not helpful for us as we move forward to create comprehensive immigration reform.

I have received other kinds of comments such as from someone calling from my State:

> I am not a racist against Mexicans. I want all minorities kicked out.

Another one:

> Put all the illegal aliens on trains and deport them out of the country. They come in vans. Railcars would be a step up.

Those are just a few samples of the thousands of negative messages I have received in my office as we have engaged in this debate.

I go back to the President's statement that as we move forward in this debate on this Senate floor and in this country, we should appeal to the better angels of people to ensure we can have a civil debate about a very important issue, that goes to the heart of America's national security, that addresses the economic realities that are addressed in the package that came out of the Judiciary Committee, and that also addresses the humanity involved in the immigration chaos in which we find ourselves.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

SECURING AMERICA'S BORDERS ACT—Continued

Mr. DURBIN. Mr. President, I have been advised that amendments are not being accepted at the moment, so I will withhold it until the appropriate time. I ask unanimous consent to speak to the amendment so that my colleagues will be apprised of its contents.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, last December, Senator BROWNBACK of Kansas and I went to Africa and went to a part of Africa I had never visited before. It is a part most Americans are not familiar with. It is called the Democratic Republic of Congo. We have known of it throughout history as the Congo. It is a huge expanse of country, with its capital of Kinshasa in the western part of the Democratic Republic of Congo, and then in the far eastern regions is a section of the world that has been hit hard time and again by devastating loss.

In the area around Goma, in the eastern part of Congo, a few years ago they were hit by a volcano that left 2½ feet of lava in this poor town, destroying most of the buildings that were there. They have been victims of disease, of all of the trappings of poverty, which we are aware of in the continent of Africa, while at the same time there has been an ongoing war, which has killed so many innocent people. It is amazing, the resilience and the courage of the people in east Congo.

Senator BROWNBACK and I went there because we had heard that, with little fanfare in the West, 1,000 people a day were dying in this part of the world from all of the different events I have just noted. We went to a hospital in Goma, which is known as the Docs' Hospital, run by a Protestant church, in an effort to provide some basic health care in the Congo. We met with some amazing doctors who work for the Government of the Congo.

Some of you who are fans of the ''Oprah'' show from Chicago may know she has focused on a problem they are addressing which is known as obstetric fistula. This is a terrible injury a woman sustains when she is either sexually assaulted or at too young an age goes through a prolonged labor before delivering a baby and has problems that can be very devastating to her personally. So many of the women in this region of the world come to this hospital in Goma in the hopes of a surgery. There is a very modern surgical suite there financed by the United Nations but very few doctors. They have one surgeon.

I asked the doctor who was there: How many doctors do you have in this region of the world for the people who live here?

He said: We have 1 doctor for each 165,000 people. One doctor.

I said: How many surgeons?

He said: Oh, that is hard.

He did a quick calculation, and he said: I believe we have 1 surgeon for every 3 million people who live here. There is 1 surgeon for every 3 million people.

Imagine if we only had one surgeon for the city of Chicago. That is comparable in terms of numbers.

I talked to him for a while about this challenge and the fact that there are not nurses and doctors and surgeons necessary to treat these poor people. He talked to me about some of the challenges they face, not just the matter of being paid by the Government, if you are lucky—no more than $600 a month—but also the lure of the West on these doctors.

We need doctors desperately in the United States. I represent a State with rural communities that are anxious to bring in doctors. We are not really that picky when it comes to their national origin. If they are competent, well-trained doctors, they will take them from anywhere in many of the small towns I represent. My State is not unlike many other States. But what we find here is this situation where our immigration laws are written in a way to attract doctors from those parts of the world most in need of doctors at the present time. So as Africa and Asia and other parts of the world deal with the global AIDS epidemic and terrible medical problems such as tuberculosis and malaria, the doctors who could successfully treat the people living there are lured from those low-paying jobs in desperate circumstances, with limited medical facilities, to the very best opportunities in the United States.

I thought about that as I flew back from Africa: What is the fair thing to

do? We need doctors in the United States, that is for sure, but they desperately need them in the developing parts of the world, and we are luring these doctors away. We are draining away this medical talent from a part of the world that needs it the most.

I am going to be offering an amendment later on to this immigration bill, and the purpose of this amendment is twofold.

First, it would require health care professionals and medical and nursing students who are applying for legal permanent residency or a temporary visa to attest whether they have committed to return to their home country. I believe that is important because if someone, for example, in Congo has their surgical residency—it costs about $50,000—paid for by the Government of the Congo with the understanding that they will stay and serve for a certain number of years, we should honor that contract. I think that Government has gone out of its way to provide the most basic need of every person on Earth—medical care—and for the United States to step in and say: We will ignore that commitment you made to the Government that paid for your education because we want you to come to the United States I believe is wrong. So this amendment would say that we have to honor those commitments made by those who said: For the cost of my education, I will work for a year or 2 years or 3 years in the country that paid for it. That is No. 1.

No. 2, with this amendment, we would allow doctors and nurses who are legal permanent residents to return temporarily to help countries of citizenship or to reside in certain developing countries to work as health care professionals. What that means, of course, is if you are here in the United States as a legal permanent resident, you can return to a country that is desperately in need of doctors without jeopardizing your right to come back to the United States. So those who feel a special bond with their home country can go in a medical crisis, help the people, and then come back to the United States without penalty.

These are two changes which are not massive but are important because they address, first, keeping your word. If you say: I will help the people of this country if you pay for my medical education, you should keep your word, and the United States should not ignore the fact that you have made that promise.

Secondly, if you are here in the United States and want to return to help people in some of the poorest parts of our world, we should say we want you to do that. It is a compassionate decision on your part that we will honor and not penalize you for in terms of your legal residency here in the United States.

I believe this amendment addresses two aspects of the problem that are important, but as I reflected on it, there is much more to this.

Why is it that we bring in so many medical professionals from other countries around the world? The obvious answer is we are not graduating enough doctors, we are not graduating enough surgeons, specialists, nurses, health care practitioners, to meet the need in the United States. So in addition to keeping an eye on the needs of the world, we need to focus our attention as well on the needs of the United States. That means in the bills that we are considering relating to education and scholarships, assistance and encouragement, we need to put in place programs which will help these health care professionals complete their education in the United States.

Now, what does that mean? Let me give you one illustration. I was born in East St. Louis, IL. I am very proud of my hometown. It was a blue-collar town. It has gone through some extremely tough times. Just 2 weeks ago, I returned to East St. Louis Senior High School, which is six blocks from where I grew up. We met with students to talk about a number of things.

A group came up to me afterward. These were six male students at East St. Louis Senior High School, and they said: Senator, we want to talk to you about our school.

I said: Sure. What do you want to talk about?

They said: Why is it that at our school in East St. Louis, the students don't have personal computers, and yet, just up the hill in Belleview, they do? Why is it that in our school we don't have the equipment in our chemistry lab or our physics lab that we need to really learn these subjects, while in schools just a few miles away they do?

The answer is obvious: It is the way we finance education in America. There are school districts that have and school districts that have not and, sadly, in many respects, East St. Louis is one of those school districts that do not have the basics when it comes to some of the equipment they need so their students can be well trained.

If we are serious about having enough doctors and nurses and health care professionals, we have to be serious about the education we provide for the students across America. I believe we are falling dreadfully short.

No Child Left Behind tests students across America to find out where they are deficient, where they are falling behind. That is a good thing. Kids hate to take tests; I always hated to take a test. But if you can't measure it, you wonder if there is real value. In this situation, a test at least tells you whether a student is progressing. Equally important, the tests are divided in schools, so it isn't just the average score you are reading; you will read the score for majority students, minority students, those who are special education students, those who are taking English as a second language. You may find that the average score is comforting, but when you break out the groups, there are some that need extra attention, extra help.

The problem is that the President encouraged us to pass No Child Left Behind, which tests for and identifies the problem, but then the administration refuses to send resources to deal with it. So now we have school districts testing kids right and left, coming up with results, some of them being labeled as failing schools, and they turn to us and say: Well, will you give us a helping hand? You put mandates on us, such as treating special education students, and instead of providing 40 percent of the cost of that education as you promised, you are only providing 18 percent. And now you identify students within our schools who are falling behind in testing, and yet no resources come forward—resources for smaller classroom sizes, resources for tutoring and mentoring, resources for afterschool programs and summer programs.

So if we are serious about being competitive in the 21st century, if we are serious about producing the health care professionals and engineering specialists and scientists we need to make sure we are competitive in this world, we must be serious about education at East St. Louis Senior High School and every school across America. We must focus our resources on America. A strong America begins at home, and it begins at home with our schools. It has been the ladder for generation after generation in America.

As I stand here, we spend $2 billion a week on the war in Iraq. I voted for every penny for it. Although I voted against the resolution to go to war, it was my feeling that if it were my son or daughter in uniform, I would give them everything they needed to come home safely with their mission accomplished. But it is an expensive undertaking with no end in sight.

We decided—the President decided—that for our national security purposes, we would have to shoulder this burden of $400 billion. That is what the war has cost us to date, approximately. I will leave here in a moment and go to the Senate Appropriations Committee, where we have been asked for another $100 billion for the war in Iraq. I am confident it will pass quickly with bipartisan support. But if we are coming down to the basics in America, we have sacrificed things we need in our country in order to strengthen the country of Iraq. We have put billions of dollars on the plate for hospitals and schools and infrastructure to rebuild this country, while America has fallen short in many of the same areas.

So when we deal with this amendment on the future of health care in the world and in America, we need to focus on fairness when it comes to immigrants, health care professional immigrants from other countries. We need to create opportunities for health care professionals to help in other countries, but we need to focus resources in America on making us

strong as a nation right here at home. That means strengthening our schools, demanding of our kids that they not only do well on tests but stand by them to help if they are not doing well so they can improve and do better on the next test, and make a commitment as a nation for that to happen.

According to the World Health Organization, Africa loses 20,000 health professionals a year. It is part of a brain-drain. The United States is the largest consumer of health care professionals from some of the poorest places in the world, followed by France, Germany, and Great Britain. In the United States, we deal with rural and inner-city health care shortages, which we need to continue to address. But we understand now that many nursing schools have long waiting lists of qualified applicants. We don't have the capacity in many of our schools—nursing, medical schools, and the like—so we need to expand that base within our own country to produce those who can teach and those who can learn to serve us in medical professions in the years to come.

Let me give an example of another country aside from the Congo, which I mentioned earlier. Ethiopia has only 3 doctors for every 100,000 people and 20 nurses; 3 for every 100,000 people. In the United States, we have 549 doctors for every 100,000 people and 773 nurses. Yet according to Ambassador Randall Tobias, who has been confirmed as the U.S. Director of Foreign Assistance, there are more Ethiopian-trained doctors in Chicago than in the country of Ethiopia.

In the Democratic Republic of Congo, which I mentioned earlier, there were severe shortages of doctors and medical professionals at a time when those areas were desperately fighting the global AIDS epidemic. In Zambia, nearly a quarter of the adult population is infected with HIV/AIDS. But Zambia has lost over 90 percent of its doctors who graduated from medical school in the 1980s and 1990s and emigrated out of the country to the West and to Europe.

Secretary of State Condoleezza Rice recently said:

> HIV/AIDS is not only a human tragedy of enormous magnitude, it is also a threat to the stability of entire countries and entire regions of the world.

We must make certain that we have the resources available through the Global Fund, through our PEPFAR appropriations, as well as appropriations to USAID and other agencies. But we also have to make certain that when a country overseas that is battling disease, that is trying to provide the most basic health care for its citizens, is doing its best, we should not be luring away their health care professionals who promised they would stay. I think we can extend America's health care capacity. We can do it with a strategy that includes good education for our children, focusing on math, science, and critical languages but also making certain our professional schools can generate the doctors and nurses we need.

Today, with this amendment, we would take two modest steps in the right direction by passing the amendment to require would-be immigrants to fulfill pledges of service and to offer members of the Diaspora community who are working here a chance to share their badly needed skills. Imagine living in a country with 3 doctors for every 100,000 people. Then ask yourself what can we do about it. This amendment is a start.

Mr. President, I ask unanimous consent that Senator KENNEDY be recognized as the next Democratic speaker for up to 30 minutes.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENSIGN. 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. ENSIGN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The order is to recognize the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I think the Senate had a rough kind of order in terms of speaking. I was told that this was the time to speak even in terms of other Senators. I intended to speak now. I ask unanimous consent that the Senator be recognized after I finish.

Does that help the Senator?

Mr. ENSIGN. Mr. President, if the Senator will yield, how long will he speak?

Mr. KENNEDY. Probably 20 minutes.

Mr. ENSIGN. Would the Senator mind if I went for maybe 2 or 3 minutes?

Mr. KENNEDY. I have no objection.

Mr. ENSIGN. Mr. President, to be fair, realizing that there will be objection to laying down amendments, I would speak maybe 2 or 3 minutes total.

Mr. KENNEDY. I have no objection.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, at the end of my remarks, I will ask to lay the pending business aside. Let me speak for a moment on the issue of immigration.

We are dealing with one of the most difficult issues that we will consider this year. It is difficult from a political standpoint, and it is difficult from a policy standpoint.

If we could poll all 100 Senators, we would probably have 100 different ways of solving the problem of illegal immigration.

However, I think we can all agree that we need to secure our borders. This should be our number one priority, and our national security depends on it. Then, we can begin to consider other reforms.

I, personally, believe it is important that we first secure all of our borders, including our Southern border, our Northern border, and our ports. Once we have secured our borders, as part of a comprehensive reform effort, we can then consider a temporary worker program. This program should require the worker to be continuously employed. It should also ensure that workers are contributing members of society, and are working to become proficient in English. In addition, this program should encourage the worker to have health care coverage.

I have drafted several amendments that are different from the current underlying bill. It is important that these amendments and other legislative proposals be considered for debate.

It is unfortunate that the other side is blocking the amendment process on the bill. They don't want to take some tough votes. I understand that. However, immigration reform is a critical issue facing our country. We must have a full debate in the Senate, which includes an opportunity to bring up amendments, have votes on them, and then determine how to proceed. I, and many of my colleagues, have several amendments that I believe will be very constructive to this process.

Many of us want a verifiable database from which employers can search for the legal work status of their employees. It may be several years before we can actually have that database up and running. The technical problems associated with the database are not addressed in the current underlying bill. I believe some of my colleagues have offered an amendment to address this important issue, and I believe my colleagues should be heard.

We also have to look at Social Security. Two of my amendments address serious issues related to Social Security.

In order to qualify for full Social Security retirement benefits, a worker must work a minimum of 10 years. Under current law, individuals who work in the United States illegally, and later obtain legal employment status, can use their illegal work history to qualify for benefits.

The promise of Social Security is for citizens and legal residents of the United States. It was not intended for individuals who enter our country illegally, purchase fraudulent green cards and documentation on the black market, and use them to get jobs. At a time when the solvency of our Social Security system is in question, it is wrong to allow those who have broken our laws to receive credit for their illegal work history.

In addition, I have serious concerns about the proposed Totalization Agreement with Mexico and its impact on the Social Security Trust Fund. The effects of the Totalization Agreement depend on the specific terms and language included in the agreement. We

do not know the terms of the agreement and will not know the exact terms until the President submits the agreement to Congress. We also don't know the exact cost of a Totalization Agreement with Mexico. I am concerned that if this agreement were to go into effect, it could severely impact the Social Security Trust Fund and threaten the retirement benefits of hard-working Americans. This issue needs to be addressed in the context of this debate.

I believe there are many technical problems with this bill that must be debated on the Senate floor. These issues should be addressed out in the open so that the American people can see what is being discussed. Unfortunately, this process is not going forward because the amendment process is being blocked.

I ask unanimous consent that the pending amendments be laid aside, and that I would be allowed to offer an amendment at this point.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ENSIGN. Mr. President, in closing, I realize that there are many differences in this chamber. Both Republicans and Democrats have different views on various aspects of this legislation. I believe it is absolutely critical that we move this process forward, that we allow for full debate on the Senate floor, and that we allow amendments to be debated and voted on.

I encourage my colleagues to think about how we proceed, as this is a critical issue facing our country.

I yield the floor, and I thank the Senator from Massachusetts for yielding.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator. From my own personal experience, the Senator has been very much involved and engaged in the provisions of the legislation—and has been during the consideration that we had in the Judiciary Committee.

Mr. President, I remind Members about where we are at the present time with the proposal passed out of the Judiciary Committee 12 to 6, bipartisan.

We had some 6 days of markups. We considered hundreds of different amendments. I was looking over a number of the amendments that had been considered and offered. There may be a few that weren't, but just about all of those were considered at one time or another before the Judiciary Committee. We held 7 days of hearings, listened to all different individuals who had a variety of different opinions on a wide variety of different subjects.

The basic legislation that we are considering here, in one form or another, has been out there for more than 2½ years prior to the 2004 election. I introduced legislation that had a number of parts of this legislation. Senator MCCAIN introduced legislation, and Senator DASCHLE and Senator HAGEL worked together.

After the elections in 2004–2005, Senator MCCAIN and I worked together in May of 2005 and presented this legislation.

This issue has been before both our committee with extensive hearings. We had a markup as a result of the action of the chairman of our committee. We had the opportunity to take some action on this.

I know there are those who would like to discuss this and discuss and continue to discuss. Sometimes this institution has to take action. I am very hopeful we will be able to do that in these next couple of days.

Some Senators have tried to frame the debate on immigration between the Judiciary Committee bill and Senator FRIST's bill as a debate between those who would be tough on enforcement and those who would not.

We all recognize that our current immigration enforcement system is broken. Enforcement provisions is an area where a good deal of consensus has already emerged in this Chamber.

Both bills under consideration would enhance our capacity to monitor the immigration flows and stop illegal entry. They would double the number of Border Patrol agents over the next 5 years; add significant new technology at the border to create a ''virtual fence''; develop new land and water surveillance plans; authorize new highway checkpoints near the border; and expand the exit-entry security system to all land borders and airports.

Both bills would increase our capacity to crack down on criminal syndicates that smuggle immigrants into the country and place them at great risk. They would create new criminal penalties for evading or refusing to obey commands of immigration officers and new criminal penalties for financial transactions involving money laundering or smuggling. They would create new fraudproof biometric immigration documents; direct increased resources to antifraud detection; and improve coordination among Federal, State, local, and tribal agencies to combat alien smuggling.

Both bills would increase cooperation with Mexico to strengthen that country's southern border to prevent illegal migration from Central America through Mexico into the United States. Both bills would facilitate cooperation with other governments in the region to prevent international gang activity.

In addition, both bills would reduce the job magnet in America by creating a universal electronic eligibility verification system so that employers can determine whether potential employees are authorized to work in the United States—very important. That does not exist today, and it is the basis of a great deal of the abuse that currently exists. It is one of the principal reasons the 1986 act was a failure.

They had a provision to adjust the status of amnesty in 1986, but there would also be the requirement for ensuring that we were going to have the vigorous enforcement. It never happened, never existed because we were unable to develop the kind of verification that is so important. We do that under this legislation.

Both bills will substantially increase the penalties on employers that fail to comply with eligibility verification rules. And both bills will add 5,000 new enforcement agents to back up these provisions. We have had virtually no enforcement whatsoever. That has existed under Republican and Democratic administrations. But under this legislation, we will.

The Frist bill places greater emphasis on border fencing, a method of immigration control which we believe has proven ineffective over the last 10 years. The Judiciary Committee bill imposes new penalties on individuals who construct, finance, or use unlawful tunnels under the border. We believe this approach is important for enforcement. Senator FEINSTEIN has said these tunnels are one of the various methods immigrants now use to circumvent border fencing.

The real difference between these two bills involves what we do in addition—in addition—to these tough, new enforcement measures. Over the last week, we have heard two very different answers to this question, reflecting fundamentally different views of immigrants and the steps we should take to reform.

The Frist bill follows the lead of the House of Representatives. It treats immigrants as criminals. In fact, the Frist bill declares that all undocumented immigrants are criminals. It goes further than that, actually making it a felony to provide undocumented immigrants with nonemergency humanitarian assistance.

In bipartisan votes, two-thirds of the members of the Judiciary Committee rejected these measures because they conflict with our basic values, and they would do nothing to actually reduce the number of undocumented immigrants in this country. This is one reason why at least 184 religious groups support comprehensive reform with a path toward permanent status instead.

This is what they call the Cardinal Mahony provision, where Cardinal Mahony says his challenge is to deal with and help the poor, not to check their immigration status. When a mother consults and asks the cardinal, ''My child is sick. Should I be going outside the country and returning to Mexico?'' and Cardinal Mahony would say, ''Your responsibility is to your child,'' that is aiding and abetting someone from returning to Mexico, and under the House bill they would be guilty of a felony. We are doing that for those who are members of the clergy, humanitarian organizations, nonprofit organizations. It is absolutely wrong. As Cardinal Mahony said, it is the most vicious piece of legislation he has ever seen.

So our bill is not just tough on immigration enforcement; it also takes the necessary steps to make enforcement effective. We have tried enforcement, and what we have seen over the last 10 years is how it has failed.

Ten years ago, there were 40,000 illegal immigrants who were coming into the United States. Now there are more than 400,000. We have spent $20 billion. We have increased border guards 300 percent over that period of time. We have created 66 miles of fencing along the border in the South. We have 1,800 miles to go along the Mexican border, 4,200 miles to go along the Canadian border on this.

We have to try. This has been a bankrupt policy. And to try to just do enforcement—enforcement only—is not going to work. How many more billions of dollars do we have to spend?

Our program is so much more efficient. The reason why is, we give focus and attention to those who are the troublemakers, the criminals, and those who are going to be dangerous to Americans.

The Border Patrol will be targeted in using its resources on those who are a danger to the United States, not chasing gardeners around the desert in the Southwest, which is happening now. That is a very major difference.

People who talk about national security understand this. That is why Secretary Chertoff testified we needed a comprehensive approach. That is an understanding. We understand this is a national security issue. As well as preserving and protecting our borders, it is a national security issue. We understand that. We have taken the steps in our enforcement provisions to make sure that is the case.

It is also dealing with our whole march toward progress in terms of opening up economic opportunity. And most importantly, I think it is a value issue about how we are going to treat individuals who work hard, love their family, play by the rules, pay their taxes, want to study English, want to be good citizens, and in many instances enlist in the military forces—70,000 of them over in Iraq and Afghanistan, in the service. Many are serving in Afghanistan.

That is the profile. That is generally the profile of what we like for our fellow Americans. Ninety-eight percent of the undocumented male workers are working today in the United States of America. These are hard-working people, trying to provide for their families.

It is interesting, to divert for a minute, the incidents, for example, of families staying together is much higher among those groups than the native population. There is a greater expenditure in education as to their children than among the native population, a much greater expenditure in terms of music and the arts as compared to the native population, a much greater evidence of attendance to church and religion as compared to the native population.

These are hard-working individuals who want to play by the rules. Under our particular legislation, they have to conform to the rules or they are out, and they have to do it for 11 years before they become a citizen—11 years—without running into any trouble, paying their taxes and doing what needs to be done. That is what is in our effort.

First, we strengthen the enforcement at the border and within the United States. We all agree with that point.

Second, we provide a path to legal status which will bring the 11 million undocumented immigrants already within the United States out of the shadows, and disrupt the culture of illegality which now corrodes our system.

Third, we must provide legal channels for future immigration flows so that U.S. employers who are unable to attract native workers are not tempted to hire illegal immigrants. And those procedures are outlined.

I have heard many speak about the guest worker program, and they have not read the bill. For the most part, they have to advertise in the United States in their area or region in terms of the worker, and then the individual who is selected has to meet all of the other various criminal background checks, other kinds of security checks.

They come to the United States, and rather than being exploited—as the workforce is today—as an undocumented, they are guaranteed the worker protections in the legislation in terms of prevailing wage, Davis-Bacon, other provisions, service contract provisions.

So rather than depressing wages—as exists today, and without this legislation will continue—this elevates them. That is enormously important.

I want to mention a particular provision in our bill that is extremely important; that is, the Judiciary Committee took the long overdue step of enacting what we call the DREAM Act. Under the DREAM Act, undocumented immigrant children would be given an opportunity to become American citizens if they can prove good moral character, if they have graduated from high school, and if they go on to college or join the military.

Many of my constituents in Massachusetts are undocumented children who would benefit from this act. I wish to share three of their stories, provided by the Massachusetts Immigrant & Refugee Advocacy Coalition:

Mario has lived in Chelsea, MA, for the past 7 years. He is a stellar student, patient caretaker for his 4-year-old brother, and a leader in the community. Mario is currently facing deportation. In Mario's own words:

> I did not make the choice to come to this country; however, over time this country has become my home. My time in the U.S. has consisted of nothing but hard work and positive service to the community and all I want is for that to continue. I see this country as my home, and I have always striven to do the right thing. I know that I have a lot to offer this country if I am only given the chance to do so.

Jessica was brought to this country when she was 3 years old, originally from the Dominican Republic. She graduated last year with honors from Madison Park High School in Boston but was unable to pursue her dream of studying psychology because of her status. Jessica was a member of the National Honor Society and an officer in the Marine JROTC. Jessica says going to college is the only way for her to secure a better future for herself and her family. The United States is the only country she has ever known.

Flavio graduated last year from the Burke High School in Dorchester. He made a complete turnaround from 9th grade to his sophomore year—he turned Ds and Fs into all As and Bs. When asked about his amazing turnaround, he responds that his mother sent him to this country to do something with his life and that is what he decided to do. He is a member of the National Honor Society, honor roll, captain of the track and soccer teams. He was accepted at Roxbury Community College but was not able to attend because of lack of access to financial aid or scholarships. Flavio's parents sent him to the U.S. at the young age of 11, hoping he would have a better life here than in Cape Verde.

These kids aspire to U.S. citizenship, and America benefits when they have a chance to earn it.

The Judiciary Committee bill includes enhanced enforcement, earned legalization for those who are here, and a realistic guest worker program for the future. This is a real comprehensive plan for repairing our broken immigration system, and it is not a campaign slogan.

First, many of those who oppose real comprehensive reform have mischaracterized our arguments in recent days, and they have introduced a number of amendments which would undermine our reform efforts. So let me set the record straight.

First, let me set the record straight on amnesty. Our bill does not provide undocumented immigrants with amnesty. Amnesty, by definition, is an automatic pardon or free pass granted to a group of individuals without requiring any actions in return.

Mr. President, I understand I only have 5 minutes left, 4½ minutes. Am I correct?

The PRESIDING OFFICER (Mr. COLEMAN). The Senator has 13 minutes left.

Mr. KENNEDY. Thirteen.

Well, in any event, let me go through very quickly the earned legalization requirements.

First, you must have entered and continuously resided in the U.S. before January 2004; must remain continuously employed; must pay $2,000 in penalties; must pass security background checks; must pass a medical exam; must learn English; must learn U.S. history and government; must pay all back taxes; must get to the back of the line behind all applicants waiting for

green cards; and, after obtaining a green card, must wait another 5 years before becoming eligible to apply for naturalization.

There it is. Amnesty means pardon and forgiveness. This is what they have to do.

They have to continue to earn for 11 years. That is the fastest you can gain it, 11 years. And you have to earn it every day by not only paying your penalties but meeting the security checks, learning English and history, paying all of the taxes. That is what is included. That is why many of us who are supporters of it resent, quite frankly, the distortion and misrepresentation that has been made on the floor. I have listened to it. Here in this Chamber people have mischaracterized our legislation, and then they differ with it.

It is interesting because so many of our Republican friends have been able to understand the legislation. George Will understands this. Brit Hume, who is a commentator on FOX, certainly understands it. He spelled it out. Bill Kristol, who is a conservative spokesman, understands it. He actually supports it. The list goes on. They understand what this is about. That is why it is troublesome when we hear some of our colleagues on the other side repeatedly misstate what this is about. I can understand if you state correctly what it is about and you differ with it. I will differ with you, but I can understand and respect it. But what is happening is a complete distortion and misrepresentation as to what we have.

On law enforcement, this is the language from the legislation: The requirement to eliminate the visa backlog. If the backlog of applications for family-based and employer-based immigrant visas is not eliminated within the 6 years following the date of enactment, as predicted under the formula set out in title V, the amendments made by the title, the Secretary shall hold in abeyance an application—that means you go to the end of the line—submitted by an alien granted conditional nonimmigrant work authorization.

Those are the two aspects of it: the one that sets out the requirements of what an individual is going to have to do in 11 years and this provision in the legislation that says they will go effectively to the back of the line. That is how we deal with the 11 million individuals who are here. I have listened a little bit to the arguments against this provision, but what we have not heard is what the other side is for.

You are against our provision. What are you for? Are you for deportation? Where is your $240 billion—that is the best estimate—to move these individuals out? Who are they? They are the parents of American citizens, in many instances, disrupting families, disrupting relationships that have been going on for years. It would take the buses to go from San Diego to Anchorage, AK, bumper to bumper, if we were to deport 11 million people at $240 billion.

They are all so eloquent, those who differ with us. But you never hear what they are for. They just happen to be against this provision which is an essential part of this whole effort. That is something which is important.

I see my friend and colleague here who wants to address the issue. I have other comments, but I will come back a little later in the afternoon and address them. I hope we can move along. I know there are a number of amendments that have been examined and are acceptable. I hope we move those along. I hope we move to a point where we can have some votes and make a determination on the judgment of this body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me say about my colleague, the senior Senator from Massachusetts, that in the 44 years he has been here, he has been one of the Senate's—the Senate's, probably—leading spokespeople for a fair, sensible, value-based approach to immigration. I have been here for a couple of the fights on immigration we have had, having come to the Senate in 1985. But I have never seen somebody as careful and as deliberative and as thoughtful about how to balance the equities that are involved in this issue and, most importantly, somebody who never forgets what defines this country. It is not just immigrants who understand what Senator KENNEDY has been fighting for. It is those who really understand, such as the people Senator KENNEDY was talking about—Bill Kristol, George Will and others, conservatives who understand the values as well as the pragmatic issues which define this question of immigration. So I thank my colleague for his many years of leadership on this and for the experience which he brings to the debate.

Obviously, this debate matters enormously to our country. There is no doubt that Americans in every State in the Union and people around the world are watching what we do and how we do it. We have witnessed a remarkable demonstration of public protest and of civic participation in cities across America. In the Senate, in our communities, we are once again wrestling with difficult issues. These are not easy. Nobody is suggesting they are easy. But the question of immigration reform is an issue that goes to the heart of who we are as a people and that defines us as a nation. It is an issue that has historically divided us, revealing that sometimes humanity and courage are side by side with isolationism and fear and sometimes, sadly, even bigotry.

We may be divided today, as we try to figure out how we are going to go forward here, but I don't think there is any Senator who disagrees about our past and our heritage as a nation of immigrants, of people who have come to the United States in search of a better life and freedom, of opportunity, and who want to have their voices heard. We also all agree that our current immigration system is broken. We agree that more resources have to be sent to the border in order to strengthen enforcement, to add more Border Patrol agents, and invest in new technologies.

I spent a number of years as a prosecutor. I didn't have to deal directly with immigration at the county level, but I certainly saw what a lack of resources did, in a prosecutor's office, to our ability to pick the crimes that we were prosecuting, our ability to prioritize certain kinds of crimes to move through the judicial system. The fact is, had it not been back in those days for an extraordinary infusion of Federal dollars through the Law Enforcement Assistance Administration, we never could have done half the things we did—like priority prosecution so you could take any felony from arrest to conviction in 90 days, Federal money made that difference; where we could have a rape counseling unit, one of the first in the country, Federal money made that difference; where we could have a victim witness assistance program so people would be helped through the criminal justice system, Federal money made that difference.

Here we are with less border guards on our 2,000-mile border than we have police officers in the City of New York. They don't have the resources. So as we stand here and debate this issue in the Senate, we need to be honest about our own responsibility for the situation we find ourselves in today. This is not something a Republican President did or a Democratic President did or a Republican Congress/Democratic Congress. It is something the United States has allowed to take shape over the last 30, 40, 50 years. It is not new. And you can't come in and sort of bring down a wall and say: OK, we are going to do enforcement and forget about the magnet that already exists, the inequities that have already been put in place because a whole bunch of people knew the borders were porous, because a whole bunch of people knew employers would hire them if they came here illegally which, incidentally, is against the law. But where are the prosecutors prosecuting that in the past? It hasn't been happening.

So our system is broken. What we need to do, consistent with our values and history as a country that has welcomed and honored immigrants, is to deal with the current situation in a realistic, open, fairminded way that tries to find the common ground between us.

I believe we can do that, but it is a problem we have to think about from both sides. I have spent some time in the last months, knowing this debate was going to take place, meeting with members of the Congressional Hispanic Caucus and trying to understand how people are thinking about this. How does somebody who has come into the country, who has been here for 15 years, 20 years, who has raised their

kids, whose kids have friends, who has gone to the local school, who is going to college now, how do they see this? How do we all see this?

We have 11 million, approximately, undocumented immigrants living and working in the United States. The Nation's employers want these people, evidently, because they are hiring them. It is against the law to hire them, but they are hiring them. How many Americans have gone down to a street corner and hired somebody or had somebody mow the lawn or somebody come over to the house to clean out the garage or do something and paid them cash?

The fact is, there are low-skilled, low-wage jobs that a whole bunch of Americans don't want to necessarily fill. I know during the 1990s, we reached an unemployment level of about 2 percent plus in Massachusetts. I believe it was around 4 percent as a nation, effectively full employment in the United States. Still there were a whole bunch of low-wage jobs people didn't want to do. There simply aren't enough visas for the people who want to come in to do those jobs and for the jobs that people want to have done to fill. And with the lure of higher paying jobs than in their home countries, workers come in to fill them. That is a centuries-old reality, not just here but in countries all around the world.

The system that employers are supposed to use to verify the legal status of employees is fundamentally weak. It is subject to exploitation by everybody. The workers can exploit it by getting false documents, and the employers can exploit it by ignoring documents that they know are false or by avoiding the requirement to comply with the law.

Our challenge here in the Senate is not to demagog this issue. It is not to say: Boy, if we just enforced the border, that is the whole deal.

It is not the whole deal. Everybody who has thought about this issue in any serious way knows that is not the whole deal. If we are going to deal with 11 million undocumented workers who are currently living in the shadows in America and be fair to our history and our values, we have to create a comprehensive reform program. Some people on the other side of the aisle suggest all we have to do is shut down the border and that is it, just shut the border. They believe the approximately 11 million undocumented immigrants currently living and working in America are going to return home. Are they serious? People who have a job, paid their dues, paid their taxes, didn't get in trouble, kids are in high school about to graduate or in college, they are going to pack up and go home? Back to what?

For those who won't leave voluntarily, these people believe we are going to have all our police officers and everybody go out and find them and round them up and deport them. How would you do that? How do you find 11 million people who are living in the shadows? How are you going to compel them to leave? What are you going to say to their children and grandchildren and the businesses and the communities that depend on them? What is the image going to be around the world? You can see the cartoons as the United States is busy rounding up these folks, herding them into buses, sending them back.

George Will summed this up pretty well in his column last week. He wrote:

> Of the nation's illegal immigrants—estimated to be at least 11 million, a cohort larger than the combined populations of 12 States—60 percent have been here at least five years. Most have roots in their communities. Their children born here are U.S. citizens.

Those children, because they were born in the United States, are U.S. citizens; that is what our Constitution says. So are we going to separate parents and grandparents from American citizen children?

> We are not going to take the draconian police measures necessary to deport 11 million people. They would fill 200,000 buses in a caravan stretching bumper-to-bumper from San Diego to Alaska—where, by the way, 26,000 Latinos live. And there are no plausible incentives to get 11 million to board the buses.

That is what George Will said.

Mr. President, offering up border enforcement as a panacea is a great political talking point. You can go out, and there are places where people will stomp their feet and clap their hands and say: Isn't that true? But it is not a real strategy, it is not a way to fix our broken immigration system.

I am also troubled by the anti-immigrant statements made during this debate, which expose a limited understanding of the role of immigrants and immigrant workers and the role that they play in the fabric of our economy and our society and our communities. Most troubling is, I think, that these statements are statements that are made to try to divide people. For example, arguing against the need for immigrant labor, Congressman DANA ROHRABACHER said:

> Let the prisoners pick the fruits. We can do it without bringing in millions of foreigners.

According to Congressman BOB BEAUPREZ:

> If we continue down this path that the Senate has established, . . . we will have created the biggest magnet ever. It would be like a dinner bell, ''come one, come all.''

Congressman STEVE KING says that anyone who supports a guest worker proposal should be ''branded with a scarlet letter A,'' for ''amnesty.''

Congressman TOM TANCREDO wants to turn America into a gated community, warning people that among the people crossing our borders are ''people coming to kill me and you and your children.'' He laments the ''cult of multiculturalism'' and worries that America is becoming a ''Tower of Babel.''

I would like TOM TANCREDO to go over to Iraq, where there are 70,000 legal immigrants serving this country, and ask them how they feel about a ''Tower of Babel'' and about the values of this country.

These statements do not reflect the contribution that immigrants have made to our country over centuries. They don't reflect the contributions that they make today. Most of us in this country—almost all of us in this country descend from immigrants. That is who we are. I am privileged to be married to an immigrant, who didn't become an American citizen until, I think, she was 24 or 25 years old.

I know how loyal people can become to a country that welcomes them and gives them the ability to fulfill the American dream. The vast majority of the American people understand the value that immigrants provide to our country. They understand that enforcement alone is not going to work, and they have taken to the streets to make their voices heard. Half a million people demonstrated in Los Angeles to protest an enforcement-only approach to immigration reform, far surpassing the number of people who protested the Vietnam war. More than 10,000 people participated in the ''Day Without Latinos'' rally in Milwaukee, WI, leaving their jobs and marching through downtown. Similar walkouts occurred in other parts of the country with students and laborers protesting enforcement-only immigration proposals such as the House bill. Churches and humanitarian organizations have become actively involved in the fight for comprehensive immigration reform. In fact, yesterday I spoke with Hispanic evangelical leaders from across the country about their concerns regarding the immigration crisis in our country. Cardinal Roger Mahoney, the archbishop of Los Angeles, has spearheaded an effort by the Roman Catholic Church to defy the House bill that criminalizes immigrants and the organizations that help those immigrants.

You heard my colleague, Senator KENNEDY, talk about what would happen if somebody reaches out to the poor, the needy, the sick, which is a fundamental tenet of any religion. And this bill in the House wants to criminalize that.

The people are making their voices heard. They understand what is at stake in this debate. They understand the role that immigrants play in this country, and they are fighting to ensure that we end up with a fair humanitarian, realistic solution. Now, while some people look at enforcement only—incidentally, let me say that during the election of 2004, I spoke up as forcefully as I could in New Mexico, Arizona, Colorado, and lots of places where there are lots of immigrants. I consistently said that you have to have comprehensive reform. I didn't just talk about earned legalization or about guest workers; I talked about the need to crack down on businesses that are illegally hiring people. We need to have

a simple and honest way for people to know who is applying for work.

This is common sense, particularly in a post-9/11 world, where it is important for American security to know who is coming into our country. So we need to do that. You cannot look at enforcement-only but rather the comprehensive bill like that which is being considered on the floor of the Senate. I am encouraged by what the Judiciary Committee, in a bipartisan bill, did, which is now a full substitute to Senator FRIST's bill, and that is the bill offered by Senator SPECTER.

As Senator KENNEDY and others have said, the Specter amendment has the four cornerstones of real immigration reform. You cannot do it without all four. No. 1, you have to have a strengthening of our border enforcement. That means using all of the latest technology to build a virtual fence—use the sensors that we have available in the military, use the cameras and technology, and use more human presence to add to the Border Patrol that is currently there; make sure enough vehicles are there, which is an amendment I intend to offer if we get into the substantive part of the debate. It has been much neglected through the years by all in strengthening the border.

Second, regulate visas in order to meet the work flow needs. And you have to do it in a more effective way than we have in the past.

Third, you have to provide a path for legalization for people who have been here for a long period of time, played by the rules, raised their families, and have children who are American citizens. We need to find a way to do that so that it is not, as some of our colleagues on the other side of the aisle say, opening the door and making a fool of the law. I am not for doing that. The law has to mean something.

Indeed, in this bill, from 2004 forward, there is no eligibility for people to have earned legalization. It shuts the door after 2004. It brings down a wall but in a comprehensive way that has a starting point that says: OK, we acknowledge that for a long period of time we didn't have a realistic system, we were not able to stop people from coming in. What is the fairest way to deal with this problem, to send notice in the future that this is a new get-tough policy in the United States and a policy that will be backed up by adequate border security, by a realistic visa program that commands respect of people, and by a legitimate effort to bring people out of the shadows, which also commands the respect of people everywhere.

Finally, we need to help employers enforce our laws. You have to have a way for the employer not to be turned into a police officer but to easily, and with certainty, be able to determine whether the documents they are looking at are real and whether the person they are looking at, presenting the documents, is the person that it purports to be.

Mr. President, the Specter amendment is tough on border security. It is important because this debate has gone on as if there is a bill out there that is for border security—the Frist bill and the House bill—and this other bill that somehow is not. That is not accurate. The Specter amendment is tough on enforcement and border security. Almost every provision of the other bill—the Frist bill—is in there. And it is unfair to assume that it doesn't have strong enforcement provisions.

The Specter substitute doubles the size of the Border Patrol by adding 12,000 new agents over the next 5 years. It doubles interior enforcement by adding 5,000 investigators over the next 5 years. It adds new technology at the border to create the virtual fence that I talked about. It expands the exit and the entry system at all land and airports. It mandates a new land and water surveillance plan, and it increases the criminal penalties for violating our immigration laws.

That is a tough bill with tough enforcement. It also addresses the reason that undocumented workers come to this country. They come to this country looking for jobs, and the demand for labor in our country is one of the things that pulls them here. So workers cross the border because we don't have enough visas to be able to permit people to cross legally, so they come illegally. Guess what. They get a job when they get here. That is illegal.

One of the key elements to stopping the illegal flow of workers across the border is to increase the number of visas for people to come legally and also to have an adequate ability for the employer to have no excuse for not knowing the legality of the people who work with them. There should be a no-fault system here, where there is an automatic presumption of the employer's ability to enforce.

The temporary worker program that is created by the Specter substitute, in my judgment, will help to regularize the flow of immigrant workers in and out of this country. I understand some people fear allowing temporary workers into the United States. They think it will hurt American workers and depress their wages. Again, that is a phony ''bogeyman.'' That is a red herring in this debate. Either people have not read the temporary worker program or they chose to allow themselves to be completely misled by it.

The temporary program has labor protections and it has market wage requirements. The worker has to receive at least the same wage as someone similarly situated or at the prevailing wage level for that job, whichever is greater. So there is a wage enforcement mechanism that will not allow that depression.

The workers will receive a 3-year visa, reviewable for 3 years, and have the ability to curb employer abuse by switching jobs. And in addition, after working 4 years, they can petition for a green card. So the temporary worker program meets the labor needs of employers while at the same time remaining flexible enough to accommodate changes in the marketplace.

Equally important is reducing the backlog of people who are waiting for visas. Mr. President, 260,000 new family visas and 150,000 new employment visas will be added each year. Thirty percent of the employment visa pool will be reserved for essential workers. And perhaps most importantly, those currently waiting for visas will be processed before any of the current undocumented workers.

This is critical. When people talk about this somehow being an amnesty, they are completely ignoring the 10 steps you have to go through—the last of which is the most important of all—that you go to the end of the line. You don't somehow get a free pass card that automatically puts you in; you go to the end of the line.

So the numbers of documented people are already there ahead of those who are undocumented; and if you are coming in undocumented, you not only have to learn English, have a health exam, and have a security background check, and you not only have to be legitimately employed and all these things, but you also go to the end of the line. That is not an amnesty.

The Judiciary Committee bill also provides a realistic way to deal with the 11 million undocumented workers who are already here. Senator KENNEDY went through those 10 different steps. I will not repeat them now, except to emphasize the last point I made about the back of the line.

I think those are pretty onerous burdens. They are tough burdens. They require all back taxes to be paid—tough burdens. It is not forgive and forget. It is meet a standard. It is live up to a standard.

The final piece of the immigration reform puzzle is how do we create a workable employer verification system. We don't want to, but we need to, unfortunately, rely on employers to be part of the system. We don't want to turn them into immigration bureaucrats. We don't want to turn them into police officers, but it is inevitable if we are going to have a legitimate comprehensive system that when somebody presents credentials to an employer, the employer can't cheat, the employer can't look for a way around it.

The employer has to be part of this system of the values of America that say there are people waiting in line, there are people going through the visa system. We are spending money on the border. We need you to be part of this system. It is going to take an educational effort by chambers of commerce and small business associations and other efforts around the country so that there is an ethic in America that is not willing to cheat. And if that ethic was put in place, we would do more to stop illegal immigration than any other single item because people

won't be able to find the work. I personally think it is the single most important part, together with the Border Patrol component itself, of having a comprehensive immigration program.

Currently, however, employers don't have a reliable system for checking the validity of Social Security numbers, and we know how many Social Security numbers have been stolen. We have a problem for all Americans with the theft of Social Security numbers. So we need to deal with that problem even as we deal with this question of verification of employees.

The Specter substitute creates a system that will enable employers to quickly and accurately verify a potential employee's legal status. The last immigration reform we passed in 1986 was intended to address the root causes of illegal workers coming across to the United States, but it failed to draw all the illegal workers out of the shadows, and that really has helped lay the groundwork to people's cynicism and skepticism, which I understand, about today's system.

The reason we are in the crisis we are in today is because we have never really been comprehensive. That is the problem. I believe the Specter substitute amendment that the Judiciary Committee worked so hard to create and pass in a bipartisan fashion does not make the same mistake that was made in 1986.

There is one other aspect of the bill I would like to mention before yielding the floor. I have supported for many years the DREAM Act. The DREAM Act will enable young people who have spent most of their lives in the United States, who believe in our country and have stayed out of trouble, to have a chance to get a crack at higher education, which is essential. It gives incredibly bright and capable young people a real chance at success, and it gives our country well-educated, hard-working citizens. I think including the DREAM Act in comprehensive immigration reform makes sense, and I am pleased the Judiciary Committee, led by the efforts of Senator DURBIN, included it.

There are a number of amendments—I am not going to go into all of them now—but there are a number of amendments on Border Patrol, making sure the Border Patrol agents have sufficient tools, GPS, other items. Also, I want to eliminate the ability of the administration to have a completely unreviewable authority to make the full decision on an individual's life. The Secretary of Homeland Security, the Attorney General, and consular officials who currently have the sole and final authority really will have an undue impact on detention, deportation, citizenship determinations, and other issues. We need to somehow not have concentrated power in so few hands.

In the end, the Specter bill is a comprehensive bill. It has the chance of bipartisan support. I think it is a courageous bill. I congratulate the Chair and the members of the committee who fought so hard to come up with something under difficult circumstances, and I hope we are going to be able to get a chance to fix that bill and amend that bill appropriately on the floor. I hope that will be the vehicle the Senate proudly embraces as a reflection of the values of our country and the proper amount of respect for the history we have traveled.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I begin by expressing my appreciation to the Senator from Massachusetts for the kind things he has had to say about the so-called Specter bill, the committee bill. But we can't move forward on legislating with that bill until there is an opportunity for Members of the Senate to offer amendments. We do not have a system where a Senator, even ARLEN SPECTER, offers a bill and it becomes the will of the Senate, it is passed by the Senate without having Senators having an opportunity to offer amendments.

It appears now late on Tuesday afternoon, almost 4 o'clock, that there is a calculated effort by some not to permit this bill to go forward.

We started on this bill on Wednesday afternoon, but we couldn't vote on Thursday until we had sort of a bed check vote. That means one which was going to be unanimous but not a meaningful incursion into the tough issues to try to start to work the will of the Senate. We had a vote at 3 o'clock on Thursday afternoon, but all day Thursday, most of the day, was consumed by debate and not very pointed debate, fairly generalized debate which didn't advance the legislative process very much at all.

Then on Friday, the Senate was in session, but nobody was around. We couldn't offer amendments because the other side of the aisle, the Democrats, wouldn't permit us to.

Then yesterday we structured a couple of amendments on which there was really no objection and voted on them pretty much pro forma.

We are searching for a way to bring up amendments to vote on today and couldn't do that. Then this morning, as the record will show, the distinguished ranking member of the Judiciary Committee offered a unanimous consent request for speeches. When we discussed the matter, we were told that there wouldn't be any opportunity for votes until the party caucuses were finished.

So we twiddled our thumbs, bided our time until 2:30, and then the majority leader called a meeting of Senate Republican Senators to try to find a compromise among disagreements within the Republican caucus. He was waiting for a call back. Finally, we had word that the minority leader had a news conference, and this is what happened, in part, at the news conference. I have a transcript.

Question: Senator SPECTER was very frustrated this morning at a press conference, saying that work is not really being done because the Democrats are not letting there be votes on amendments, and he can't get agreement on votes on some of the major amendments.

Could you tell us why it is that your strategy suggests—

And then an interruption by Senator REID.

Maybe ARLEN SPECTER has been so good at what he did in committee that we shouldn't be worried about a lot of amendments.

It would be nice if ARLEN SPECTER was so good, we wouldn't have to worry about a lot of amendments. But let me confess, admit to the totality of the circumstance, that I am not that good, or perhaps I am that good, but my colleagues don't think I am that good and they want to offer amendments. Other Senators want to offer amendments to my bill, so that when Senator REID says maybe he is so good we shouldn't be worried about a lot of amendments, people want to offer amendments. Two are on the floor now, Senator KYL and Senator CORNYN.

Then there was a question by one of the reporters not identified:

But if the shoe was on the other foot, wouldn't you be asking for your day on the floor?

Senator REID:

The shoe's not on the other foot.

That is a pretty conclusive answer. A little while later in the press conference:

Senator REID, Republicans are saying that you're not allowing amendments to be voted on the floor. Is there a reason for that?

Senator REID:

Well, first of all, at my caucus I indicated to those people there who are interested in understanding where the amendments are, want to offer amendments, to talk to Senator LEAHY's staff, Senator KENNEDY's staff, Senator DURBIN's staff. They're putting together all those amendments.

And we're happy to take a look at amendments that don't damage the integrity of the bill. But if it's going to be, in the estimation of the unified Democrats, an effort to denigrate this bipartisan bill, then they won't have votes on those amendments.

I have been around here a while, but I have a hard time understanding that last sentence. I have a hard time understanding:

And we're happy to take a look at amendments that don't damage the integrity of the bill.

The integrity of the bill under Senate procedures is established by votes by Members on amendments. That is how you establish the integrity of the bill.

Then Senator REID goes on:

But if it's going to be, in the estimation of the unified Democrats, an effort to denigrate this bipartisan bill, then they won't have votes on those amendments.

I don't believe there is the power or authority in any Senator or group of Senators to validate, conclude that what other Senators want to offer by way of amendment denigrates the bill and is the basis for not having votes.

We have pending 100 amendments. It is an exact number. It just happens to

be 100 precisely. There are 6 amendments pending at the present time: Senator FRIST on the study on border deaths; Senator KYL on nonimmigrant work authorization; Senator CORNYN on a second-degree amendment to Senator KYL's amendment on nonimmigrant work authorization; Senator ISAKSON on no guest worker program without border security; Senator MIKULSKI on extension of returning worker exemption; Senator DORGAN on Canada travel without passport.

There had been a suggestion that we would vote on Senator KYL's amendment side by side with an amendment by the Democrats. Although I believe such an amendment has been produced by the Democrats, they are unwilling to permit us to vote on it side by side.

Mr. KYL. Mr. President, will the Senator yield for the purpose of a unanimous consent request?

Mr. SPECTER. Mr. President, I will on the condition that I do not lose my right to the floor.

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

Mr. KYL. Mr. President, to verify what the chairman of the Judiciary Committee has just said, I ask unanimous consent that we proceed to the regular order for a vote on amendment No. 3206, which is the amendment I offered last Friday to which Senator SPECTER just referred. There is a second-degree amendment that was offered by Senator CORNYN, and there is the text of an amendment that I have possession of that was, I believe, produced by Senator KENNEDY that would be the Democrat side-by-side amendment, and we could vote on that amendment after the vote on the second-degree amendment and my amendment No. 3206. So we can determine right now whether the Democratic leadership is preventing us from having votes on amendments, such as the amendment that I filed last Friday.

I ask unanimous consent that we proceed to the regular order and that my amendment No. 3206 then be pending and proceed to a vote on that amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Yes.

The PRESIDING OFFICER. Objection is heard.

Mr. KYL. Mr. President, will the chairman of the Judiciary Committee yield for the purpose of my propounding another unanimous consent request?

Mr. SPECTER. I so yield on the stipulation I not lose my right to the floor.

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

Mr. KYL. Mr. President, this unanimous consent request is simply to send to the desk amendment No. 3246, an amendment that Senator CORNYN and I would like to send to the desk.

Mr. REID. What is the question?

Mr. KYL. To lay aside the current business and send to the desk amendment No. 3246.

Mr. REID. I object.

Mr. KYL. There is objection heard to that?

The PRESIDING OFFICER. Objection is heard.

Mr. KYL. I thank the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. SPECTER. Mr. President, I renew the unanimous consent request by the Senator from Arizona, Mr. KYL, for a vote on his pending amendment at 4:30 p.m.

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I renew the unanimous consent request by the Senator from Arizona for a vote on his amendment at 5 o'clock.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. I renew the request of the Senator from Arizona for a vote on his amendment at midnight.

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. We are witnessing here a new procedure in the Senate that I am not familiar with, and that is legislating by press conference.

What we have before the Senate now is a rare moment of bipartisanship. We have a bill that came from the Judiciary Committee in a bipartisan fashion. It is strong bipartisan legislation that strengthens our national security. We need to move forward.

We have reviewed the list of amendments filed by both sides. There are several good-faith amendments that are intended to improve the bill without damaging the integrity of the committee product or which are not designed to score political points. We are ready to schedule votes on these amendments at the right time.

However, it is important that we take advantage of the bipartisan momentum behind this bill and keep moving forward. We must not allow this strong bipartisan legislation to be torpedoed for reasons that probably are very partisan. We on this side are united behind a comprehensive immigration reform bill, a bill that is bipartisan, and we are ready for prompt action on this bill. So I object to voting at midnight.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may proceed with a colloquy with the distinguished Democratic leader, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I very much appreciate the high compliment by the Senator from Nevada to this superb bipartisan bill crafted by Senator LEAHY and myself, and I wish to see the bill passed. I have worked very hard on it, including a marathon markup last Monday.

May I ask the Senator from Nevada when is the right time to consider amendments?

Mr. REID. As I said, Mr. President, staffs are looking at it. It is my understanding there are 70 to 100 amendments that have been filed; is that right?

Mr. SPECTER. One hundred.

Mr. REID. We are in the process of looking at those. As you have to do on any bill, you have to decide, when you have a bill that is as large as this, what amendments are going to be decided to be voted upon. It can't be decided on one side; it has to be decided by both sides. The only way we are going to get votes on amendments on this most important bill is to have both sides agree on them, and we are in the process of doing that right now.

I indicated—as the distinguished Senator from Pennsylvania indicated—in my caucus today, I said that staff would be working just as I outlined. It can't be done in 5 minutes or 10 minutes; it will take a little bit of time. But this is an important bill. It deals with our national security, it deals with a guest worker program, and it deals with a path to legalization for 11 million or so people.

I will say to my friend, the distinguished chairman of the Judiciary Committee, that I think the work the Judiciary Committee did on this piece of legislation is extraordinary. It is good. Frankly, I was very pleasantly surprised at the complexity of the bill and how good it was. I like the bill as it is. That is my personal feeling. So I am willing, as I have indicated, to work with Senator LEAHY and his staff, Senator KENNEDY and his staff, Senator DURBIN and his staff, and we will look at these amendments and see if we can agree on a bipartisan basis what amendments should be decided here—or voted upon, I should say.

Mr. KYL. Mr. President, will the distinguished chairman of the Judiciary Committee yield for a question, please?

Mr. SPECTER. I do, on the condition that I don't lose my right to the floor.

Mr. KYL. Mr. President, I think I misspoke a while ago and talked about the amendment that I introduced last Friday—actually, it was last Thursday—that Senator CORNYN and I, and I believe Senator GEORGE ALLEN is a cosponsor—introduced, amendment No. 3206.

My question to the chairman is this: In the bill, there is a variety of benefits that are provided to illegal immigrants who are in the United States today in that they are allowed to gain a legal status which can lead to legal permanent residency, sometimes called a green card, from which one can apply for citizenship. There are some conditions attached to that. Is it not correct that the amendment Senator CORNYN and I offered simply adds to those requirements, or those benefits, the additional requirement that the individual

seeking the benefit not have been convicted of a felony or three misdemeanors, or have violated a judge's order of departure from the United States?

Mr. SPECTER. Mr. President, the statement made by the Senator from Arizona is correct.

Mr. KYL. Mr. President, to the chairman of the Judiciary Committee, in your view, is that an amendment that is germane and relevant and very specific in that it would add one more requirement to the conditions that are allowed—with the benefits—that are allowed under the bill, and would it be your view that in no way would that be a nongermane or nonrelevant kind of amendment?

Mr. SPECTER. Mr. President, I would respond in the affirmative. I would add that this isn't an amendment which, in Senator REID's words, denigrates this bipartisan bill. I would say it enhances the bill.

Mr. KYL. Mr. President, if I could ask another question. As you know, there have been some competing bills filed, perhaps the two most comprehensive being the bill that was worked on in the committee and that came out of the committee in an amended form, and a bill Senator CORNYN and I introduced which, when introduced, was far more comprehensive, but some of the provisions of our bill were added to the bill that came out of the Judiciary Committee. Would it be your view it would be entirely appropriate for the Members of the Senate to have an opportunity to vote on the bill Senator CORNYN and I introduced and, therefore, that we ought to be given an opportunity to lay down our bill, an opportunity which would be denied if we continue this exercise of having objections to unanimous consent requests to lay down amendments?

Mr. SPECTER. Mr. President, the Senator from Arizona asks something that is preeminently correct, and that is the way the Senate functions. Senators have a right to offer amendments, and the so-called Kyl-Cornyn bill is the product of very extensive thinking, analysis, and preparation. A good part of it was incorporated into the chairman's mark. And certainly Senator KYL and Senator CORNYN are within their rights in asking for a vote on it.

Mr. KYL. Mr. President, if I could ask a final question of the chairman of the Judiciary Committee. Notwithstanding the fact that through your good offices a bill was shepherded through the committee, a bill which you support and are prepared to vote on and vote for, it would be your view that a denial of our opportunity to offer an amendment as an alternative would be improper and inappropriate and an obstructionist tactic to prevent the Senate from working its will in having an opportunity to consider differing points of view on this important and complex subject?

Mr. SPECTER. Mr. President, yes.

Mr. CORNYN. Mr. President, would the Senator yield for a question?

Mr. SPECTER. I would, again, on the condition that I don't lose my right to the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection.

Mr. CORNYN. Mr. President, I ask the distinguished chairman of the Judiciary Committee if the offering of amendments during the course of a bill's consideration on the floor is the usual procedure to determine where consensus lies and in determining what the will of the Senate ultimately is, and whether the refusal of the Democrats to allow votes on these amendments is obstructing the work of the Senate?

Mr. SPECTER. Mr. President, the answer is decisively, obviously, yes.

Mr. CORNYN. And, Mr. President, if the Senator would yield for another question.

Mr. SPECTER. I do, on the same condition.

Mr. CORNYN. We are running up against a Friday deadline with a 2-week recess of the Senate long standing, and if we are unsuccessful in allowing any votes on amendments which are necessary to move this bill forward, where do you believe the blame would lie for the Senate's inability to successfully finish its work this week on this comprehensive border security and immigration reform bill?

Mr. SPECTER. Mr. President, I would respond by saying the blame would lie with those who have lodged objections to very reasonable unanimous consent requests, several of which we have heard here this afternoon.

Mr. CORNYN. Mr. President, if the Senator would yield for a final question.

Mr. SPECTER. I do, on the same condition.

Mr. CORNYN. Isn't it true that this bill for the first time manifests a tremendous Federal commitment to live up to the Federal Government's responsibility to provide additional Border Patrol agents and additional technology along the border to enable the United States of America to finally secure its borders and potentially prevent the incursion of criminals, even terrorists, and that each day that goes by, because of our inability to complete our business here on the floor, potentially exposes the country to further jeopardy in that regard?

Mr. SPECTER. Mr. President, my answer to that question is in the affirmative.

Mr. President, proceeding with the discussion with the distinguished Senator from Nevada, the Democratic leader, when he says there would be votes at the right time, the Kyl-Cornyn amendment was filed last Thursday. I agree with him that it takes time to analyze amendments, but hasn't there been sufficient time for the Kyl-Cornyn amendment to be analyzed and to enable the Democrats on the opposition or a side-by-side amendment, or whatever course they choose, to come forward and let us proceed?

Mr. REID. Mr. President, responding to my friend, it seems quite unusual that these crocodile tears are being poured out now because amendments aren't being considered. We have waited for years to have an amendment considered on raising the minimum wage. We have waited months and months to have a debate on amendments on stem cell research. I have trouble accepting the plaintive cries from the other side of the aisle in not having their amendments heard. With this Republican-dominated Senate, we have been unable to offer amendments, only two of which I have mentioned. We have tried and tried and tried.

This is the Senate, and we have 100 amendments pending. And the mere fact that the distinguished junior Senator from Arizona offers an amendment he believes strongly in does not mean it takes precedence over the other 100 amendments that have been offered. This is a procedure that has been followed for many years.

I would further say I simply don't accept the explanation of the amendment the distinguished junior Senator from Arizona has offered on this bill. First, the Kyl amendment, as amended by Senator CORNYN, would make classes—various individuals who would become part of a class of undocumented immigrants—ineligible for conditional nonimmigrant status and to earn their legalization; for example, immigrants who came through the visa program who overstayed their visas. Is that what we want to do? I don't want to do it: Make immigrants subject to expedited removal at the point of arrival. And did you know one of the definitions of aggravated felon that is in this legislation is somebody who has twice overstayed their visa?

So I like the bill we have before the Senate. I don't accept this amendment—the Kyl amendment—as one that improves the bill. It hurts the bill. It hurts the very foundation and what I believe is the spirit of this legislation.

I do not accept the fact that this good legislation which is now before the Senate will be improved by the Kyl amendment as modified by the amendment of the distinguished Presiding Officer. I believe the bill before us is a good bill and we should stick with it. That is what I want to do.

Mr. SPECTER. Mr. President, the response—or the words spoken; it was not a response—the words spoken by the distinguished Democratic leader are interesting, but they do not answer the question. The question was, have you had enough time to take a position on the Kyl amendment? And your analysis—

Mr. REID. The answer to the distinguished Senator is yes, I have had time.

Mr. SPECTER. Wait a minute. I am speaking here, and I will not interrupt you, Senator REID.

Mr. REID. I apologize very much.

Mr. SPECTER. Your analysis states that you had enough time to analyze it, review it, and you are opposed to it. When you mention stem cells, you are right. We should have voted on stem cells some time ago. I think I have complained more than you have about that. And you are right about the minimum wage. It ought to be raised. And I think you voted for it every time, but no more often than I have.

But we are now faced with the immigration bill. When you say that the Kyl amendment will not improve the immigration bill, my question to you is, isn't the way you express that by voting against it, by leading the charge against it, as opposed to preventing a vote on it? Isn't that the way the Senate functions?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, with all due respect to the distinguished chairman of the Judiciary Committee, he has been in this body a lot longer than I have, but I still understand the rules of the Senate. At this stage, as a Senator from the State of Nevada, I am not ready to move forward on the Kyl amendment. I do not have to explain in any more detail than I have why I do not want to move forward on it. I do not agree with the amendment. I don't think it is going to benefit this legislation pending before the Senate. I am going to do what I can to prevent a vote on it. I can't be more direct than that to the distinguished chairman of the Judiciary Committee.

Mr. LEAHY. Will the Senator yield?

Mr. SPECTER. In a moment I will, to Senator LEAHY.

When the Senator from Nevada says he doesn't have to explain, he is wrong. He thinks he does have to explain because this is a Senate proceeding by press conference. The Senator from Nevada accurately characterized some of the legislative process on this bill as legislation by press conference. Of course that has never happened before. I mean, it would just be antithetical to the workings of the Senate.

It is hard to walk down that corridor without holding a press conference involuntarily. You either hold a press conference or you are rude.

I can't do more by way of gesturing without drawing an objection from Senator BYRD. I once acknowledged the presence of the Penn State national champions in the gallery, and it was found by the rules that I was out of line.

But we do this all the time, and sometimes by design. A microphone is set up there frequently, and we go there voluntarily, and we utilize the ink and electronic equipment of the media. This little discussion here—more accurately called a charade—is for the media because we want to put some pressure on the Democrats to let us vote.

Senator REID has come out here to defend his position because he thinks he has to, because if he didn't think he had to, he wouldn't be here. He is too parsimonious with his time, which is very valuable. I daresay he has a long list of calls to return and a long list of calls to make and a lot of business to transact, and he came out to the floor because he thought he needed to state his position that there is a battle and that he is defending himself against the charge that the Democrats are stalling and holding up this bill.

It is late now. It is 4:20 on Tuesday afternoon. We only have—let's see—we only have Wednesday, Thursday, Friday, Saturday, and Sunday. We only have 5 days in this week to finish this bill.

I yield to the Senator from Vermont with the stipulation that I don't lose my right to the floor.

The PRESIDING OFFICER. Without objection, the Senator from Vermont is recognized.

Mr. LEAHY. As the Senator from Pennsylvania knows better than anyone here, we can accomplish a great deal when we are able to work together. He and I and key members of the Republican Party and the Democratic Party worked very closely in the Judiciary Committee to report a bipartisan piece of legislation to the full Senate.

We reported a bipartisan bill, and I would like to vote on that. Here on the floor, we have voted on several amendments. We voted on the Frist amendment, the Bingaman amendment, the Alexander amendment. A Mikulski amendment is pending, which I believe could pass. We hope the other side will consent to take up Senator NELSON's amendment. Senator BROWNBACK and Senator LIEBERMAN have an amendment on detention and asylum. There is a Collins amendment, a Republican amendment on athletes; a Bond amendment; and another Republican amendment on natural science graduate students. Each one could be offered and voted on. There are a number of others we are working on.

I made a suggestion this morning to ask unanimous consent that Senators be allowed to talk about amendments they planned to offer. A Democratic Senator might speak for 15 minutes and then alternate with the Republican side, and so on, back and forth. The junior Senator from Arizona objected to that proposal. He has an absolute right, of course, to object.

I hoped that if Senators could come here and talk about amendments they hoped to offer, we might be able to work out some amendments in the usual way.

Up until the last few years, when there has been single-party control in Washington, we were always able to share one side's amendments with the other, to see if there were areas of compromise. We would work out a schedule on complicated bills like this one. Certainly, this is the practice followed by the distinguished Senator from Pennsylvania in committee. Because he ran it in such a fair way, and because Senators on both sides of the aisle were able to discuss their amendments, the distinguished Senator from Pennsylvania and the full committee were able to report a bipartisan bill. Unfortunately, we seem to have lost the ability to do that here.

If we could go back to the traditional manner of doing things, the better way of doing things, practices similar to those followed by the distinguished senior Senator from Pennsylvania, we could get somewhere.

As I said, we have already adopted a number of amendments. This is the practice I was suggesting when I received an objection this morning. I was hoping to set up a series of votes.

I am not suggesting that the Senator from Arizona was not within his rights. Of course, he was within his rights to object. But once he did, we lost the ability to set up that procedure which, I believe, in my own experience, would have let some amendments go through.

The distinguished Senator from Pennsylvania has been more than generous. The Senator from Pennsylvania has the floor. I yield to him.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. KYL. Will the Senator from Pennsylvania yield for a question to me without giving up his right to the floor?

Mr. SPECTER. I do. I will have a comment to make about what Senator LEAHY has had to say, but first I will yield to the Senator from Arizona on the condition that I do not lose my right to the floor.

Mr. KYL. I appreciate that. Because the Senator from Vermont referred to me and referred to my objection earlier today, let me ask the Senator, the chairman of the committee, is it not correct that my unanimous consent request this morning, in response to his, was that the two Senators from Florida be allowed to address the achievement of their Gators basketball team while the chairman of the Judiciary Committee, the ranking member of the Judiciary Committee, and any other members of leadership who needed to be a part of it, begin discussing exactly what the Senator from Vermont just now was saying needed to be discussed—namely, the order of speakers and the order of amendments that would be considered? And is it not further true that the Democratic side said that could be done only after the two lunches that would conclude sometime around 2:15 this afternoon? So it was not my objection to the speaking order request of the Senator from Vermont that precluded him or anyone else from discussing with you or anyone else the proper order of speaking or offering of amendments or voting on amendments; is that not correct?

Mr. SPECTER. Mr. President, the Senator from Arizona accurately states the situation.

Mr. KYL. Mr. President, may I ask another question of the chairman of the committee?

Mr. SPECTER. Under the same condition.

Mr. KYL. Given the fact that the distinguished minority leader has, I am sure unintentionally, but nonetheless mischaracterized my amendment, No. 3246, wouldn't it be a better process to understand the nature of the amendments to discuss them and to debate them under the regular order and then have a vote up or down rather than through the process we are undertaking right now, which is at best a very indirect approach to discussion and in any event doesn't lead to a vote up or down on the amendments?

Mr. SPECTER. Mr. President, the Senator from Arizona is correct. That is the way the Senate functions under our rules.

Mr. KYL. Finally, one final question, Mr. President, to the chairman of the Judiciary Committee. Is it not true that one of the critical elements of the legislation we are considering right now has yet to be added to the bill because the jurisdiction was felt to be in the Finance Committee and that the amendment, which would become a separate title of the bill dealing with employee eligibility verification, has yet to be offered as an amendment and clearly will need to be offered as an amendment, debated, considered, and hopefully approved before any legislation that purports to be comprehensive immigration reform could be voted on and passed by this body?

Mr. SPECTER. Mr. President, again, the Senator from Arizona accurately states the situation.

Mr. KYL. I thank the Senator.

Mr. LEAHY. Mr. President, will the Senator from Pennsylvania yield for another question?

Mr. SPECTER. I do under the same condition.

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

Mr. LEAHY. Mr. President, let's be factual here. The suggestion was made by the Senator from Vermont that we have an order of speakers on both sides. These would be Senators who have amendments that they want to offer. They would discuss them on the floor with the idea that perhaps a bipartisan group could meet after the caucus meetings and talk about how we might sequence the amendments. I would note, however, for the Senators here, the meeting after the caucus was a closed-door meeting to which only Republicans were invited.

It is somewhat difficult to schedule Republican or Democratic amendments in such a meeting. This one-sided meeting was completely different than the business meetings the Senator from Pennsylvania held in the Judiciary Committee, which were successful in getting a bill to the floor.

I urge the Republican and Democratic leaders to look at the model followed by the Senator from Pennsylvania in committee, which reported a bill to the floor.

Mr. SPECTER. Mr. President, the distinguished Senator from Vermont is correct. We did have a closed-door meeting with only Republican Senators present. I know they have a superior procedure among the Democrats and never have a closed meeting where only Democratic Senators are present. I know there is an operational rule where at least one Republican Senator has to be present whenever the Democrats meet.

That is supposed to be a laugh line.

Of course we meet with only Republicans. When the distinguished Senator from Vermont, the distinguished ranking member, was commenting earlier about missing the St. Patrick's Day recess, I seldom disagree with him, but I have to say by way of addendum that he forgot to mention that we missed the August recess preparing for the confirmation of Chief Justice Roberts. He didn't mention that we missed the December recess preparing for the confirmation hearing of Justice Alito. He didn't mention that we missed the January recess because of the Judiciary Committee hearing on Justice Alito. While our colleagues took a little time off in August to meet with constituents and work with perhaps a little play, they had December off, they had January off—not the Judiciary Committee. We were working. So there was not anything unusual about the St. Patrick's Day recess to find the Judiciary Committee at work. The staff worked very late hours. Then we scheduled a markup on the day before the recess ended, when the custom is to come back very late on Monday.

The Senator from Vermont had to leave his cherished farm to come to Washington Sunday night to be here early Monday morning for our session.

We were given an impossible job to finish the bill on Monday. We surprised a lot of people. We did it.

Then there was a little consternation about what to do next. The committee bill is on the floor, and it is a good bill, but it is not a perfect bill. Even if it were a perfect bill, it would still be subject to amendment, and ultimately we will get to it.

Mr. LEAHY. Mr. President, will the Senator yield without his losing the floor?

Mr. SPECTER. Mr. President, consistent with not losing the floor, when are we going to vote on these amendments?

Mr. LEAHY. Mr. President, of course the Senator from Pennsylvania and the Senator from Vermont were both here, missing all those recesses. As much as I have enjoyed the company of my friend for over a quarter of a century, I did not enjoy it so much that I wanted to miss those recesses. There are several amendments that we could vote on in the next couple of hours, as far as I am concerned. I would be happy to do that.

Mr. SPECTER. Starting at 6:30?

Mr. LEAHY. No, starting right now. We have one pending. I mentioned that several Senators, including a majority of Senators from the Republican side of the aisle, have amendments that we could be voting on.

Mr. SPECTER. Mr. President, I ask unanimous consent that we proceed to a vote on the Kyl amendment at 4:40.

Mr. DURBIN. Mr. President, I object.

Will the chairman yield for a question without losing the floor?

Mr. SPECTER. On the same condition.

Mr. DURBIN. Let me commend the chairman of the Judiciary Committee. It is the hardest working committee on Capitol Hill. I am glad I am on it. I look at others and they seem to have a lot of time off and we don't. I am a member of that committee. I respect the chairman for all we have done and tried to do in a short period of time.

Let me say to the chairman that I am troubled by one of his comments during the course of this conversation. That was the comment that what Senator KYL seeks to do would improve the bill. I would suggest to the chairman that a careful review of the Kyl amendment will find that it defeats the purpose of a major portion of this bill.

If that is the intent—to strip from this bill a path to legalization—then I think it is a much different bill than the one which we approved 12 to 6 out of our committee, a bill which the chairman supported and which I supported on a bipartisan basis, and which Senator KYL of Arizona opposed.

Let me be specific. The Kyl-Cornyn amendment which they are seeking to bring to the floor eliminates the path to legalization for potentially millions of undocumented immigrants who have committed no crime. It eliminates it from this bill. It creates a condition for qualification to be eligible for that path that would be, frankly, impossible for many to meet. Let me tell you what I mean.

I ask the chairman if he would still believe this improves the bill. Proponents of the Kyl-Cornyn amendment claim that the Judiciary Committee bill would allow criminals to become permanent residents. I think the chairman knows, as most people do, that the bill expressly lays out in specific words those crimes which would disqualify a person from a path to legalization. I could go through this long list, but I will not, other than to tell you that every crime of moral turpitude, and many others, would disqualify one from this legal pathway.

What the Kyl-Cornyn amendment really does is undermine the earned citizenship program in the bill. It prevents potentially millions who are in the United States from applying for legal status because of status violations and not crimes. The vast majority of undocumented immigrants who would be affected by the Kyl-Cornyn amendment are not criminals but rather the exact classes of immigrants which we intended to help with title VI of the Judiciary Committee bill.

Our analysis of the Department of Homeland Security data shows that over 95 percent of the people who would be affected by the Kyl-Cornyn amendment have committed no crime. The

only crime they have committed is the fact that they are undocumented in America today.

I ask the chairman how it would improve the bill to remove the path for legalization for 95 percent of the people who would be affected by the Kyl-Cornyn amendment. If the Kyl-Cornyn amendment passes, the United States will still have a crisis of illegality, and we will not have what we hoped in the committee, a balanced approach which allows those who are currently here a long, arduous but legal way to reach their citizenship at some point in their lives.

Mr. SPECTER. Mr. President, I feel complimented that the distinguished Senator from Illinois has only disagreed with one thing I have said, because I have said quite a few things. If that implies that he agrees with the other things I have said, then he agrees with quite a lot of what I have said.

With respect to the specific, yes. I don't believe that the Kyl-Cornyn amendment would destroy the bill as characterized by the Senator from Illinois.

Let me add that the Senator from Illinois is a member of the committee and has been a very active and contributory member of the committee, and the committee has accomplished quite a lot because of the cooperation of Senator DURBIN, Senator LEAHY, and other Democrats and Republicans. It has been a very hard-working committee.

It is my hope to expedite the process of working on the bill. For that purpose, I am going to again ask unanimous consent that we vote on the Kyl amendment now.

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, in order to try to bring the Senators to the floor to move along, I move——

Mr. KYL. Mr. President, will the Senator yield for a question before he does that?

Mr. SPECTER. I do.

Mr. KYL. Mr. President, if I could ask this question of the chairman of the committee because the Senator from Illinois just made a comment about what the pending amendment would do. The pending amendment specifies that a person who has committed a felony or three or four misdemeanors would be ineligible to participate in the program. The Senator from Illinois knows that under existing law people convicted of crimes of moral turpitude, certain drug offenses, and other multiple crimes are already prohibited from participating in the program.

But I ask the chairman of the committee if I may lay this predicate for the question: The INS Attorney Manual provides Department of Homeland Security attorneys with random examples of crimes that have been held not to be crimes of moral turpitude by the Board of Immigration Appeals and, therefore, whether this sample list of crimes would be excluded from the bill that came out of the Judiciary Committee and, therefore, people who have committed crimes such as this would still be eligible to participate in the program and be put on the path to citizenship.

The sample includes burglary, loan sharking, involuntary manslaughter, assault and battery, possession of an unregistered sawed-off shotgun, riot, kidnaping, certain types not involving ransom, making false statements to a U.S. agency, contributing to the delinquency of a minor, abandonment of a minor child, alien smuggling, reentry after deportation, draft evasion, desertion from the Armed Forces, contempt of Congress, and contempt of court.

Many of these decisions, according to the manual, involve fines, distinctions of the technical element of state or foreign companies and sometimes crimes which are defined as crimes of moral turpitude.

That list goes to the specific crimes in the statute. You would have to determine whether a crime of moral turpitude was involved in order to know whether the individual would be permitted to take advantage of the underlying bill.

If an individual has committed a felony or three or four misdemeanors, under the amendment we have filed they would be ineligible.

I ask the chairman of the committee whether it would be wise public policy for someone who has committed a felony and has been convicted of committing a felony or three or four misdemeanors should participate in the program which would ultimately lead to citizenship.

Mr. SPECTER. Mr. President, I respond to the Senator's question by saying I think he has articulated sound public policy, and I support his amendment.

AMENDMENT NO. 3206

I now call for the regular order with respect to Kyl amendment No. 3206.

The PRESIDING OFFICER. The Senator has that right.

The amendment is now pending.

Mr. SPECTER. Mr. President, in moving to table the Kyl amendment, which I am about to do, I do so only to bring the Senators to the floor to try to move the process along. I intend to vote against tabling the Kyl amendment, but I do so, to repeat, to try to get the process moving. I like what the distinguished ranking member said about his willingness to start the votes soon. I hope we can move to that procedure.

I move to table Kyl amendment No. 3206. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SPECTER. Mr. President, if I may direct a question to the Senator from Illinois, the assistant minority leader, does he wish to have Senator REID speak before we vote on the amendment?

Mr. DURBIN. Yes, I do.

Mr. SPECTER. Mr. President, I ask unanimous consent that we await Senator REID's arrival to speak on the amendment and that we then vote on the motion to table.

Mr. LEAHY. Mr. President, before we do that, I believe the distinguished Senator from Connecticut wishes to speak.

Mr. SPECTER. May I amend my unanimous consent request? May we limit the time to 30 minutes equally divided, and at the end of the 30 minutes we go to a vote on my motion to table the Kyl amendment?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Who yields time?

Mr. DURBIN. Mr. President, parliamentary inquiry: Were the yeas and nays ordered on this vote?

The PRESIDING OFFICER. Yes, they were.

Mr. DURBIN. Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

The minority leader.

Mr. REID. Mr. President, I apologize for being late. I was occupied when Senator SPECTER started talking about an event that I had out in the hall, and I thought it was important I come back to the floor. I came to spend a few minutes talking about some of his assertions.

But now what I want to focus on for a minute—Senator KYL stood and told the merits of his amendment, with a very brief outline he gave.

Senators KYL and CORNYN claim the Judiciary Committee bill would allow criminals to become residents. This simply is not true. The Judiciary Committee bill, like the McCain-Kennedy bill upon which it is based, already denies earned legalization to broad categories of aliens who have committed crimes or are a security risk to our country. Immigrants denied legalization include—and this is only a partial list—immigrants convicted of ''crimes of moral turpitude: aggravated assault, assault with a deadly weapon, fraud, larceny, and forgery; immigrants convicted of controlled substance offenses: sale, possession, and distribution of drugs, drug trafficking; immigrants convicted of theft offenses, including shoplifting; immigrants convicted of public nuisance offenses; immigrants with multiple criminal convictions; immigrants convicted of crimes of violence; immigrants convicted of counterfeiting, bribery, or perjury; immigrants convicted of murder, rape, or sexual abuse of a minor; immigrants convicted of espionage or sabotage; immigrants believed to have engaged in terrorist activity, which is broadly defined; immigrants with any association with terrorist activity or representatives of a terrorist organization; spouses and children of individuals who

are inadmissible as a terrorist; immigrants known to have acted in ways that are deemed to have adverse foreign policy consequences.''

What the Kyl-Cornyn amendment does is undermine the earned citizenship program in the committee bill, which I strongly believe in. It would prevent millions of Mexicans, Central Americans, Irish, and other nationals from applying for legal status because of status violations, not crimes. The vast majority of undocumented immigrants who would be affected by this amendment are not criminal aliens but, rather, the exact classes of immigrants intended to be covered by title VI of the Judiciary Committee bill.

Our analysis shows that over 95 percent of the people potentially affected by this amendment are individuals whose only crime—and ''crime'' is very loosely construed for purposes of this discussion—is being in the United States out of status—95 percent.

If the Kyl-Cornyn amendment passes, the United States will still confront a crisis of illegality and it will deny the will of the American people, three out of four of who favor earned legalization for immigrants who work, pay their taxes, learn English, and stay out of trouble.

This bill before this body is a very fine piece of legislation. It sets a very strict standard to protect our national security. Our borders will be protected better than they have ever been protected. It will allow places such as Las Vegas, NV—and Las Vegas is not the only place. They are going to build within the next few years, 4 to 5 years, 50,000 new hotel rooms. They will need a minimum of 100,000 new workers. This legislation will allow that to happen. There are places all over America that are faced not with numbers that are as huge as that but with big numbers.

Finally, what this legislation that is now before the Senate does is it allows 11 million-plus people not to have to live in the shadows of America. It is a path to earned legalization—not like the old amnesty that was done when I served in the House of Representatives—but a path toward legalization. Stay out of trouble. Pay your taxes. Have a job. Learn English. Go to the back of the line.

We are here trying to protect the integrity of a bill that is bipartisan in nature and one of the best things to happen to this partisan atmosphere we find ourselves in. It is a bipartisan bill. Last week, we stood on this floor—and I do not think ''boasted'' is the right word—and talked about how good it was we were able to pass a bipartisan bill that improved the situation dealing with the ethics of this body and this country. Why can't we continue on a bipartisan basis on this committee-reported bill?

So for individuals to come to this floor and think we are doing something that is anti-Senate, anti-American, because we do not want to vote on an amendment that I think guts this bill does not mean there is anything wrong with those of us who believe this is what we should not do. And it does not take away from the good faith of my friend from Arizona. He thinks he is doing the right thing. I disagree with him a lot. I think what he is doing is wrong. I think it hurts this bill. And I am going to do everything I can to protect this bill.

The PRESIDING OFFICER. Who yields time?

The Senator from Arizona.

Mr. KYL. Mr. President, let me yield some time to myself.

With all due respect, I disagree with my colleague, who has said the amendment would deny most of the people whom the bill is intended to benefit the benefits of the bill; namely, legal permanent residency and citizenship.

That is only true if most of the people who are supposed to receive benefits under the bill have committed a felony or three misdemeanors or have violated a court order to leave the country when they have been ordered to do so, or have not complied with a prior order of the DHS to depart if they are not eligible to participate in the program.

These are not the people we should be seeking to give the benefits of the program to. These are precisely the people who have demonstrated either they are criminals or that when you have given them the chance to comply with an immigration order, they have refused to do so. I do not think the Senator intended to say these are exactly the people we want to benefit under this program.

There are two large classes of people who would be potentially denied the benefits of the program by our amendment. The first is, instead of referring to crimes of moral turpitude or violation of a crime relating to a controlled substance—which are the two specific categories in the bill—we say any felony or three misdemeanors.

And examples of crimes, as I said before, that are not covered by the controlled substance or moral turpitude sections are: burglary; loan sharking; involuntary manslaughter; assault and battery; possession of an unregistered sawed-off shotgun; riot; kidnaping; abandonment of a minor child; alien smuggling; reentry after deportation, as I said; draft evasion; desertion from the Armed Forces; and others. These are crimes that would not be picked up in the pending bill.

So while it is true some crimes are covered and, therefore, some criminals would not get the benefits called for in this pending legislation, it is also true many others who have committed these other kinds of crimes would not in any way be restricted from participating in the benefits of the law.

The second group is those who have committed immigration violations, not just people who are in some status violation. Let me make that crystal clear. It is not simply because you overstayed your visa. There are only two categories here. You have not complied with a prior Department order and, therefore, are not eligible to participate in the program.

In the hearing, by the way, of our subcommittee, we showed that between 80 and 85 percent of those released on bail failed to appear and comply with removal orders. Clearly, this has to demonstrate a disrespect for orders from immigration courts and should not be allowed to continue. These are exactly the kind of people you do not want to be participating in the program because they have already demonstrated a willingness to violate immigration law after being ordered to do so.

Secondly, those who have not only failed to depart after being ordered—they have entered illegally, but that is not what we are talking about here. Entering illegally does not count under this amendment to deny them benefits. Rather, you have to have done that and been ordered by the court to depart as a result of some violation and further refused to comply with the judge's order.

So this is not just a status violation. Merely coming here illegally would not be covered by this amendment, period. You would have to commit a felony—been convicted of a felony, three misdemeanors, or have intentionally violated an order of the court to depart after having been ordered to do so by the court.

I think what this amendment does is to make it crystal clear that the intention of the Senate is that people participating in the program not be convicted criminals or people who have deliberately violated a court order dealing with departure from the United States.

It is interesting that most of the language we took came from the 1986 bill, and for some reason that language was omitted from the bill that is pending before the Senate. So it seems to me if we are going to at least get to most of the people we would not want to participate in this program, we would want to deny that right to those who have committed serious crimes, such as the ones I have articulated here.

Mr. President, I reserve the remainder of the time.

The PRESIDING OFFICER. Who yields time?

The Senator from Connecticut.

Mr. DODD. Mr. President, I wish to take the time allocated to me to address the larger issue of this bill; although, clearly, the amendment being offered by our colleagues from Arizona and Texas impacts the larger question: the decision of whether we deal with a part or the whole of the immigration issue.

You can make a case, obviously, that by just dealing with border security issues, you are dealing with an important and essential element of immigration reform. I would quickly argue that if you just deal with border security

and do not also deal with the phenomena of 11 million people who are here illegally, you would only be addressing half of the issue—a legitimate half of the issue—without any kind of recourse or plan on how you ultimately deal with the fact that we have 11 to 12 million people who are here under an illegal status.

So I appreciate the work of my colleague from Arizona, and I would be urging colleagues to vote no on the motion to table because I think we ought to have a bit more time to analyze and discuss exactly what the implications of this amendment are.

Mr. President, I rise to address the issue of comprehensive immigration reform. I want to acknowledge the work of those on the Judiciary Committee who have done a fabulous job, in my view, through extensive hearings and a very worthwhile markup session. I watched almost every minute of it. I was deeply impressed with our colleagues, Republicans and Democrats, who addressed this issue.

Let me be clear from the outset—something we need to say over and over and over and over again—immigration reform is first and foremost about protecting America's national security, our economy, and our citizens from the myriad of challenges we are going to face in the 21st century. We have no higher priority than those: to protect our national security, to protect our borders, and to protect our economy.

Therefore, any discussion of immigration reform must begin with an emphatic declaration of our intentions here: to secure our borders; to protect our citizens from a flood of people arriving here, albeit with good motives. But it is unrealistic to assume that any nation in this world can have open borders—unlimited for people who want to come here. So I believe it is extremely important we state that case at the outset.

But I also believe that it is an enormously complex and difficult issue. It is that very complexity that leads us to the concerns expressed by some of my colleagues. There is a very real temptation to deal only with certain aspects of immigration and to put off the more difficult matters to some future time and date. That is exactly what the other body did back in December when they passed a bill dealing only with the issue of border security and enforcement and neglected entirely dealing with the phenomena of 11 million human beings who reside in this country today without documentation.

Which brings me to the legislation currently before the Senate. One version, introduced by our colleague, Senator FRIST, mainly addresses border security and enforcement. Certainly, these are critical components of any immigration reform package. No bill should be considered comprehensive without them at all. But Senator FRIST's bill does not go nearly far enough toward addressing the other monumental challenges we face on immigration, including the presence of more than 11 million human beings, undocumented, in the United States, who need to be brought out of the shadows and into the open.

In my view, turning our backs on this reality is the same thing as turning our backs on providing border security. If we had a bill before us that only dealt with how we handle 11 million people who are here illegally and not border security, that would be a flawed piece of legislation. The fact that you are dealing with just border security is equally flawed. We need to have both parts here if we are going to succeed.

Thankfully, of course, Senator SPECTER has provided us, along with the Judiciary Committee members, with an approach that does address both pieces of this problem. Is it an imperfect bill? Absolutely. Does it need more work? Absolutely. But clearly, it is one that brings the balance of dealing with border security, national security, and economic security, as well as realistically trying to deal with the 11 million undocumented workers who have come to our country.

The Specter amendment toughens our borders. We clearly need to do more to control these borders and to prevent individuals from illegally entering our country because, fundamentally, border control is a national security issue. The Specter amendment would provide advanced border security technologies to assist those tasked with protecting these frontiers. The Specter amendment would also improve our ability to enforce immigration laws by making structural reforms and increasing personnel and funding levels where they are needed most. I won't go into all the details here, but 12,000 new agents along that border will clearly help.

My good friend from Texas, Senator CORNYN, and I were privileged to attend a meeting in Mexico a few weeks ago, an interparliamentary meeting that I have attended for 26 years—odd years here, even years in Mexico. We were both deeply impressed with a document prepared by our colleagues in Mexico that has been signed by all five candidates for President of Mexico, which will be holding elections on July 2, as well as the major parties in Mexico. It is a rather short document. I will ask for it to be included in the RECORD. Senator CORNYN and I actually sent this to each of our colleagues to look at. But our friends from Mexico list national security, border security, as one of the guiding principles in what must be a part of any immigration reform proposal. It is worth reading because these issues are not only our concern but their concern as well. If Mexico is unwilling or incapable of helping us keep our borders secure, then this legislation will not work.

I ask unanimous consent that it be printed in the RECORD.

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

[The Mexican Congress adopted this document as a Concurrent Resolution]

MEXICO AND THE MIGRATION PHENOMENON

In Mexico, as in other countries and regions of the world, migration is a complex and difficult phenomenon to approach. The diverse migration processes of exit, entrance, return and transit of migrants are all present in our country.

Given the extent and the characteristics of today's migration phenomenon, which will continue in the immediate future and given the implications that it represents for our country's development, a new vision and a change are necessary in the way Mexican society has approached, thus far, its responsibilities toward the migration phenomenon.

Over the last years, the magnitude reached by Mexican migration and its complex effects in the economic and social life of Mexico and the United States, have made the migration phenomenon increasingly important for the national agendas of both countries, and a priority issue in the bilateral agenda.

From the outset of the Administration, the government of President Fox put forward a proposal to the Mexican public opinion and to the highest authorities in the United States, regarding a comprehensive plan aimed at dealing with the diverse aspects of migration between the two countries. Mexico based its proposal on the principle of shared responsibility, which acknowledges that both countries must do their share in order to obtain the best results from the bilateral management of the migration phenomenon.

In 2001, the governments of both nations intensified the dialogue and set in motion a process of bilateral negotiations with the intent of finding ways to face the multiple challenges and opportunities of the phenomenon; these actions were taken with the objective of establishing a new migration framework between the two countries.

However, the terrorist attacks of September 2001 against the United States, criminal acts which were unmistakably deplorable, altered the bilateral agenda on migration. On the one hand, the link between migration and national security—mainly along the shared border—is now an essential issue of that agenda. On the other hand, the participation in the migration debate of varied political actors—especially legislators of both countries—has increased.

The debate that is currently taking place in the United States, concerning a possible migration reform, represents an opportunity for Mexico and for the bilateral handling of the phenomenon. It also encourages a deep analysis of the consequences that this process can have for our country and its migration policy.

Based on a joint initiative by the Executive Branch and the Senate of Mexico, a group of federal authorities responsible for the management of the migration phenomenon, senators and congressmen, members of the academia, experts in migratory issues, and representatives of civil society organizations, agreed to initiate an effort that seeks to build a national migration policy, founded over shared diagnoses and platforms. Accordingly, the group has held a series of discussions titled Prospects and Design of Platforms for the Construction of a Mexican Migration Policy.

The ideas expressed in this document are the result of those discussions. They intend to bring up to date Mexico's migration position and to offer some specific guidance regarding the process of migration reform in the United States.

PRINCIPLES

Based on the discussions held, the participants agreed upon the following set of principles that should guide Mexico's migration policy:

The migration phenomenon should be fully understood by the Mexican State—society and government—because it demands actions and commitments that respond to the prevailing conditions.

The migration phenomenon has international implications that demand from Mexico actions and international commitments—in particular with the neighboring regions and countries—which, in accordance with the spirit of international cooperation, should be guided by the principle of shared responsibility.

Mexico's migration policy acknowledges that as long as a large number of Mexicans do not find in their own country an economic and social environment that facilitates their full development and well-being, and that encourages people to stay in the country, conditions for emigrating abroad will exist.

Mexico must develop and enforce its migration laws and policy with full respect for the human rights of the migrants and their relatives, notwithstanding their nationality and migration status, as well as respecting the refugee and asylum rights, in accordance with the applicable international instruments.

The increased linkage between migration, borders and security on the international level, is a reality present in the relationship with our neighboring countries. Hence, it is necessary to consider those three elements when drawing up migration policies.

Mexico is committed to fighting all forms of human smuggling and related criminal activities, to protecting the integrity and safety of persons, and to deepening the appropriate cooperation with the governments of the neighboring countries.

The migration processes that prevail in Mexico are regionally articulated—in particular with Central America—, and therefore the Mexican migration policy should deepen its regional approach.

RECOMMENDATIONS REGARDING THE COMMITMENTS THAT MEXICO SHOULD AGREE ON

Main recommendations considered by the group in order to update Mexico's migration policy:

Based on the new regional and international realities regarding immigration, transmigration and emigration, it is necessary to evaluate and to update the present migration policy of the Mexican State, as well as its legal and normative framework, with a timeline of fifteen to twenty years.

It is necessary to impel the economical and social development that, among other positive effects, will encourage people to stay in Mexico.

If a guest country offers a sufficient number of appropriate visas to cover the biggest possible number of workers and their families, which until now cross the border without documents because of the impossibility of obtaining them, Mexico should be responsible for guaranteeing that each person that decides to leave its territory does so following legal channels.

Based on international cooperation, Mexico must strengthen the combat against criminal organizations specialized in migrant smuggling and in the use of false documents, as well as the policies and the legal and normative framework for the prevention and prosecution of human smuggling, especially women and children, and the protection of the victims of that crime.

It is necessary to promote the return and adequate reincorporation of migrants and their families to national territory.

Mexico's migration policy must be adjusted taking into account the characteristics of our neighboring countries, in order to safeguard the border and to facilitate the legal, safe and orderly flow of people, under the principles of shared responsibility and respect for human rights.

Order and security in Mexico's north and south borders must be fortified, with an emphasis on the development of the border regions.

Reinforce cooperation with the United States and Canada through the Security and Prosperity Partnership for North America, and with the regional bodies and mechanisms for the treatment of the phenomenon, like the Regional Conference on Migration and the Cumbre Iberoamericana.

The review and, if necessary, adjustment of the judicial and institutional framework, in order to adequately respond to the present and the foreseeable conditions of the migration phenomenon; this will require the creation of a specialized inter-institutional mechanism of collaboration.

The creation of permanent work mechanisms for the Executive and Legislative Branches, with the participation of academic and civil society representatives that allow the development and fulfillment of Mexico's migration agenda.

ELEMENTS RELATED TO A POSSIBLE MIGRATION REFORM IN THE UNITED STATES

Mexico does not promote undocumented migration and is eager to participate in finding solutions that will help us face the migration phenomenon. Accordingly, the group decided to express certain thoughts about what is Mexico's position in case a migration reform takes place in the United States.

Acknowledging the sovereign right of each country to regulate the entrance of foreigners and the conditions of their stay. It is indispensable to find a solution for the undocumented population that lives in the United States and contributes to the development of the country, so that people can be fully incorporated into their actual communities, with the same rights and duties.

Support the proposal of a far-reaching guest workers scheme, which should be one of the parts of a larger process that includes the attention of the undocumented Mexicans that live in the United States.

In order for a guest workers program to be viable, Mexico should participate in its design, management, supervision and evaluation, under the principle of shared responsibility.

A scheme aimed to process the legal temporary flow of persons, will allow Mexico and the United States to better combat criminal organizations specialized in the smuggling of migrants and the use of false documents, and to combat, in general, the violence and the insecurity that prevail in the shared border. Likewise, Mexico would be in a better position to exhort potential migrants to abide by the proper rules and to adopt measures in order to reduce undocumented migration.

Mexico should conclude the studies that are being conducted to know which tasks will help with the implementation of a guest workers program, regarding the proper management of the supply of potential participants, the establishment of supporting certification mechanisms, and the supervision and evaluation of its development.

Mexico acknowledges that a crucial aspect for the success of a temporary workers program refers to the capacity to guarantee the circular flow of the participants, as well as the development of incentives that encourage migrants to return to our country. Mexico could significantly enhance its tax-preferred housing programs, so that migrants can construct a house in their home communities while they work in the United States.

Other mechanisms that should be developed are the establishment of a bilateral medical insurance system to cover migrants and their relatives, as well as the agreement of totalization of pension benefits, which will allow Mexicans working in the United States to collect their pension benefits in Mexico.

Mexico could also enhance the programs of its Labor and Social Development Ministries, in order to establish social and working conditions that encourage and ease the return and reincorporation of Mexicans into their home communities.

This working group aims to become a permanent body of study, debate and development of public policies for the handling of the migration phenomenon.

Mr. DODD. The other provision I wish to address in the brief time I have available goes beyond the border security issue that the Specter amendment clearly addresses. Individuals have come to our country looking for work, and we know from surveys that 94 percent of undocumented males in this country are in fact working. These are not unemployed people who are looking for first-time jobs; these are people with jobs who saw a better opportunity in coming across our borders.

I know it has been said, but every one of us here can tell family stories going back a generation or more, regardless of where we have come from, on why our forebears came here. Mostly it was for economic reasons, in the past, or political reasons that made it difficult for our forebears to remain in the countries of their birth.

I acknowledge that people have come here illegally. That is wrong, and we need to put a stop to it. The Specter amendment also acknowledges that fact. It doesn't give these people a free ride at all. Instead, it would penalize illegal immigrants by requiring undocumented workers to pay fines, pay all back taxes, submit themselves to background checks, and learn English. But then it does allow them to move out of that status. That is one of the differences.

If we add an additional burden, which our friends from Arizona and Texas are implying here, that if you came in under a legal visa and you have overstayed that visa, then you can never move out of that status again regardless of whether you have complied with these other provisions, it seems to me we are only compounding our problems.

Certainly, this legislation also provides an avenue for undocumented workers to come out in the open, to earn legalization. Earning legal status wouldn't be an easy process. An individual who takes advantage of this program would have to work for 6 years before he or she could even receive a green card. At that point, they would be put at the back of the line of some 3.5 million people who are legally seeking entry into the United States as I speak. They would come first. These undocumented workers would come after those people had been approved.

It would take a minimum of 5 additional years of steady employment before the individual could finally become an American citizen. That is 11 years. That is certainly not a light process to go through. With a pathway to citizenship—not amnesty at all but an earned pathway—we will provide incentives to undocumented workers to come out of the shadows of society.

Why is that important? For many reasons. Because the presence of so many individuals without documentation in our country creates enormous challenges for law enforcement. It undermines worker protections. It is bad for security. It is bad for American workers. It is bad for undocumented immigrants themselves. Moreover, it is impossible to adequately protect U.S. national security if we don't know who is living within our borders. And by bringing undocumented workers into the open, we will help law enforcement professionals and our security services do their jobs: protecting the American people and enforcing our laws—there is no higher priority we have than that. And if we have a process that goes on for 11 years, a pathway, we begin to assist in that effort.

As I said, among other provisions, the Specter amendment would double the size of the Border Patrol over 5 years, adding 12,000 new agents to patrol our borders. It would expand the number of interior enforcement officers by 1,000 per year over each of the next 5 years. It would utilize advanced technologies to improve surveillance along the border, creating a virtual fence to detect and apprehend people who are illegally attempting to enter this country. And it would create new and increased penalties for individuals trying to subvert our borders with tunnels or who attempt to smuggle people into the U.S.

I support these measures. But they are only one part of the bigger equation. We also have to find a way to deal with the more than 11 million undocumented individuals living within our borders.

These are predominantly individuals who have come to the U.S. to make a living, and to support themselves and their families. Ninety-four percent of undocumented men, according to a March 7, 2006, Pew poll, choose to work. These are, for the most part, hardworking individuals, who are not here to flood the welfare rolls or collect our charity. They are here to work and to contribute. They want what all of our families wanted when they came to the U.S.—a piece of the American dream.

I acknowledge that they came here illegally and this is wrong. And so does the Specter amendment. It wouldn't give them a free ride. Instead, it would penalize illegal immigrants by requiring undocumented workers to pay fines. It would require them to pay all back taxes, submit themselves to background checks, and learn English.

But critically, this legislation also provides an avenue for undocumented workers to come out into the open, to earn legalization. Earning legal status wouldn't be an easy process either. An individual who takes advantage of this program would have to work for 6 years before he or she could even receive a green card. At that point, they would be put at the back of the line—behind everyone who has come here legally—and it would take a minimum of 5 additional years of steady employment before the individual could finally become an American citizen. That's 11 years in total.

With a pathway to citizenship, not an amnesty but an earned pathway, we will provide incentives to undocumented workers to come out of the shadows of our society. Why is this so important?

Because the presence of so many individuals without documentation in our country creates enormous challenges for law enforcement and undermines worker protections. It is bad for our security, bad for the American worker, and bad for undocumented immigrants themselves.

Moreover, it is impossible to adequately protect U.S. national security if we don't know who is living within our borders. By bringing undocumented individuals out into the open, we will help law enforcement professionals and our security services do their job: protecting the American people and enforcing our laws. We will also help prevent the type of workplace abuses that are bad for everyone, Americans and immigrants alike.

Despite what has been said on this floor, not all people seek to come permanently to the U.S. Many seek temporary work here and desire to return home when that work is complete.

There are legitimate concerns that temporary workers might displace American workers who are available and willing to take a job. That should never be the case. Wherever possible, American jobs should be filled first and foremost with American workers.

The Specter amendment addresses this reality. It creates a new temporary worker classification to meet the needs of American businesses. It would also strengthen procedures to help ensure that no American workers are displaced when temporary workers are hired.

As I have said, the Specter amendment is truly comprehensive legislation. It would be impossible to discuss every provision in the bill at length. So I would just like to comment briefly on a few additional items of interest.

First, I am pleased that the Judiciary Committee included provisions of the DREAM Act in its legislation. I've long supported the DREAM Act, which in my view is a common sense measure, allowing undocumented students under the age of 16, who were brought into this country illegally through no fault of their own, a chance to complete higher education.

Qualifying students, however, will have had to live in the U.S. for at least 5 years prior to the date of enactment of this legislation. If they earn and advanced degree or serve our country in the Armed Forces, they would then be granted permanent status and allowed to petition for citizenship. Every student deserves a chance to learn and to serve a cause greater than themselves. This measure will give many deserving children that opportunity.

Finally, I would like to highlight a provision included in the Specter amendment that is receiving somewhat less attention. Throughout my tenure in the Senate, I've tried to raise awareness about western hemisphere affairs. Indeed during all my years in this body, I have served as a member of the Foreign Relations Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs—even, for a time, as chairman. One thing I would note about the immigration issue, from a regional perspective, is that many of the problems we are facing—drug trafficking, crime, and insecurity—are also affecting our neighbors in the hemisphere. Just like us, they are struggling to address these seemingly intractable problems every day.

That is why I am pleased that in its bill, the Judiciary Committee included measures to help our neighbors. In particular, the Specter amendment would establish programs to help Guatemala and Belize fight human smuggling and gain control of their tenuous borders. It would also encourage strategic coordination across the hemisphere to fight the growing problem of gang violence. In my view, these are critically important provisions, and I hope we can do more to help some of our closest neighbors on these issues. Because in reality, we cannot solve our problems here without also addressing the roots of the problems abroad.

Unless we act now to address the enormous challenge posed by illegal immigration, the problem is only going to get worse. The Specter amendment isn't perfect—I think most of my colleagues would agree with that statement—but I do believe it is a critical measure that will help to resolve many of the challenges we face with respect to illegal immigration. I again thank my colleagues for their hard work and leadership on this issue.

My hope is that we strike that balance between border security, economic security, national security, and then also designing, as we have with the Specter amendment, a process that will allow for these people to move out of the shadows into the open, and into a legal status. It is a difficult path, a cumbersome path, but a path that will allow them to achieve that status at the end of the road.

I urge adoption of the Specter amendment, and I urge that we not table the Kyl amendment at this point, that we need to examine this issue even more carefully.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The time of the Senator has expired.

The Senator from Texas.

Mr. CORNYN. May I inquire how much time remains?

The PRESIDING OFFICER. Ten minutes.

Mr. CORNYN. I ask to be notified when there is 2 minutes remaining and that that time be given to the Senator from Arizona.

The PRESIDING OFFICER. The Chair will so notify.

Mr. CORNYN. Mr. President, I know the Senator from Connecticut cares passionately about conditions. So do I, and so do all the Members of the Senate about trying to find a solution. We have dramatic differences between the solutions which have been proposed here and those which have been proposed by the House. But the way I interpret what the House did, it is to send a message to the Senate that first and foremost we need to build a foundation of border security to stop the people streaming across our border—yes, in search of a better life, but we know that mingled amongst those people who come here for economic reasons because they have, perhaps, no hope and no opportunity where they live, there may be a criminal. There may be a terrorist. While there are many people who do care passionately about trying to find a comprehensive solution to this problem, the kind of slow-boating we have seen so far during this debate isn't helping us get to that solution.

In fact, we have had three votes on amendments since this bill came to the floor. To those who say: Yes, we want to find a solution; yes, the bill that is on the floor is a good start, but maybe it is not perfect; the best way for us to proceed is to have some votes and to have some debate—that is the way this body, sometimes noted as the greatest deliberative body on Earth, is supposed to work. That is the way democracy works. I may win some of those votes. I may lose some. But let's have debate. Let's build a consensus in the country by building a consensus in this body about where we ought to go to find a solution, and then let majorities govern. Let's reconcile our differences with the House and then send a bill to the President that he will sign that is consistent with our values, consistent with our security interests, and consistent with our economic interests. That is what I want to do.

I believe many on the floor of the Senate want to do that. But what we have seen by the fact that the Democratic leadership has objected to allowing us to set aside pending amendments or have votes on pending amendments up until this point is that we have had three votes, and we are running out of time. The leader has allocated 2 weeks to debate this bill and hopefully to finish it by Thursday night or Friday, when we begin the next 2-week recess. But I am getting the distinct impression that the desire is not so much to pass a bill but, rather, to block the kind of democratic process I just described a moment ago from even occurring, to prevent Senators from offering their suggestions by way of amendment and offering those to the Members for an up-or-down vote on the Senate floor. It bears some resemblance to some of the obstruction we have seen in the past, particularly when it comes to judicial nominations. It prevents the Senate from working its will. It prevents us from protecting the American people.

When I say ''protecting the American people,'' I am advised that today, according to current numbers on illegal immigration across our borders, we have about 2,300 people coming each day into our country across our broken borders. Last year, it was 1.1 million people, but today and each day that we fail to protect our borders, each day we fail to deal with this very complex but urgent and important problem, we have 2,300 more people coming across our broken borders. I hope and pray that it is not someone who is bent on doing some harm to innocent life.

We know in a post-9/11 world that those who would exploit our broken borders could, if they had the desire, perhaps commit another heinous act like 9/11 within our country. We know that recently, there were those from this body who were investigating the possibility: Can you smuggle the ingredients of a dirty bomb across our borders? Indeed, they were able to do so by producing false identification. So we know America is vulnerable. But how irresponsible would it be to block the ability of this body to consider this bill, to pass it in due course, and to get it on the President's desk?

I fear there are those who want to jam this bill, as it is currently written, down the throats of those of us who have a different idea or prevent us from having those votes which are important to letting the process work. None of us has the authority to dictate to others what kind of legislation is going to pass out of this body. I am afraid that is what we are seeing. Those who preferred this particular approach in the Judiciary Committee bill are trying to jam it through the Senate, trying to deny those of us who have different ideas from presenting those ideas and offering them for a vote on the Senate floor.

This particular motion to table the amendment Senator KYL and I have proposed is illustrative of the important changes and improvements that need to be made to this bill. Indeed, if you compare this to 1986, the last time Congress passed an amnesty that failed completely, you will see a lot of similarities between the bill on the floor and that amnesty in 1986—except, believe it or not, the bill that is presently before the Senate is even worse. In 1986, the law said that if you are a convicted felon, if you have committed three misdemeanors, you are not eligible for amnesty. This bill on the floor does not provide that exclusion from the general grant of amnesty.

Furthermore, there are some who say: OK, convicted felons, people who commit misdemeanors, but don't exclude from the grant of amnesty the 4- to 500,000 people who have had their day in court, who are so-called absconders, who are under final orders of deportation, because it wouldn't be fair to exclude them from this general grant of amnesty.

I disagree. I believe if you have had one bite at the apple or if you have had your day in court, you have had due process of law but you have demonstrated your unwillingness to comply with the lawful order of a court, then you should not be given amnesty so that you can remain in this country because if you are demonstrating by your very first acts, once you have come to this country, that you have no respect for our laws, then how are we to expect that you will ever have respect for other laws that are important for public safety and for the welfare of the American people?

Among these 4- to 500,000 people who would be included as absconders that this motion to table seeks to prevent us from excluding under the general grant of amnesty, in 2004, the Immigration and Customs Enforcement detention and removal operations removed 165,000-plus aliens from the United States. Of those 165,000-plus, 65,000 had been previously formally removed or deported at least one time before. So not only are the people who are sought to be excluded from this general grant of amnesty guilty of violating our laws, many of them are guilty of violating it on a serial basis.

The PRESIDING OFFICER. Two minutes remains on the Senator's side.

Mr. CORNYN. I urge our colleagues not to table this important amendment, that we have an up-or-down vote on the Senate floor as soon as possible.

Mr. KYL. Mr. President, is there any time remaining on the other side?

The PRESIDING OFFICER. No.

Mr. KYL. Mr. President, I will take a couple of minutes to close. I gather this will be a 100-to-nothing vote not to table. I agree with the Senator from Texas. We should not table the amendment, but we should have a vote up or down on it. If you don't like it, then vote against it.

I will make something very clear. If you came across the border from Mexico into the United States, into Texas, Arizona, California or New Mexico, and you came across illegally, this amendment has nothing whatsoever to do with you—unless you also are a criminal or you have been convicted of a felony or of three misdemeanors or you are an absconder—that is to say, after you came into the country illegally, and you were ordered to leave by a judge, and you refused to leave. Those are the circumstances this amendment applies to. It doesn't apply to you if all you did was come in illegally. In other words, that status is not implicated by this amendment.

We simply seek to deny the benefits of this legislation—legal permanent

residency and a pathway to citizenship—to people convicted of a felony, three misdemeanors or, in this category of an absconder, which the Senator from Texas talked about. Why is this important? It is because there are a certain number of people who have violated such an order. They have failed to leave the country when they were ordered to do so.

According to the testimony before the subcommittee I chair in the Judiciary Committee, about a month ago, the statistics are now that about 10 percent of the people entering the country illegally are criminals; it is between 10 and 15 percent. They are serious criminals. I hope that my colleagues vote ''no'' on the motion to table.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Kyl amendment.

The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 0, nays 99, as follows:

[Rollcall Vote No. 87 Leg.]

NAYS—99

Akaka	Dole	Martinez
Alexander	Domenici	McCain
Allard	Dorgan	McConnell
Allen	Durbin	Menendez
Baucus	Ensign	Mikulski
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Obama
Boxer	Grassley	Pryor
Brownback	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Roberts
Burr	Hatch	Salazar
Byrd	Hutchison	Santorum
Cantwell	Inhofe	Sarbanes
Carper	Inouye	Schumer
Chafee	Isakson	Sessions
Chambliss	Jeffords	Shelby
Clinton	Johnson	Smith
Coburn	Kennedy	Snowe
Cochran	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Stevens
Conrad	Landrieu	Sununu
Cornyn	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wyden

NOT VOTING—1

Rockefeller

The motion was rejected.

Mr. FRIST. Mr. President, I move to reconsider the vote.

Mr. SPECTER. I move to lay that motion on the table.

Mr. ALEXANDER. Without objection, it is so ordered.

Mr. FRIST. Mr. President, I will turn to the chairman in a moment, but we are in an unusual situation. When we step back and look at this bill, we see we have an important bill that is a national security issue, an issue of fairness and equity, and we have a good bill on the floor that does not have 60 votes. That is pretty clear today, after all of the discussions. Yet we are not allowed—in spite of having good amendments which can make this bill even better, we are not being allowed to move those amendments forward at all.

It is very clear by the last vote where the vote was, I think almost unanimous, that people are not serious about moving these amendments forward one at a time. I think it is disrespectful to the body itself because they are good amendments on both sides of the aisle that need to be debated and that need to come to a vote, and we are not allowed to do that. It is coming from the other side of the aisle.

I think that we need to get serious about it. It needs to be a dignified debate and a civil debate. Right now, we are not going to finish the bill. It is in effect being blocked by the other side because we are not allowed to get amendments to the floor so that at some point this bill could reach a threshold of 60 votes.

So I am very frustrated now, and I think colleagues on both sides of the aisle are. I know the chairman is. We had about 2 hours of debate earlier this afternoon that made it very apparent that the other side is trying to stop the bill. I just plead with our colleagues to come together and have both sides be able to offer their amendments.

It is Tuesday. If we work tonight and we work Wednesday and Thursday and Friday, we can pass a bill that will address border security, that will address interior enforcement and worksite enforcement, and that will address the issue of a temporary worker program that is fair to the 12 million or 13 million or 11 million people out there today who are here illegally.

That is what can be achieved. But the other side is basically delaying, postponing, obstructing, and not allowing us to consider amendments, and that is all that we ask.

Mr. ALEXANDER. The Democratic leader.

Mr. REID. Mr. President, I think it takes a lot to criticize the fact that Republicans are offering amendments and we wouldn't allow votes on them. This has been the history of the Republican-controlled Senate for years: not allowing us to have votes on amendments that we offer, or wanted to offer. How many amendments have there been? Minimum wage, Dubai Ports, health care in many different areas such as stem cell, prescription drugs, and importation of prescription drugs. So there may be some logical issues that could be propounded as to why the majority doesn't like what is going on here. But the fact that we are not allowing votes on amendments should fall on deaf ears because we are experts at trying to offer amendments and not having votes on them.

So I repeat what I said a little while ago. We have on the Senate floor today a bipartisan piece of legislation. Over here, we are united. We like the bill. The vast majority of us in the minority really like this bill, the one that is before the Senate right now. For example, the Kyl amendment, which was not tabled—it was moved in an effort to table their own amendment, which was somewhat surprising to me, but it wasn't tabled. The Kyl amendment, as I have explained on the floor before, would defeat a very good bipartisan bill. It would take what I believe, from my eyes, is the integrity of the bill, it would take it away.

This is a good bill, a bill that has strong enforcement. It provides for guest workers, and those in America who are interested in business support this. For example, the Chamber of Commerce, including the National Chamber of Commerce, supports those provisions in this bill, and then, of course, the path to legalization, which is so American, not anti-American—the path to legalization for these people.

I don't believe we should do amnesty. I was part of that in 1986 and it didn't work very well, and that is an understatement. This is not amnesty, what is in this bill. I like it. The vast majority of the minority likes it.

So we are willing to have our efforts rise or fall on this bill that is before the Senate. We are not going to allow amendments like Kyl-Cornyn take out what we believe is the goodness of this bill.

Mr. ALEXANDER. The majority leader.

Mr. FRIST. Mr. President, I interpret what the Democratic leader said to be that we have a bill on the floor that is a good bill and a solid bill but that the other side of the aisle does not want to give us the opportunity to amend that bill in any way, that they just want to flat out deny that. And I say—and that is my question—that the other side really just wants one vote, and it is on a bill that is a good bill, but we haven't given everybody here the opportunity to participate and debate and amend. That is my interpretation. I think that is wrong. I say that because we just voted 99 to 0 not to table the Kyl amendment.

So the Kyl amendment is pending, and it is the regular order of business that has been pending Thursday, Friday, Saturday, Sunday, Monday, Tuesday—6 days, 7 days it is pending, and they will not give us a vote, an up-or-down vote on the Kyl amendment. It is as simple as that.

The signal is that we are not going to consider any amendments. In fact, the statement is that we are not going to consider any amendments. Let us go straight and see if this underlying bill has a 60-vote cloture; is that correct?

Mr. REID. Mr. President, I will be happy to respond to that. I will respond to the distinguished majority leader. We have had three votes on Frist-Reid, Bingaman, and the other was—anyway, we have had three amendments, and they are amendments that we would be

happy to sit down and discuss, as I indicated earlier, and—the other is the Alexander amendment, thank you—sit down and find a way we can proceed.

We have Mikulski-Warner, Dorgan-Snowe-Burns, the Bond amendment, I think it is Collins, Brownback-Lieberman have an amendment, Stevens-Leahy have an amendment. So there are some amendments we could work on.

But let me just say this: We are happy to try to work something out. It is my belief—and people could disagree. It is certainly everyone's right to disagree. I don't think some of these amendments, some of these amendments I have talked about, would take away what I call the integrity of the bill. But I do say to my friend—and he is my friend, the distinguished majority leader—we have had example after example in the last many years where there is legislation on this floor and we are not allowed to offer amendments. We offer them once in a while, we don't get votes on those, and we are not allowed to offer amendments.

As my mother would say, they are getting a taste of their own medicine.

Mr. FRIST. Mr. President, again, I would ask—the Kyl amendment was not tabled, so it is the pending amendment. And I would ask if the other side would be willing to give us a rollcall vote on that amendment. It is not tabled at this juncture.

Mr. REID. The answer is no.

Mr. FRIST. The answer is no. That is the first one.

Let us go to the Mikulski amendment, the next one that has been pending for X number of days, and I would ask that we consider the Mikulski amendment and take it to a vote and vote on it right now.

Mr. REID. Mr. President, as I said just a few minutes ago, I would be happy to have the two managers, with the appropriate staff—I have listed a number of amendments here: Mikulski-Warner-Snowe, Dorgan-Burns, Bond, Collins, Brownback, Stevens-Leahy, maybe the Allard amendment, which I haven't read in its entirety, but I think that is appropriate. I think what we should do—there are a number of these, and you may have some others on the other side that we could work out and set up a sequence of when we should vote on these, how much time should be used in debate. I would be happy to do that.

Mr. FRIST. Mr. President, I think it is clear. We are seeing in essence a stonewalling of the bill on the other side, an important bill that is of national security. There are four amendments—the Kyl-Cornyn amendment is the official amendment. We are being denied an up-or-down vote. The next one is Isakson; we are ready to vote on that. The next one is Dorgan; we are ready to vote on that. The next one is Mikulski; we are ready to vote on that. We are ready to vote on all four of those.

What it sounds like to me is that the Democratic leader wants to pick our amendments and then we will consider and we will think about it, knowing—knowing—that we have Tuesday night, Wednesday, Thursday, and Friday to complete this bill. We are making no progress whatsoever because they are not allowing us to vote on amendments in the order that they are there. So it is apparent to me—and I agree, we will let the managers work on it, but it is apparent to me that the Democrats are not serious about passing a bill that affects the security of this Nation.

Mr. ALEXANDER. The minority leader.

Mr. REID. Mr. President, the Democrats are very serious about passing a bill that affects the security of this Nation—this legislation and other legislation but particularly this legislation. We believe that the first provision of this legislation, which we talked about from the very beginning, is border security, security for our Nation. This legislation that is now before the Senate will do that. But in addition to that, we want enforcement plus.

So as I have indicated, we want to pass the legislation right now. We would be happy to vote on this bill right now.

Mr. President, I ask unanimous consent that the bill before the Senate be moved to third reading right now and vote on it.

Mr. SPECTER. Mr. President, I object.

Mr. ALEXANDER. Objection is heard.

Mr. SPECTER. Mr. President, it would be a travesty of the procedures of the Senate to vote on this bill without giving Senators an opportunity to file amendments. It would just be—it is hard to find the right characterization—a travesty, unheard of, unthinkable, unprecedented, idiotic—strike idiotic; the Supreme Court has that word for its own—but our procedure is to vote on amendments.

Mr. President, I ask the distinguished Democratic leader if he would agree to start voting tomorrow morning at 9:30 on the list of amendments he identified. Senator LEAHY and I are prepared to work through the night and start voting tomorrow morning at 9:30 on those amendments.

Mr. REID. Those that I mentioned?

Mr. SPECTER. The ones you mentioned.

Mr. REID. I would be happy to work with our manager, and with Senator KENNEDY, and come up with the sequence of how we should vote on these and how much time should be spent on each amendment. I would be happy to vote on that.

Mr. SPECTER. May we start the voting tomorrow morning at 9:30?

Mr. REID. I don't know; 9:30, or sometime tomorrow morning, if we work out a sequence on these. That would be fine with me.

Mr. SPECTER. So we will start voting tomorrow morning sometime on the sequence of amendments that you have identified. And may we carry that further on other amendments which are pending? You haven't identified any other amendments——

Mr. FRIST. Mr. President, reserving the right to object, the courtesy to colleagues here should be at least to include the ones that are pending that I have read: Kyl-Cornyn, Dorgan, and Mikulski, that have been pending for days and days, rather than allowing the Democratic leader to cherry-pick amendments to vote on.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, the use of words of the distinguished chairman of the Judiciary Committee—''travesty, unprecedented, unthinkable''—whatever those were, those are words I am going to remember. I should have come up with those before on all the many times that we were unable to offer amendments on legislation that was pending before the Senate. But I think, as usual, the distinguished chairman of the Judiciary Committee did an outstanding job of describing what happens when people are not allowed to offer amendments. We are experts at recognizing when we are not able to offer amendments.

As I say, again, we have a number of amendments we would be happy to vote on. My friend, the majority leader, said he wanted to add in those that are pending, and we could not agree to that.

Mr. SPECTER. Could I ask the distinguished Democratic leader if we can establish a procedure where the distinguished ranking member and I—we are the managers of the bill—go through the list of amendments and decide a sequencing of votes on these amendments—there must be more than those identified by the Senator from Nevada—and try to get the bill rolling with the votes, as you say, starting sometime tomorrow morning?

Mr. REID. I have the greatest confidence in our ranking member, PAT LEAHY. I have spoken in his behalf on this floor so many times I can't count it, but we have, in addition to Senator LEAHY, 44 other members of our caucus. I am not going to give you and Senator LEAHY carte blanche as to what amendments would be offered and in what order.

Mr. DOMENICI. Senator SPECTER, would you yield for 1 minute?

The PRESIDING OFFICER. The Democratic leader has the floor.

Mr. REID. I am happy to yield to my friend, the distinguished Senator from New Mexico, for a statement of 1 minute or 2 minutes, whatever he cares to speak.

Mr. DOMENICI. I didn't want to ask you because what I was going to say you wouldn't like.

Mr. REID. I may not like what you say, but I like you.

Mr. DOMENICI. Thank you very much. I tell you, I really cannot believe what I heard here today. I have been here 34 years, and I cannot believe what I have heard today. I have heard

a minority leader say we are peeved because we have not had what we think is a fair shake over the last couple of years since you have been running this place, so we are going to manage this bill from the minority leader chair, and there are going to be no amendments considered unless the minority, the ranking minority Member of the Senate puts his imprimatur on them.

Mr. LEAHY. Imprimatur.

Mr. DOMENICI. No matter how important the bill is—imprimatur, no matter what it is. I said it the Italian way. You said it the French way. You all know what it meant: stamp of approval. Stamp of approval.

I have never heard of such a thing, never saw Senators standing around—they were in awe. What is he talking about?

The bill that is before us, he likes. He has had a caucus, and those Senators on the other side said this is a neat bill, this is what we want to pass, and we sure don't want any amendments offered and voted on that stir up that thing we like so much to any extent because we don't want to get our Senators in any trouble. We don't want them voting on any of these kinds of things that muddle up this bill. So our leader is going to stand up here and say we have just changed the Senate, and we are going to do it this way. There will be no amendments unless HARRY REID, elected as the minority leader of the Senate, says, ''OK.''

Fellow Senators, I don't believe it. As a matter of fact, I thought when the distinguished leader of the other side, who is my dear friend—dear friend, he knows that—when he got up and answered our leader and started with this business about minimum wage and these other things—I thought he had a nothing case. I thought, my God, he's dreaming them up. He has nothing to say.

What does that have to do with this bill, the minimum wage, the way we didn't let amendments come up on that? It has nothing to do with this bill, one of the most important bills confronting America. It has been said that it is at the turning point of relationships between Mexico and America. And we have one Senator who has looked at the bill and said: It is good for our side of the aisle. We like it just like it is, and we don't care what the rules of the Senate are, there will be no amendments. We are in charge.

I am sorry, Mr. Leader. You were right. You said it too mildly. I goofed up some words, but I said it right, and Senator REID is not right on this one. He is right many times. This is not right. He is not right. He should not do this. The Senate should not let him do it.

If there is some way to not let him do it, he should not be permitted to do it. He knows we can't do that. He knows we cannot do that. He is too smart about the rules of the Senate. He knows we cannot say he cannot do it. But the Senate should say he cannot do it. I am telling you Senators, Democrats and Republicans, you should say he cannot do that.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I have said nonchalantly, to put it in perspective, how much I appreciate the work of the members of the Judiciary Committee on this bill.

I am not going to spend a lot of time on this other than to say I think it is so important that we understand the time people have spent on this issue. The Senator from Massachusetts, Senator KENNEDY, has been working on this issue of immigration for 35 years. He has seen what has happened in years past with all the different pieces of legislation. I can remember legislative battles on the Senate floor that we had with disputes between him and Alan Simpson, the distinguished former Senator from Wyoming, who everyone knows was such a good Senator, with such a great sense of humor.

Senator LEAHY has, I think, done such an admirable job of being ranking member on this committee.

We have gotten work done on this committee that no one ever expected could be done. And the principal reason that work was able to be accomplished is because of the relationship that was developed between the chairman and ranking member, Senator SPECTER and Senator LEAHY.

If someone had come to me a month ago and said we would be in the status we are on this immigration bill, I would have said: No, I don't think that could be accomplished. I do not think we can get a bill out of that committee.

But as I have said publicly, and certainly I have said it to the distinguished majority leader, I thought his bill alone, dealing with enforcement only, was inappropriate and not good. I was surprised—but pleasantly surprised—with the work product that came out of the Judiciary Committee.

Even when the distinguished majority leader said that he and the ranking member would work during the week that we had off to see if they could come up with a proposal, I kept checking with Senator LEAHY and other members of the Judiciary Committee. And they felt there was a lot of movement.

When that committee met on Monday, there were compromises made, and a bipartisan bill came before the Senate; again, pleasantly surprising me and, to me, proving that when people work together to accomplish a goal and there is a partnership between those leading the committee, members of the committee usually go along with that leadership as they did in this instance.

I appreciate the good work, and I support this legislation.

CLOTURE MOTION

Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the standing rules of the Senate, do hereby move to bring to a close debate on the Specter substitute amendment No. 3192.

Patrick J. Leahy, Edward M. Kennedy, Robert Menendez, Frank R. Lautenberg, Joseph I. Lieberman, Carl Levin, Maria Cantwell, Barack Obama, Tom Harkin, Hillary Rodham Clinton, John F. Kerry, Dianne Feinstein, Richard Durbin, Charles E. Schumer, Harry Reid, and Daniel K. Akaka.

Mr. REID. I yield the floor.

Mr. LEAHY. Mr. President, the Senate has taken significant and constructive steps over the past week toward fixing our Nation's broken immigration system. On March 27, the Senate Judiciary Committee reported a comprehensive and bipartisan package that is tough but smart.

We sent to the Senate a bill that includes critical law enforcement and border security measures—tougher than the bill introduced by the majority leader earlier last month. Our bill, which was passed by a strong bipartisan 12-to-6 vote in committee, also includes realistic solutions for the problem of the millions of undocumented presently living inside our borders. We do not offer these aliens amnesty but create an incentive for them to come out of the shadows, register, and earn the opportunity to obtain legal status over the course of 11 years.

Over the past week, we have taken strides to see these proposals passed into law. I thank the many Senators who have come to the floor to speak in support of the committee bill. Senators MCCAIN and KENNEDY, who did the hard work of drafting many of these measures, have made strong statements explaining why the committee bill is not an offer of amnesty but represents an earned path to legalization and eventual citizenship. Senator FEINSTEIN spoke about how this bill is tough on enforcement but pragmatic in its temporary worker and legalization programs.

I thank Senator DURBIN for his eloquent statement last week describing the DREAM Act, which is included in the committee bill. Senator LINCOLN, Senator SALAZAR, and Senator OBAMA have all come to speak in favor of the ''enforcement-plus'' measures in the bipartisan bill.

We have voted to approve several amendments that further strengthen

the bill. Senator BINGAMAN's amendment to bolster national security by assisting local law enforcement in border States was approved overwhelmingly yesterday. So was Senator ALEXANDER's amendment to strengthen citizenship programs, and last week, we passed a Frist-Reid amendment to study the tragic deaths occurring at the border between the United States and Mexico.

I hope we will vote next on the important amendment offered by Senator MIKULSKI with a long list of cosponsors from both sides of the aisle. The Mikulski amendment will bring relief to employers by easing the shortfall of seasonal workers.

I hope we will also vote on amendments that will be offered by Senator BILL NELSON to add additional enforcement provisions to the Committee bill.

We have before us an opportunity to take a historic vote on a realistic and reasonable system for immigration. Our bill protects America's borders, strengthens enforcement, and remains true to American values. We should pass this bill this week.

Mr. BYRD. Mr. President, today, I speak on the Specter-Leahy substitute to S. 2454, the Frist border security bill.

At the present time, the Frist bill contains no amnesty for illegal aliens. However, if the Specter-Leahy substitute is adopted, it would effectively attach a massive amnesty for 8 to 12 million illegal aliens and provide those illegal aliens with a path to U.S. citizenship. According to immigration experts, the pending substitute amendment—with its guest-worker program and amnesty for undocumented aliens—would open the gates to 30 million legal and illegal immigrants over the next decade.

I oppose this amnesty proposal—absolutely and unequivocally. I urge the Senate to pass a clean border security bill like the House did—without amnesty, without a guest-worker program, and without an increase in the annual allotment of permanent immigrant visas.

For more than 4 years, the Nation has wondered how 19 terrorists managed to penetrate our border defenses to carry out the September 11 attacks. It chills the blood to think of those terrorists crossing our borders not once, but several times, in the months before the attack—easily outsmarting our border security checks to plot their dastardly scheme. They walked among us as tourists, students, and business travelers. Three of them even stayed in the United States as illegal aliens.

Today, more than 4 years later, our country remains dangerously exposed to terrorists seeking to penetrate our border defenses. Since September 2001, an estimated 2 million new illegal immigrants have successfully beaten our border and interior security, and are now settled in the United States. That's 2 million new illegal immigrants since the Government pledged to regain control of the border after the 9/11 attacks.

Our immigration agencies are plagued with management and morale problems. They still do not have an exit-entry system with interoperable, biometric watch lists to accurately identify who is entering the country. We still cannot tell who is leaving the country. The requirement for foreign visitors to use biometric, machine-readable passports continues to be delayed, exempting millions of aliens each year from background checks. The administration, still, stubbornly refuses to support the resources our border and interior enforcement agencies need to effectively do their jobs.

Meanwhile, the immigrant population continues to surge. The Center for Immigration Studies calculates that 1.5 million immigrants are settling both legally and illegally in the United States each year. The U.S. Census Bureau projects that immigration will be a major cause of the population of the United States increasing to 400 million people in less than 50 years.

The National Research Council estimates that the net fiscal cost of this massive immigration ranges from $11 billion to $22 billion per year, with the infrastructure of our Nation—our schools, our health care system, our transportation and energy networks—increasingly unable to absorb this untenable surge in the population.

Many tout the additional border and interior enforcement personnel authorized since September 2001, but the President's budget has not come anywhere close to funding those authorizations. Homeland security expenditures have been capped at levels that prohibit the Congress from adequately filling the gaps. Senator GREGG and I have had to fight for every additional nickel and dime that goes into our border security. It is never enough.

Immigration enforcement in the United States remains decidedly halfhearted. We are pulling our punches. Tougher border security mandates are signed into law, but then not fully funded. Statutory deadlines are set, but then indefinitely postponed. Undocumented aliens are denied Social Security cards, but then issued driver's licenses and taxpayer identification numbers. Employers are warned not to hire illegal labor, but then allowed to sponsor, without penalty, their illegal workforce for legal status. Funds are not requested to perform even the barest level of work site enforcement. We send troops abroad ostensibly so that we don't have to fight terrorists on American streets, but then we turn a blind eye to millions of unauthorized, undocumented, unchecked aliens—any one of whom could be a potential terrorist.

When lawmakers and the so-called pundits comment that our current system is unworkable, it's because we haven't really tried to make it work. The contradictions in our immigration policies are undeniable. Lawmakers decry illegal immigration, but then advocate amnesty proposals which only encourages more illegal immigration. Advocates may try to distance themselves from that word—''amnesty''. They may characterize their proposals as ''guest worker'' programs or ''temporary visas'', but the effect is the same—to waive the rules for lawbreakers, and to legalize the unlawful actions of undocumented workers and the businesses that illegally employ them.

Amnesties are the dark and sinister underbelly of our immigration process. They tarnish the magnanimous promise of a better life enshrined on the base of the Statue of Liberty. They minimize the struggle of all those who dutifully followed the rules to come to this country, and of all those who are still waiting abroad to immigrate legally. Amnesties undermine that great egalitarian and American principle that the law should apply equally and fairly to everyone. Amnesties perniciously decree that the law shall apply to some, but not to all.

Amnesties can be dangerous, dangerous proposals. Amnesties open routes to legal status for aliens hoping to circumvent the regular security checks. By allowing illegal aliens to adjust their status in the country, we allow them to bypass State Department checks normally done overseas through the visa and consular process. One need only look to the 1993 World Trade Center bombing, where one of the terrorist leaders had legalized his status through an amnesty, to clearly see the dangers of these kinds of proposals.

Our immigration system is already plagued with funding and staffing problems. It is overwhelmed on the borders, in the interior, and in its processing of immigration applications. It only took 19 temporary visa holders to slip through the system to unleash the horror of the September 11 attacks. The pending proposal would shove 30 million legal and illegal aliens—many of whom have never gone through a background check—through our border security system, in effect, flooding a bureaucracy that is already drowning. It's a recipe for utter disaster.

Amnesties beget more illegal immigration—hurtful, destructive illegal immigration. They encourage other undocumented aliens to circumvent our immigration process in the hope that they too can achieve temporary worker status. Amnesties sanction the exploitation of illegal foreign labor by U.S. businesses, and encourage other businesses to hire cheap and illegal labor in order to compete.

President Reagan signed his amnesty proposal into law in 1986. At the time, I supported amnesty based on the same promises we hear today—that legalizing undocumented workers and increasing enforcement would stem the flow of illegal immigration. It didn't work then, and it won't work today. The 1986 amnesty failed miserably.

After 1986, illegal immigrant population tripled from 2.7 million aliens, to 4 million aliens in 1996, to 8 million aliens in 2000, to an estimated 12 million illegal aliens today.

In that time, the Congress continued to enact amnesty after amnesty, waiving the Immigration Act for lawbreakers. The result is always the same: For every group of illegal aliens granted amnesty, a bigger group enters the country hoping to be similarly rewarded.

The pending substitute amendment embodies this same flawed model. It's more of the same: More amnesties, more guest worker programs, more unfunded mandates on our immigration agencies. We ought to be focusing on how to limit the incentives for illegal immigration, and erase the contradictions in our immigration policies that encourage individuals on both sides of the border to flout the law and get away with it.

What's backwards about the pending substitute amendment is that it is actually rewarding illegal aliens. It rewards illegal behavior. It authorizes illegal aliens to work in the country. It grants illegal aliens a path to citizenship. It pardons employers who illegally employ unauthorized workers. It even repeals provisions in current law designed to deny cheaper, in-state tuition rates to illegal aliens.

The pending amendment is a big welcome mat for illegal immigrants. It is a misguided and dangerous proposal that would doom this Congress to the failures of previous Congresses.

The economist John Maynard Keynes once described the qualification for an economist as being the ability to study the present, in the light of the past, for the purpose of looking into the future. Patrick Henry echoed those sentiments more than a century earlier when he said:

> I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging the future but by the past.

Our Nation's experience shows that amnesties do not work. They are dangerous proposals that reward and encourage illegal immigration. Our experience shows that we cannot play games with our border security or American lives could be lost.

I will oppose the Specter-Leahy substitute amendment, and I urge my colleagues to do likewise.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. 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. BENNETT. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On March 18, 2006, in Savannah, GA, Travis McLain, was beaten by Charles Pickett in what appears to be a crime motivated by hate. McLain suffered a concussion and lost several teeth when he was attacked in a local parking garage. McLain has stated that Pickett used anti-gay language while attacking him. Georgia Equality, the state's largest gay rights organization is calling this attack an anti-gay hate crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

VOTE EXPLANATION

Mr. NELSON of Florida. Mr. President, I would like the RECORD to reflect that I was necessarily absent for the votes on Senator BINGAMAN's amendment, No. 3210, vote No. 84, and Senator ALEXANDER's amendment, No. 3193, vote No. 85, on Monday, April 3, 2006. Had I been present for these votes, I would have voted in favor of both amendments.

GLOBAL CLIMATE CHANGE

Mr. FEINGOLD. Mr. President, today the Senate Energy and Natural Resources Committee is holding a conference to delve into some of the policy questions that have delayed efforts to move forward with legislation addressing global warming. As many Americans have realized—even in the face of an absolute void of leadership from this current administration—one of the greatest challenges currently facing us is how to reduce our contributions to global climate change before it is too late for changes to matter. In fact, the majority of the American public believes that they have an individual role to play in being a part of the solution. And the public is looking to us, their elected leaders, to provide the framework for change.

As many people know, Senators LIEBERMAN and MCCAIN have been the longtime champions of raising awareness of global warming. Today's conference, under the leadership of Senators DOMENICI and BINGAMAN, demonstrates that more and more elected officials are willing to take a stand in recognizing the imminent need for action. Along with my constituents, I hope that the time will soon come when a majority of the U.S. Congress is willing to follow their lead.

On the heels of today's conference, another Senate committee is scheduled to consider the issue of global warming. Tomorrow, the Commerce Committee's Global Climate Change and Impacts Subcommittee will hear about the administration's approach to the issue. While the administration favors developing and sharing new zero and low-carbon technologies with developing nations, I submit that our citizens are looking for bold action that addresses more than how we will help developing countries—they want to know what we plan to do domestically.

Mr. President, if there ever was a time when it was all right to ignore global warming, that time has long passed. We have got to get real about this issue—and getting real will require a commitment to reducing our dependence on oil instead of continually talking about opening up a wildlife refuge for oil drilling. For, if we continue turning our backs on the reality of climate change, we might as well be turning our backs on our grandchildren—and this is why I am optimistic that the Senate's treatment of global warming is nearing its own tipping point, a point after which we will provide the leadership that our constituents are increasingly expecting from us.

TRIBUTE TO TIM PETTY

Mr. SANTORUM. Mr. President, I would like to take a moment and acknowledge the dedicated service of Tim Petty, director of information resources for the U.S. Senate Republican Conference, which I chair. Tim is moving on to become a Deputy Assistant Secretary at the U.S. Department of Interior, and today is his last day serving the Senate.

Since 1999, Tim has served as an integral team leader in the creation and development of the Internet technology department established by the Senate Republican Conference. This department was created to help the Conference implement a comprehensive technology strategy to help the Republican leadership efficiently and effectively use evolving Internet communication capabilities.

Over the course of the past 7 years, Tim has led efforts and worked in collaboration with Senate and leadership offices in transforming the way the conference communicates and disseminates information using 21st century strategies and technology. Tim is always thinking of the next step, the next tool, the next idea.

Highlights of just a few of Tim's many accomplishments at the Senate include a 2002 overhaul of the leadership's Intranet, known as the TrunkLine. This successful redesign and restructuring of the Intranet enhanced the ability of staff members to find key information provided from the Leadership, which helps strengthen communication strategies and overall messaging. In 2004, the TrunkLine was recognized by a prominent Internet usability report as one the top 10 government Intranets in the world. Only 3 of the top 10 Intranets selected were from the United States.

In keeping with the vision of helping offices with their technology strategies, Tim led an initiative involving online database access that allowed all Senate offices to develop their own dynamic Web sites. Many offices are now able to more fully manage their own Web sites and share information as a result of this effort.

One of Tim's primary objectives over the past 2 years has been enhancing the conference's ability to utilize wireless communications. A year ago the Republican Cloakroom began posting key legislative updates to the TrunkLine which then generates notices to wireless devices instantaneously when a legislative bill is hotlined. Prior to this change, notifications were done through a telephone broadcast system.

Another technological communications tool Tim initiated for the conference is videoconferencing, which has allowed Senators to talk to State offices, meet with students in their classrooms, and to participate in conferences and meetings of constituents in real time.

Tim also recognized the value of blogging and has implemented a strategy to reach beyond the usual media to take advantage of reaching a new audience with the Republican message.

Tim's leadership in the area of technology strategy has been invaluable to our conference. I appreciate his enthusiasm and tireless efforts to help move an institution known for holding onto traditions into the 21st century. I wish him the very best in his new service.

ADDITIONAL STATEMENTS

TRIBUTE TO KATHLEEN M. FOLEY BARRETT

• Mr. KERRY. Mr. President, I rise today to honor the life and service of an inspiring trooper from the Massachusetts State Police, Kathleen M. Foley Barrett. Kathleen dedicated 27 years of her life to protecting the people of Massachusetts, and I join her colleagues and family in paying tribute to a career defined by compassion, professionalism, and a sustained love of police work.

A native of Cambridge, MA, Kathleen was raised and educated in Weymouth. Initially she considered nursing school, but Kathleen's passion for police work started her on a career path that few women were encouraged to follow at the time. Kathleen ultimately earned the chance to join the 62nd Recruit Training Troop in November 1980.

After working on the force for 5 years, Kathleen was promoted to the level of master trainer on the State Police K–9 Unit. She bonded instantly with the specially trained canine teams and rose to such prominence that her expertise was called upon to lead seminars and provide instruction on cadaver work. Beyond the borders of Massachusetts, Kathleen was called upon to help the Royal Canadian Mounted Police and the rescue efforts following the September 11th terrorist attacks in New York. Two thousand four brought the unfortunate cancer diagnosis that would ultimately claim her, but even that news could not keep her from coming to the aid of her fellow citizens in the wake of Hurricane Katrina.

Kathleen loved police work, and her colleagues loved her. Over the course of her career she belonged to the State Police Association of Massachusetts, the North American Police Work Dog Association, and the International Association of Police Work Dogs. Her love of animals defined her private life as well as her professional one, and she enjoyed swimming with manatees and feeding bottleneck tigers at Florida's Amazing Exotics Education Center.

As the cancer progressed and the end approached, law enforcement officers from around the Commonwealth and across the country made sure Kathleen knew how much she was valued and respected. State Police Colonel Thomas G. Robbins honored her at her bedside with the Colonel's Award of Excellence, a tribute bestowed on only seven troopers in Massachusetts history. Officers of every stripe bowed their heads upon news of her death on March 23, 2006.

Mr. President, Kathleen's characteristic perseverance stands as an inspiration and challenge to us all. She lived an American life, one of service and struggle, and throughout it all she was guided by an unshakable commitment to her family, her job, and her colleagues. We are thankful for her time with us, we are better for her time here, and I join every Massachusetts State trooper in serving witness to the loss of an exemplary law enforcement officer.•

HONORING THE COLORADO UNIVERSITY SKI TEAM

• Mr. ALLARD. Mr. President, I am honored to recognize the University of Colorado—CU—ski team for claiming their 17th national ski championship title at the 53rd Annual NCAA Championship. I am also extremely proud that the CU ski team has been invited to participate in the National Student-Athlete Day activities at the White House on April 6. This is an incredible honor for these young athletes, their coaches, their parents, and the University of Colorado.

The CU ski team overcame insurmountable odds to claim their 17th national ski championship. This year's ski team was the first team in U.S. history to win the national title without a full 12-skier team. This year's team broke and set the largest comeback record in NCAA ski team history—winning the title after being ranked sixth following the first full day of competition. Battling injury, illness, and an underdog status, the CU ski team went on to claim a national victory with a 98-point lead—the fourth largest margin of victory in NCAA ski team history. CU team skiers also claimed four individual titles and eight All-American honors. These team members deserve national recognition for their focus, determination, and spirit.

It is this team's spirit, leadership, and record of achievement that will be honored by President Bush on National Student-Athlete Day, this April 6th. The CU ski team is being honored for their excellence in academics and athletics as well as for their contributions to their community. National Student-Athlete Day also represents an opportunity to recognize the parents, teachers, and coaches who have helped mold and challenge these outstanding student-athletes. This honor is representative of the University of Colorado under the outstanding leadership and commitment of University president Hank Brown, CU athletic director Mike Bohn, and Colorado ski team head coach Richard Rokos. Due to the talent, dedication, and leadership of the CU athletes, coaches, and university leadership, the University of Colorado is back on top of the collegiate skiing world.

Congratulations to the University of Colorado, the ski team, the coaches, and the community that has supported this team throughout this winning, landmark season.

On behalf of the State of Colorado, I am proud to honor and commemorate the University of Colorado's ski team and request that my colleagues join me in paying tribute to the University of Colorado and these outstanding young men and women.•

LADY BULLDOGS

• Mr. THUNE. Mr. President, today I rise to honor the women's gymnastics team from Madison Central High School. In February, the Lady Bulldog gymnasts won their 12th straight South Dakota State championship.

The Lady Bulldogs already held the record for consecutive South Dakota Prep Team Titles in any sport with their win last year. The Madison gymnastics program is currently in second place nationally for most consecutive victories and is now just one win shy of the national record. The Lady Bulldogs is the only team in the top 10 nationally that have an active winning streak.

I would like to take this opportunity to recognize the hard work and dedication of so many in the Madison Central

School District: Coach Maridee Dossett; Athletic Director Bud Postma; Principal Sharon Knowlton; and Superintendent Dr. Frank Palleria. The efforts put forth by these individuals have made it possible for the students to participate and perform at the highest level. I would also like to commend the gymnasts' parents for all the support and time they have put into the program.

Most of all I would like to congratulate the women who won this years State Championship and the women who have been a part of this impressive program. You have created an atmosphere that is conducive to success and made the most of your opportunity. Again, congratulations and the best of luck as you look toward next season.●

TRIBUTE TO ROBERT CLEVERLY

● Mr. BURNS. Mr. President, I rise today to honor and recognize a man who has dedicated his life to education, Mr. Robert Cleverly. Bob was responsible for establishing the Close-up Foundation program at Ennis High School and has been involved in the program for over 20 years. During those years he has also been instrumental in establishing the Close-up program in numerous Montana schools. Bob was chosen by the Close-up Foundation in 1996 and 1997 and awarded the Linda Myers Chozen Award for Teaching Excellence in Civic Education. This award honors teachers and administrators who have demonstrated outstanding leadership, innovation, and commitment to the foundation's citizenship mission. In addition to his Close-up advocacy, Bob was a history teacher at Ennis High School for 38 years and is credited with organizing the first aid and CPR program. Bob was active in the school's extra curricular activities as a very successful football coach, taking several teams to statewide level competition and winning two State championships. As a result of his coaching abilities and team organization skills, Bob was inducted into the Montana Coaches Hall of Fame.

Education is crucial to the future of America, and it is teachers like Bob who make education their priority, devoting their life to the future of our youth. Bob has been taking students to Washington, DC, for over 20 years with the Close-up program, giving students of Montana a firsthand view on how our Federal Government works, while experiencing the history our Nation's Capital has to offer. At great loss to Montana's high school students, this will be Bob's last year in the Close-up program, but thanks to his hard work, many Montana students for years to come will be able to explore our Nation's Capital through the Close-up program. I personally thank Bob and acknowledge his dedication, for he has gone above and beyond his civic duty.

We are proud as well as fortunate to have educators like Bob Cleverly in Montana, who are willing to dedicate their lives to educate and prepare our children for the future.●

TRIBUTE TO JAMES C. BARBIERI

● Mr. LUGAR. Mr. President, today I mark the passing of a great Hoosier newspaperman and civic leader, James C. Barbieri.

My condolences go out to his wife Barbara, his son Chuck, his daughter Cindi, and his four grandchildren and one great grandchild. They shared this remarkable man with the wonderful community of Bluffton, IN, which also mourns his passing.

Beginning in 1950, Jim Barbieri worked almost every job conceivable at the Bluffton, IN, News-Banner. He was a reporter, advertising salesman, and circulation director. He became general manager of the venerable Wells County publication in 1975 and then co-owner, president, and publisher in 1986.

It was not unusual that on any given day he might write every page-1 story, the editorial, and if someone called in sick, he would pick up a delivery route, too. He was always available because he only missed 1 day of work over a 50-year stretch.

Born and raised in Park Ridge, IL, he attended DePauw University in Indiana where he was editor of the student newspaper. After serving his country in the Army during the Korean War, Jim worked briefly at The Chicago American before coming to Bluffton.

In 2005, the Hoosier State Press Association awarded Jim the Charlie Biggs Commitment to Community Award.

Jim Barbieri had that venerable smalltown newspaperman ready opinion on virtually everything that passes us by in life. Whether it was roads, parks, or the time Indiana should set its clocks in the summer, Jim used his unique forum to editorialize. I knew he was always looking over my shoulder providing ready comment on anything I did in the State, national, or international arena.

On visits to Bluffton, Jim Barbieri would cover the community event I was attending and then, in an extensive interview, explore my thoughts on the issues of the day. He would then exhaustively report all of it in the newspaper astutely and accurately.

He did not cease to impress all with his indefatigability. At the celebration of his 50 years with The News-Banner, Jim wrote this poem:

So that the way I work may be out of date,
But don't try to bend me and make me go straight.
Let me go on in my very old fashion
Covering the news with an old time passion.
The style in which my career has been blest,
To you may be faulty, but I (gave) it my best.
When God takes me home at the end of my years,
He'll not straighten me out and pop all my gears.
He'll say ''you, reporter, for the sins that you bring,
We'll take you like you are with a bent angelic wing.''
And we all know that Heaven could not run well
Without a journalist to give them all hell.
So in the celestial press room we bid you to trod,
But don't ever misquote Peter or misspell God.●

RETIREMENT OF ANTHONY FELICIA, JR.

● Mr. CARPER. Mr. President. I rise today in recognition of Anthony Felicia, Jr., upon his retirement as vice president of R&D and clinical administration for AstraZeneca. Tony's dedication and ability have won him the respect of friends and coworkers alike, along with the gratitude of many in the first State. He has been, and remains, a trusted friend of Delaware.

A native of Syracuse, NY, Tony was born on August 26, 1950, to Anthony and Maryann Felicia. He received his bachelor's degree from the State University of New York and completed his master's degree at Syracuse University.

Tony has been with AstraZeneca and the former Zeneca Pharmaceuticals and ICI for 28 years and has worked in operations, quality assurance, supply chain management, facilities and engineering, production operations, and international planning. Prior to Tony's employment with ICI in 1978, he worked for Bristol Laboratories in Syracuse, NY, from 1973 to 1977, where he held various quality assurance and production positions.

Throughout his career, Tony has provided strong leadership and served as a role model to many. One of the numerous highlights of his outstanding career was the pivotal role he played in helping to bring AstraZeneca's U.S. headquarters to Delaware during my time as Governor. I will always remember how Tony's main concern was making sure that the move was the right decision for his fellow employees and their families, as well as for shareholders. His hard work and down-to-earth personality made him a pleasure to work with during this critically important time. Both AstraZeneca and the first State are better off because of his efforts.

While his professional accomplishments are worthy of our admiration, it is within his personal life that Tony truly stands as an example to us all. Tony has volunteered a great deal of his time to support a number of nonprofit and business organizations within the Delaware community, including Easter Seals, Delaware Technology Park, and the American Heart Association. Tony is currently in his sixth year of service as the president of the board of trustees for the Delaware Museum of Natural History. He also served on the Newark City Council from 1992 to 1998.

His leisure interests include playing golf, helping his children, and enjoying the beauty of Delaware at his beach house in Bethany. Now that he has more free time, Tony plans to spend

more time with his parents in Syracuse, NY. He also is starting a corporate consulting company and will remain active within the Delaware business community.

Tony lives with his wife Susan in Hockessin, DE. They have five children, Brian, Carrie, Heather, Meghan, and Dylan.

Through his tireless efforts, Tony Felicia has made a positive difference in the lives of thousands of individuals and enhanced the quality of life for our State. Upon his retirement, he will leave behind a legacy of commitment to public service for both his children and for generations that will follow. I thank him for the friendship that we share, and I congratulate him on a truly remarkable and distinguished career. I wish him and his family only the very best in all that lies ahead for each of them.●

HONORING DR. CARL TAYLOR

● Mr. SESSIONS. Mr. President, I would like to make some remarks today about a committed and pioneering individual, Dr. Carl Taylor, the assistant dean and director of the Center for Strategic Health Innovation at the University of South Alabama. Dr. Taylor earned a bachelor's degree in political science from Marshall University, a juris doctor from the University of Miami, and is a Fellow at the Royal Institution in London. He serves on the State of Alabama's Department of Public Health bioterrorism advisory board and has been the principal investigator on nearly a dozen disaster related grants, including the grant that developed the Alabama incident management software system which he superbly presented recently to the Senate Subcommittee on Bioterrorism and Public Health Preparedness.

This software system, referred to as AIMS, is an online hospital surge capacity and surge capability management tool used to support public health efforts during large-scale disaster response. This easy-to-use system shows which hospitals have available beds, staff, and equipment in real time while allowing hospitals to request help or offer assistance to one another. During Hurricane Katrina, AIMS was the software tool used by the Alabama Department of Public Health to manage information from 83 hospitals and 7 medical needs shelters. AIMS was vital to Alabama's outstanding performance in delivering quality medical care to vulnerable individuals in a time of crisis.

I commend Dr. Taylor for his leadership and creativity in developing this system that has application for the entire country. His work has the potential to save lives and reduce cost. This spirit of ingenuity is what keeps America strong.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submiting a treaty which was referred to the Committee on Foreign Relations.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the United States and the Oriental Republic of Uruguay Concerning the Encouragement and Reciprocal Protection of Investment, with Annexes and Protocol, signed at Mar del Plata, Argentina, on November 4, 2005. I transmit also, for the information of the Senate, the report prepared by the Department of State with respect to the Treaty.

The Treaty is the first bilateral investment treaty (BIT) concluded since 1999 and the first negotiated on the basis of a new U.S. model BIT text, which was completed in 2004. The new model text draws on long-standing U.S. BIT principles, our experience with Chapter 11 of the North American Free Trade Agreement (NAFTA), and the executive branch's collaboration with the Congress in developing negotiating objectives on foreign investment for U.S. free trade agreements. The Treaty will establish investment protections that will create more favorable conditions for U.S. investment in Uruguay and assist Uruguay in its efforts to further develop its economy.

The Treaty is fully consistent with U.S. policy towards international and domestic investment. A specific tenet of U.S. investment policy, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive national treatment and most-favored-nation treatment. Under this Treaty, the Parties also agree to customary international law standards for expropriation and for the minimum standard of treatment. The Treaty includes detailed provisions regarding the computation and payment of prompt, adequate, and effective compensation for expropriation; free transfer of funds related to investment; freedom of investment from specified performance requirements; and the opportunity of investors to choose to resolve disputes with a host government through international arbitration. The Treaty also includes extensive transparency obligations with respect to national laws and regulations, and commitments to transparency and public participation in dispute settlement. The Parties also recognize that it is inappropriate to encourage investment by weakening or reducing the protections afforded in domestic environmental and labor laws.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE W. BUSH.
THE WHITE HOUSE, *April 4, 2006*.

MESSAGE FROM THE HOUSE

At 12:00 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 bill, in which it requests the concurrence of the Senate:

H.R. 609. An act to amend and extend the Higher Education Act of 1965.

The message also announced that pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), and the order of the House of December 18, 2005, the Speaker appoints the following member of the House of Representatives to the Congressional Award Board: Mr. CHOCOLA of Indiana.

The message further announced that pursuant to 20 U.S.C. 2103(b), the order of the House of December 18, 2005, and upon the recommendation of the Minority Leader, the Speaker reappoints the following member on the part of the House of Representatives to the Board of Trustees of the American Folklife Center in the Library of Congress for a term of 6 years, effective April 1, 2006: Mr. William L. Kinney of South Carolina.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 609. An act to amend and extend the Higher Education Act of 1965.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Banking, Housing, and Urban Affairs by unanimous consent, and ordered placed on the calendar:

S. 598. A bill to reauthorize provisions in the Native American Housing Assistance and Self-Determination Act of 1996 relating to Native Hawaiian low-income housing and Federal loan guarantees for Native Hawaiian housing.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–287. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to the reduction in troop strength of the Army National Guard and proposed cuts in the force structure of the Air National Guard; to the Committee on Armed Services.

SENATE RESOLUTION 229

Whereas, on January 18, 2006, the Secretary of the Army announced a plan to eliminate 6 combat brigades from the Army National Guard nationwide and to reduce the authorized troop strength of the Army National Guard from 350,000 to 333,000; and

Whereas, substantial cuts in the force structure of the Air National Guard may be proposed as part of the Federal budget and Quadrennial Defense Review processes; and

Whereas, our nation and the Commonwealth of Pennsylvania rely on the National Guard like never before to fight the global war on terrorism and to respond to domestic emergencies; and

Whereas, the National Guard offers tremendous capabilities as an essential part of our nation's total force for national defense while at the same time being available to the Governor to respond to emergencies in the Commonwealth of Pennsylvania; and

Whereas, the National Guard costs less than 5 percent of our nation's defense budget but provides the only military force shared by the Federal Government and the states; and

Whereas, the proposed elimination of combat brigades from the Army National Guard represents a shortsighted and ill-advised approach that will adversely affect national defense, homeland security and the ability to respond to state emergencies; and

Whereas, the 3 combat brigades of Pennsylvania's 28th Keystone Division have served with distinction at home and abroad since the September 11, 2001, attacks on the United States; and

Whereas, the Army has recognized the capabilities of the Pennsylvania Army National Guard by designating the 56th Brigade as the first and only Army National Guard Stryker Brigade Combat team in the nation; and

Whereas, major elements of Pennsylvania's 2nd Brigade Combat Team are currently deployed to one of the most dangerous areas of Iraq, the 55th Brigade deployed to Europe in Operation Keystone after the 9/11 attacks, and elements of the 56th Brigade deployed to Kosovo; and

Whereas, in response to Hurricane Katrina, virtually the entire 56th Brigade and other elements of the Pennsylvania Army and Air National Guard deployed to the Louisiana Gulf Coast region on short notice and provided vital emergency support; and

Whereas, the 3 combat brigades of the Pennsylvania Army National Guard are aligned to provide emergency response to the Pennsylvania Emergency Management Agency's 3 regions; and

Whereas, more than 4,000 airmen of the Pennsylvania Air National Guard have performed close to 8,000 individual deployment events since 9/11, including initial war fighting support to Operation Enduring Freedom and Operation Iraqi Freedom while supporting Operation Noble Eagle protecting our sovereign airspace at home; and

Whereas, major changes to the branch, organization or allotment of National Guard units require the approval of the Governor as commander-in-chief; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the President and Congress of the United States to maintain the combat capabilities and force structure of the National Guard; and be if further

Resolved, That the Senate urge the Secretary of Defense to reconsider and withdraw the proposed elimination of 6 combat brigades from the Army National Guard; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–288. A resolution adopted by the Senate of the Legislature of the State of New Jersey relative to enacting the ''School Energy Crisis Relief Act''; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION 13

Whereas, the ''School Energy Crisis Relief Act,'' established in S.1997 and H.R. 4158, authorizes the U.S. Secretary of Energy to create a federal program of energy assistance grants to public school districts; and

Whereas, the ''School Energy Crisis Relief Act'' is designed to award school energy grants to the school districts that have experienced the highest percentage' increase or expenditure increase in transportation and heating fuel costs among all school districts in each state for a specific time period during the 2005–2006 school year, in comparison to the same time period during the 2004–2005 school year; and

Whereas, many public agencies across the country are struggling to cope with a dramatic, unexpected surge in their energy costs, with schools facing an additional burden in that they operate large fleets of buses and heat large, sprawling buildings, and urban school districts are especially burdened by some of the nation's oldest, and often least, energy-efficient buildings; and

Whereas, these unanticipated energy costs are a great challenge, and many public school boards throughout the United States are facing a choice between paying their higher energy bills or cutting instructional staff and programs; and

Whereas, the ''School Energy Crisis Relief Act'' would allow the U.S. Secretary of Energy to award grants to public school districts that are among the top 10 percent of all districts in their' state for numbers or percentages of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (20 US.C. 6333(c)); and

Whereas, the grant amounts would be awarded based on the population of children between the ages 5 and 17 of that state according to the most recent federal decennial census, in comparison to all other states, as well as the regional cost of transportation and heating fuel in comparison with the average national cost, as determined by the most recent statistical data from the U.S. Energy Information Administration; and

Whereas, it is in the best interest of this State to support the enactment of the ''School Energy Crisis Relief Act,'' in order to reduce the financial burden of higher heating and transportation costs affecting our Public school districts' now therefore be it

Resolved by the Senate of the State of New Jersey:

1. The Senate of the State of New Jersey memorializes the U.S. Congress and President to enact S. 1997 and H.R. 4158, the ''School Energy Crisis Relief Act,'' which establishes a federal program of energy assistance grants to local school districts.

2. Duly authenticated copies of this resolution, signed by the, President of the Senate and attested by the Secretary thereof, shall be transmitted to the President and the Vice President of the United States, the Speaker of the United States House of Representatives, the Majority and Minority leaders of the United States Senate and the United States House of Representatives, and each member of the United States Congress elected from this State.

POM–289. A resolution adopted by the Board of Chosen Freeholders, Bergen County, State of New Jersey relative to denouncing the sale of six major United States port operations to Dubai Ports World; to the Committee on Commerce, Science, and Transportation.

POM–290. A resolution adopted by the Township of Belleville, State of New Jersey, entitled ''Resolution Opposing Governmental Approval or Approval by the Committee on Foreign Investments for the Sale of Peninsular and Oriental Steam Navigation Co. to Dubai Ports World''; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2012. A bill to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2006 through 2012, and for other purposes (Rept. No. 109–229).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THOMAS (for himself, Mr. SCHUMER, and Mr. ENZI):

S. 2498. A bill to amend the Internal Revenue Code of 1986 to prohibit the disclosure of tax return information by tax return preparers to third parties; to the Committee on Finance.

By Mr. KERRY:

S. 2499. A bill to provide for the expeditious disclosure of records relevant to the life and assassination of Reverend Doctor Martin Luther King, Jr; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (for himself, Mrs. CLINTON, Mr. LAUTENBERG, and Mr. KERRY):

S. 2500. A bill to enhance the counseling and readjustment services provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DEWINE:

S. 2501. A bill for the relief of Manuel Bartsch; to the Committee on the Judiciary.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 2502. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN (for herself and Mr. THOMAS):

S. 2503. A bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs; to the Committee on Finance.

By Mr. KENNEDY:

S. 2504. A bill to eliminate child poverty; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mr. DEWINE, and Mr. VOINOVICH):

S. 2505. A bill to suspend temporarily the duty on aerosol valves designed to deliver a metered dose (50 microliters) of a pressurized liquid pharmaceutical; to the Committee on Finance.

By Mr. OBAMA (for himself, Mr. DURBIN, Mrs. CLINTON, and Mr. KERRY):

S. 2506. A bill to require Federal agencies to support health impact assessments and take other actions to improve health and the environmental quality of communities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mr. LEVIN) (by request):

S. 2507. A bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. BIDEN, Mr. LEAHY, Mr. KENNEDY, Mr. KERRY, Mr. SALAZAR, Mr. LAUTENBERG, Mr. HARKIN, Mr. NELSON of Florida, Mr. INHOFE, and Mr. COLEMAN):

S. Res. 421. A resolution calling on the Government of Afghanistan to uphold freedom of religion and urging the Government of the United States to promote religious freedom in Afghanistan; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mrs. BOXER, Mr. BUNNING, Mr. BURR, Ms. CANTWELL, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAIG, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Mr. MARTINEZ, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. SANTORUM, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, and Mr. STEVENS):

S. Res. 422. A resolution designating April 21, 2006, as ''National and Global Youth Service Day'', and for other purposes; considered and agreed to.

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 423. A resolution designating April 8, 2006, as ''National Cushing's Syndrome Awareness Day''; considered and agreed to.

By Mr. COLEMAN (for himself and Mr. DAYTON):

S. Con. Res. 85. A concurrent resolution honoring and congratulating the Minnesota National Guard, on its 150th anniversary, for its spirit of dedication and service to the State of Minnesota and the Nation and recognizing that the role of the National Guard, the Nation's citizen-soldier based militia, which was formed before the United States Army, has been and still is extremely important to the security and freedom of the Nation; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. CHAMBLISS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 25, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 633

At the request of Mr. JOHNSON, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 666

At the request of Mr. DEWINE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 666, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 696

At the request of Mr. BURNS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 696, a bill to amend the Elementary and Secondary Education Act of 1965 regarding the transfer of students from certain schools.

S. 908

At the request of Mr. MCCONNELL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 908, supra.

S. 1171

At the request of Mr. SPECTER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1171, a bill to halt Saudi support for institutions that fund, train, incite, encourage, or in any other way aid and abet terrorism, and to secure full Saudi cooperation in the investigation of terrorist incidents, and for other purposes.

S. 1396

At the request of Mr. ALLEN, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1396, a bill to amend the Investment Company Act of 1940 to provide incentives for small business investment, and for other purposes.

S. 1405

At the request of Mr. NELSON of Nebraska, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1405, a bill to extend the 50 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility and to establish the National Advisory Council on Medical Rehabilitation.

S. 1677

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1677, a bill to amend the Internal Revenue Code of 1986 to permanently extend the deduction for college tuition expenses and to expand such deduction to include expenses for books.

S. 1687

At the request of Mrs. HUTCHISON, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1864

At the request of Mr. TALENT, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1864, a bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 2305

At the request of Mr. AKAKA, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2305, a bill to amend title XIX of the Social Security Act to repeal the amendments made by the Deficit Reduction Act of 2005 requiring documentation evidencing citizenship or nationality as a condition for receipt of medical assistance under the Medicaid program.

S. 2321

At the request of Mr. SANTORUM, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2322

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2322, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 2327

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2327, a bill to require the FCC to issue a final order regarding white spaces.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Wisconsin (Mr. KOHL), the Senator from Michigan (Mr. LEVIN), the Senator from North Carolina (Mrs. DOLE), the Senator from Iowa (Mr. HARKIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2370, a bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes.

S. 2381

At the request of Mr. FRIST, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2381, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority.

S. 2401

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr.

SMITH) was added as a cosponsor of S. 2401, a bill to amend the Internal Revenue Code of 1986 to extend certain energy tax incentives, and for other purposes.

S. 2416

At the request of Mr. BURNS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of 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.

S. 2471

At the request of Mr. DEWINE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2471, a bill to suspend temporarily the duty on Basic Red 1 Dye.

S. 2472

At the request of Mr. DEWINE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2472, a bill to suspend temporarily the duty on Basic Red 1:1 Dye.

S. 2473

At the request of Mr. DEWINE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2473, a bill to suspend temporarily the duty on Basic Violet 11 Dye.

S. 2474

At the request of Mr. DEWINE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2474, a bill to suspend temporarily the duty on Basic Violet 11:1 Dye.

S. CON. RES. 46

At the request of Mr. BROWNBACK, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution 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.

S. RES. 313

At the request of Ms. CANTWELL, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 313, a resolution expressing the sense of the Senate that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic.

S. RES. 371

At the request of Mr. THOMAS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 371, a resolution designating July 22, 2006, as ''National Day of the American Cowboy''.

AMENDMENT NO. 3204

At the request of Mr. INHOFE, the names of the Senator from West Virginia (Mr. BYRD), the Senator from Oklahoma (Mr. COBURN) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of amendment No. 3204 intended to be proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

AMENDMENT NO. 3213

At the request of Mr. ALLARD, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of amendment No. 3213 intended to be proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

AMENDMENT NO. 3217

At the request of Ms. MIKULSKI, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of amendment No. 3217 proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

AMENDMENT NO. 3225

At the request of Ms. LANDRIEU, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of amendment No. 3225 intended to be proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

AMENDMENT NO. 3226

At the request of Mr. BOND, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of amendment No. 3226 intended to be proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

AMENDMENT NO. 3249

At the request of Mr. KENNEDY, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of amendment No. 3249 intended to be proposed to S. 2454, a bill to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself, Mr SCHUMER, and Mr. ENZI):

S. 2498. A bill to amend the Internal Revenue Code of 1986 to prohibit the disclosure of tax return information by tax return preparers to third parties; to the Committee on Finance.

Mr. THOMAS. Mr. President, today I rise to introduce a taxpayer privacy bill.

Much attention has been focused recently on IRS-proposed changes to regulations regarding taxpayer privacy. Interestingly, these proposed changes have been widely—and incorrectly—reported as changing the law to allow tax preparers to sell taxpayer information to third parties for marketing purposes. In fact, an IRS regulation put into place more than 30 years ago already allows confidential taxpayer information to be shared in this manner, as long as the taxpayer consents.

The public uproar that has surrounded the proposed changes to this regulation makes it clear that taxpayers are not aware of this fact and expect that their return information will be kept confidential. Confidentiality of taxpayer information is a key underpinning of our voluntary tax system, encouraging taxpayers to provide complete and honest returns.

The complexity of the tax code has resulted in 60 percent of all returns being completed by paid preparers. The process is a very intimidating one for most. Given the stress and vulnerability of taxpayers during the process, and the high dollar value of confidential taxpayer information, I am concerned that financially-motivated tax preparers may present the taxpayer with a stack of papers for the taxpayer to sign, including, unbeknownst to the taxpayer, a consent form to share the information with third parties. The taxpayer could easily be under the impression that all of the papers are required to be signed in order to have the return prepared, completely undermining the requirement of signed, informed consent.

In an era of lightning-fast electronic communication—in which information can travel around the world and back in a matter of seconds—and the proliferation of identity theft, it seems to me that we ought to bring the law in line with taxpayer expectations. When this regulation was promulgated back in 1974, our citizens weren't anywhere nearly as vulnerable to this crime as they are today. We have made changes with regard to credit reports and individuals' access to them, we have removed Social Security numbers from drivers' licenses and medical ID cards, and we need to similarly remove the threat of taxpayer information being shared in ways that are not condoned by the individual taxpayer. This bill would do just that by prohibiting tax preparers from both soliciting consent and sharing tax return information with third parties.

I ask unanimous consent that the text of this 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. 2498

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

SECTION 1. PROHIBITION OF TAX PREPARERS DISCLOSING TAX RETURN INFORMATION.

(a) IN GENERAL.—Paragraph (3) of section 7216(b) of the Internal Revenue Code of 1986 (relating to regulations) is amended to read as follows:

''(3) REGULATIONS.—

''(A) IN GENERAL.—Subsection (a) shall not apply to a disclosure or use of information which is permitted by regulations prescribed by the Secretary under this section.

''(B) PEER REVIEWS.—The regulations under this section shall permit (subject to such conditions as such regulations shall provide) the disclosure or use of information for quality or peer reviews.

''(C) DISCLOSURE TO THIRD PARTIES.—

''(i) IN GENERAL.—The regulations under this section shall not permit the disclosure or use of information for purposes of facilitating the solicitation of the taxpayer's use of any services provided or facilities furnished by a person unless—

''(I) such person is a person described in subsection (a) or a person who is a member of the same affiliated group (within the meaning of section 1504) as such person, and

''(II) the taxpayer has granted consent to such disclosure or use.

''(ii) SOLICITATION OF CONSENT.—The regulations under this section shall not permit any person described in clause (i)(I) to request the consent of a taxpayer to disclose or use information for any purpose other than a purpose described in clause (i).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

By Mr. KERRY:

S. 2499. A bill to provide for the expeditious disclosure of records relevant to the life and assassination of Reverend Doctor Martin Luther King, Jr.; to the Committee on Homeland Security and Governmental Affairs.

Mr. KERRY. Mr. President, today, on the anniversary of Dr. Martin Luther King, Jr.'s assassination, I am pleased to join with my colleague in the House, Congresswoman CYNTHIA MCKINNEY to introduce the Martin Luther King, Jr., Record Collections Act. This act will ensure the expeditious disclosure and preservation of records relevant to Dr. King's life and death. Fully releasing these records—many of which are not subject to disclosure until 2038—will shed significant light on a turning point in American history. My friend, Representative JOHN LEWIS, explained its necessity quite eloquently:

I, too, was the subject of unwarranted FBI surveillance during the Civil Rights Movement. Because we do not know this part of our history, it is clear that we are beginning to repeat it. Recently, we became aware of the administration's domestic spying program that has targeted peace groups that are carrying on the nonviolent action of Dr. King. It is time that we know our history, and passage of the Rev. Martin Luther King, Jr. Records Act will take us one step closer to uncovering that history.

Judge Joseph Brown, the last presiding judge in James Earl Ray's postconviction relief proceedings, also supports this legislation. He believes that it is important to:

. . . fully release the still classified historical record surrounding the life and death of the late Dr. King. In light of the disturbing records and documents that came to light in James Earl Ray's petition before me and in consideration of the recent furor over the power and authority granted to certain officials under the guise of the Homeland Security Act, it might prove most illuminating to review the historical record relative to the exercise of purportedly similar power and authority by the U.S. officials 40 years ago. The American public, the citizens of the Land of the Free and Home of the Brave deserve this access to the historic record surrounding the life and death of Dr. King.

Our legislation will create a Martin Luther King Records Collection at the National Archives. This will include all records—public and private—related to the life and death of Dr. King, including any investigations or inquiries by Federal, State, or local agencies. The records will be organized in a central directory to allow the public to access them online from anywhere in the world. The documents will be overseen by a review board consisting of at least one professional historian, one attorney, one researcher, and one representative of the civil rights community.

The MLK Records Review Board, a five-member independent agency, will be responsible for facilitating the review and transmission of all related records to the Archivist for public disclosure. Members will be nominated by the President and approved with the advice and consent of the Senate. It will have the power to direct government offices to locate and organize related records and transmit them for review or release. It will also have the power to investigate the facts surrounding the transmission or possession of records, take testimony of individuals in order to fulfill their responsibilities, request the Attorney General to subpoena private persons or government employees to compel testimony or records and require agencies to account in writing for any previous or current destruction of related records. In addition, the Board can request that the Attorney General petition any court in the U.S. or abroad to release any sealed information or physical evidence relevant to the life or death of Dr. King, and to subpoena such evidence if it is no longer in the possession of the government. The MLK Records Review Board will also be required to provide annual reports to Congress, the President, the Archivist, and all government agencies whose records have been reviewed, and to the public. The Board must terminate its work no later than 5 years from the passage of the Act unless it votes to extend for an additional 2-year term.

The reason for having such a Board is to ensure that someone is responsible for finding all relevant records and that the records do not disclose any sensitive information. It is particularly important to have a Board like this given recent revelations by the New York Times that the government has begun removing thousands of declassified documents on a wide range of historical subjects from public access at the National Archives. There has perhaps never been a more urgent time to bring the records on Dr. King into the light of day. According to the National Archives, about 9,500 records totaling more than 55,000 pages have been withdrawn from the public shelves and reclassified since 1999. We need to ensure that the records relating to the life and death of Dr. Martin Luther King, Jr., do not suffer the same fate. They are too important to us at this point in American history.

Dr. King challenged the conscience of my generation, and his words and his legacy continue to move generations to action today. His love and faith is alive in the millions of Americans who volunteer each day in soup kitchens or in schools, and those who refused to ignore the suffering of thousands they'd never met when Hurricane Katrina destroyed lives and communities. His vision and his passion are alive in churches and on campuses when millions stand up against the injustice of discrimination or the indifference that leaves too many behind.

The best way to honor the memory of Dr. King is to finish his work at home and around the world. And the first step to furthering his legacy is to know the full body of it. I hope that my colleagues will join me in this very important effort: to preserve and learn from records relating to the life and death of Dr. Martin Luther King, Jr.

By Mr. AKAKA (for himself, Mrs. CLINTON, Mr. LAUTENBERG, and Mr. KERRY):

S. 2500. A bill to enhance the counseling and readjustment services provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, I rise proudly today on behalf of our Nation's veterans and returning servicemembers to introduce the Healing the Invisible Wounds Act of 2006. This legislation will enhance the counseling and readjustment services provided by the Department of Veterans' Affairs (VA). And it will protect the rights of veterans to receive PTSD compensation—now or in the future.

Many of the men and women who served in Iraq and Afghanistan are suffering from some of the most severe physical injuries. However, even more of these brave servicemembers have invisible wounds—difficulties with adjusting to not being on the battlefield or dealing with long-lasting visions and experiences that they encountered. My bill is intended to ensure that these men and women receive the readjustment counseling and mental health services necessary to transition into what we hope to be a full and productive life after combat.

This issue is especially relevant following the release of a mental health care study conducted by the Army Institute of Research which revealed that as many as 35 percent of Iraq war veterans received mental health care services in the year after their return home. The study concluded that the high rate of using of mental health care services among Operation Iraqi Freedom veterans after deployment highlights challenges in ensuring that there be adequate resources to meet the mental health needs of returning veterans.

As we all know, the transition period for these soldiers is extremely critical. So critical that it can, in some cases, mean the difference between short-

term readjustment issues and severely chronic psychological conditions. This bill supports and encourages greater cooperation between VA and the Department of Defense, DoD, through the expansion of innovative Reunion and Re-entry activities carried out by Vet Center staff. These activities provide members of the National Guard and Reserves with counseling services during the transition from their deployment overseas to civilian life.

Demobilization often occurs so rapidly for these returning servicemembers that they sometimes do not receive or are overwhelmed by the benefits information they need. It is understandable that our servicemembers are much more focused on being reunited with their loved ones than caring about what benefits they are eligible to receive. My bill provides a comprehensive approach by providing group session counseling, a one-hour private counseling session, a presentation to family members about counseling-related matters, and other services that are deemed appropriate by the Secretaries of Veterans Affairs and Defense. My bill ensures that these services are provided no later than 14 days upon return and that servicemembers be retained on active duty until they receive these crucial counseling services.

In order to provide feedback and reflection about how to better serve veterans in this capacity, my bill requires a report from VA. The report would detail the costs associated with the provision of counseling services, an assessment of the efficacy of the services provided to meet the readjustment needs of veterans, and a survey-based assessment regarding the satisfaction of veterans receiving these services, that would include the manner in which these services are provided.

Servicemembers have paid a great price in defending freedom. Access to treatment and counseling to heal invisible wounds must be considered a continuing cost of war. In that spirit, this legislation would authorize $180 million for the provision of readjustment counseling services. Colleagues, if there's one lesson we've learned thus far, it is that the earlier we provide these services, the better chance we have of preventing more serious mental health conditions. We need to invest in our future now. If we don't provide these services, we will be paying a much, much higher price in the future.

The safe counseling havens of VA include Vet Centers, which are great conduits for the delivery of these types of transition activities. All Vet Centers are staffed by veterans who can relate to the experiences that these OIF/OEF veterans commonly share.

In 2005, Vet Centers cared for more than 44,900 veterans of the Global War on Terrorism in Afghanistan and Iraq. In addition, Vet Centers provided bereavement counseling to more than 800 surviving family members of over 525 servicemembers who were killed while on active duty serving their country. Despite increases in the number of veterans coming to Vet Centers for care, the budget for the program has remained relatively stagnant.

My bill would also address PTSD benefits for veterans. Instead of being proactive and allocating resources to address these challenges while at the same time caring for older veterans, a fear of rising costs prompted a reactionary response from many in Washington. Some policy makers believe that reducing veterans' compensation for PTSD by reexamining 72,000 previously awarded claims might be a good way to save money. This is a bad idea.

Many times, VA compensation is the only source of income for severely disabled veterans and their families. I am thankful that VA set aside its plan to move forward with the PTSD Review late last year. However, there are ongoing efforts to re-evaluate how PTSD is compensated. The Institute of Medicine and Disability Benefits Commission are currently reviewing veterans' disability compensation. This bill requires the Secretary of Veterans Affairs to submit a report to Congress 6 months prior to modifying how PTSD is compensated under the disability compensation rating system. Veterans will no longer have to worry that the administration will cut disability compensation in order to save money.

Through budget shortfalls and constraints, we must remain steadfast in ensuring that our servicemembers and their families do not suffer in silence from the invisible wounds that they receive in the name of freedom. Many of us fail to give invisible wounds the attention they require. I urge my colleagues to join me in taking another step towards healing our veterans by enacting this important measure.

I ask unanimous consent that the full 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. 2500

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 ''Healing the Invisible Wounds Act of 2006''.

SEC. 2. NOTICE AND WAIT ON MODIFICATION OF HANDLING OF POST-TRAUMATIC STRESS DISORDER UNDER DISABILITY COMPENSATION RATING SYSTEM.

The Secretary of Veterans Affairs may not implement any modification in the manner in which Post-Traumatic Stress Disorder (PTSD) is handled in the rating of service-connected disabilities for purposes of the payment of compensation under chapter 11 of title 38, United States Code, until the date that is six months after the date on which the Secretary submits to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on such proposed modification.

SEC. 3. COUNSELING FOR MEMBERS OF THE NATIONAL GUARD AND RESERVES RETURNING FROM DEPLOYMENT IN A COMBAT THEATER.

(a) EXPANSION OF REUNION AND RE-ENTRY FROM COMBAT PROGRAM.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall provide to each member of the National Guard and Reserves described in subsection (b) the counseling services described in subsection (c) upon the return of such member from a deployment in a combat theater.

(2) PURPOSE OF SERVICES.—The purpose of the counseling services provided under this section is to assist members of the National Guard and Reserves described in subsection (b) in making the readjustment to civilian life in the United States upon their return from a combat theater.

(b) COVERED MEMBERS OF THE NATIONAL GUARD AND RESERVES.—A member of the National Guard and Reserves described in this subsection is any member of the National Guard or the Reserves who serves on active duty in a combat theater.

(c) COUNSELING TO BE PROVIDED.—The counseling services to be provided under this subsection shall include the following:

(1) A session of group counseling provided to such member together with such other number of members as the Secretary determines appropriate for the purpose of this section.

(2) A session, of not less than one hour duration, of private counseling provided to such member.

(3) A presentation on counseling-related matters, including on the readjustment counseling and related mental health services available under section 1712A of title 38, United States Code, provided to the family of such member.

(4) Such other counseling services as the Secretary determines appropriate for the purpose of this section.

(d) MEANS OF PROVIDING COUNSELING.—Counseling services shall be provided under this section through the personnel of the centers (commonly referred to as ''vet centers'') providing readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code.

(e) TIMING OF COUNSELING.—The counseling provided to a member of the National Guard and Reserves under paragraphs (1) and (2) of subsection (c) shall be provided not later than 14 days after the date of the return of the member to the member's home following a deployment to a combat theater.

(f) RETENTION ON ACTIVE DUTY PENDING COUNSELING.—A member of the National Guard and Reserves described in subsection (a) shall be retained on active duty in the Armed Forces until the provision of the counseling required to be provided under paragraphs (1) and (2) of subsection (c).

(g) ADDITIONAL COUNSELING.—The Secretary shall ensure that the centers referred to in subsection (d), as part of the discharge of their functions under section 1712A of title 38, United States Code, provide, and have sufficient resources to provide, such follow-up and additional counseling services to veterans described in subsection (a) as such veterans shall request from such centers, in accordance with applicable law.

(h) REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the commencement of the provision of counseling services under this section, the Secretary shall submit to the appropriate committees of Congress a report on the provision of such services under this section.

(2) ELEMENTS.—The report required by paragraph (1) shall include information as follows:

(A) The cost of the provision of counseling services under this section.

(B) An assessment of the efficacy of such services in meeting the readjustment needs of veterans described in subsection (a).

(C) An assessment (based on surveys or such information as the Secretary considers appropriate) of the satisfaction of veterans described in subsection (a) with the services provided under this section, including the manner in which such services are provided.

(D) The number of followup visits for counseling and services of veterans described in subsection (a) and the number of visits of family members of such veterans for counseling and services.

(E) Such recommendations as the Secretary considers appropriate in order to enhance the services provided under this section, including the manner in which such services are provided.

(i) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Veterans' Affairs and Armed Services of the Senate; and

(2) the Committees on Veterans' Affairs and Armed Services of the House of Representatives.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Veterans Affairs for fiscal year 2007, such sums as may be necessary for the provision of counseling services under this section.

SEC. 4. FUNDING FOR VET CENTERS.

There is authorized to be appropriated to the Department of Veterans Affairs for fiscal year 2007, $180,000,000 for the provision of readjustment counseling and related mental health services through centers (commonly referred to as ''vet centers'') under section 1712A of title 38, United States Code.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 2502. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. SMITH. Mr. President, I rise today to introduce legislation that will provide a win-win for the environment and for the farmers and ranchers who receive their irrigation water from the North Unit Irrigation District in central Oregon. My colleague, Senator RON WYDEN, joins me in cosponsoring this bill. Companion legislation is also being introduced today in the House of Representatives by Congressman GREG WALDEN.

This legislation represents an opportunity to benefit nearly nine hundred farm and ranch families as well as the fish and wildlife resources of the Deschutes and Crooked Rivers. It will do so by removing a limitation in North Unit's Federal water contract with the Bureau of Reclamation. This limitation prevents the Distict and its patrons from participating in a conserved water project pursuant to the laws of the State of Oregon.

Removing this contract restriction will enable North Unit to conserve its water supplies further through the implementation of conserved water projects. In order to comply with State law, the District would return a specific percentage of the ''conserved'' water back to the Deschutes River permanently as instream flows for fish, wildlife, or other purposes. A related change would enable the District to use Deschutes Project water on acreage in its service area that is currently irrigated with Crooked River water. The savings from these two changes could ultimately allow the District to reduce its reliance on its privately developed Crooked River supplies.

Located in central Oregon's Deschutes Basin, the farm and ranch families of the North Unit Irrigation District are the embodiment of the Federal Reclamation program. Working small and medium parcels of land, they raise grass seed, carrot seed, and alfalfa hay, as well as cattle, sheep, and horses. The overriding limitation to their ability to compete successfully in the international marketplace is a shortage or water. For these families, conservation is the most efficient means to alleviate their shortage and succeed in the market.

After self-financing over eight million dollars in canal lining and other measures to increase the efficiency of their limited water supplies, North Unit would like to participate in a state water conservation program. Unfortunately, the District's Federal contract prevents it from doing so. This point has been confirmed to me by officials with the Bureau of Reclamation, an agency of the Department of the Interior. Therefore, North Unit's contract must be amended. Since Congress actually legislatively executed the District's contract in a 1954 statute, it is Congress, and not the Department of the Interior, that must remove this contract restriction.

These targeted contract changes are specific to the North Unit Irrigation District's contract. For the landowners served by the District, these changes will enable them to use their water resources more efficiently, maintain their competitiveness in the market, and benefit the fish and wildlife resources of both the Deschutes and Crooked Rivers. Our efforts are supported by the Oregon Water Resources Department, which has jurisdiction over State water rights issues. I urge my colleagues to support this legislation, and I will press for its timely consideration.

By Mrs. LINCOLN (for herself and Mr. THOMAS):

S. 2503. A bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I rise today with my colleague, Senator CRAIG THOMAS, to introduce the Disabled Veterans Tax Fairness Act. This much-needed legislation would protect disabled veterans from being unfairly taxed on the benefits to which they are entitled, simply because their disability claims were not processed in a timely manner. This legislation is supported by the Military Coalition, a group representing more than 5.5 million members of the uniformed services and their families.

While the Department of Veterans Affairs (VA) resolves most of its filed disability claims in less than a year, there are also instances of lost paperwork, administrative errors, and appeals of rejected claims that often delay thousands of disability awards for years on end. When this occurs, disability compensation is awarded retroactively and for tax purposes, a disabled veteran's previously received taxable military retiree pay is re-designated as nontaxable disability compensation. Thereby, the disabled veteran is entitled to a refund of taxes paid and must file an amended tax return for each applicable year.

Unfortunately, under current law the IRS Code bars the filing of amended returns beyond the last three tax years. As a result, many of our disabled veterans are denied the opportunity to file a claim for repayment of additional years of back taxes already paid—through no fault of their own—even though the IRS owes them a refund for the taxes that were originally paid on their retiree pay.

The Disabled Veterans Tax Fairness Act of 2006 would add an exception to the IRS statute of limitations for amending returns. This exception would allow disabled military retirees whose disability claims have been pending for more than 3 years to receive refunds on previous taxes paid for all the years their claim was pending. Specifically, the bill would extend the IRS three year period of limitation for amending returns to one year from the date a VA determination is issued.

My father and grandfather both served our Nation in uniform and they taught me from an early age about the sacrifices our troops and their families have made to keep our Nation free. This is particularly true for our disabled veterans. During a time when a grateful Nation should be doing everything it can to honor those who have sacrificed so greatly on our behalf, the very least it can do is ensure they and their families are not unjustly penalized simply because of bureaucratic inefficiencies or administrative delays which are beyond their control. This situation is unacceptable and our veterans deserve better.

That is why I am proud to introduce this legislation today to provide relief to our Nation's veterans. It is the least we can do for those whom we owe so much, and it is the least we can do to reassure future generations that a grateful Nation will not forget them when their military service is complete.

By Mr. OBAMA (for himself, Mr. DURBIN, Mrs. CLINTON, and Mr. KERRY):

S. 2506. A bill to require Federal agencies to support health impact assessments and take other actions to improve health and the environmental quality of communities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. OBAMA. Mr. President, this is National Public Health Week, and the American Public Health Association and its over 200 partner organizations and sponsors have organized events to raise awareness about the importance of public health in this nation. This year, the theme of National Public Health Week, ''Designing Healthy Communities: Raising Healthy Kids,'' focuses on building healthy communities to promote and protect the health of our children.

This focus on building healthy communities is both timely and critical. We are losing ground with respect to the health of our Nation's children. Studies have found that the percentage of overweight children and adolescents has more than doubled in the last few decades; without intervention, 1 in 3 children born in 2000 can expect to develop diabetes in their lifetime. My home State of Illinois has the unfortunate distinction of having the highest number of lead-poisoned children. And other diseases and conditions, including high blood pressure and asthma, are on the rise in young populations.

As bleak as the health situation is for so many children, there is good news. Many of these diseases and health conditions are completely preventable or can be delayed for many, many years. The American Public Health Association and countless other expert organizations have told us, and shown us, that if we make a real commitment to and investment in building healthy communities, we can substantially improve the health of our children and adults. Today I am introducing the Healthy Places Act of 2006, which will do just that.

The Healthy Places Act of 2006 focuses on the built environment, which includes our homes, schools, workplaces, parks and recreation areas, business areas, and transportation systems. Where we work, live, and play has tremendous implications for our health, and improvements to these environments will lead to: greater opportunities for physical activity and a reduction in injuries because of safe sidewalks, biking paths, and parks; less reliance on personal automobiles which reduces toxic emissions; better access to fresh fruits and vegetables which leads to healthier nutrition; and the planning and building of ''green'' homes and buildings which decreases energy consumption.

Like many other States, Illinois has already begun to take steps to improve the environment. City leaders in Chicago have recognized that many low-income families have no access to fresh foods and medicine because there are no grocery stores and pharmacies in their neighborhoods. Retail Chicago, an initiative of the city's Department of Planning and Development, is now using redevelopment funds to entice local developers to bring grocery stores and pharmacies into these neighborhoods.

The Lieutenant Governor's initiative ''Six Weeks to a Greener Illinois'' is another fine example. Now in its 4th week, this effort has encouraged Illinoisans to participate in making the State a healthier place to live, and rewarded those communities that are already taking steps to do so.

The Healthy Places Act of 2006 would expand these and other efforts to improve the planning and design of communities that can promote healthier living. It establishes and supports health impact assessment programs, which would assist States and local communities in examining potential health effects of major health policy or programmatic changes. The newly created Interagency Working Group on Environmental Health would facilitate communication and collaboration on projects among the agencies in order to better address environmental health issues. In addition, the bill creates a grant program to address environmental health hazards, particularly those that contribute to health disparities. Finally, the Healthy Places Act provides additional support for research on the relationship between the built environment and the health status of residents as recommended by two Institute of Medicine's reports: ''Does the Built Environment Influence Physical Activity?'' and ''Rebuilding the Unity of Health and the Environment: A New Vision of Environmental Health for the 21st Century''.

As the health of our children continues to decline, and our health expenditures continue to soar, it is imperative that the Congress take action, and focusing on building healthier communities is a necessary step in this regard. I encourage all of my colleagues to join me and support passage of this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 421—CALLING ON THE GOVERNMENT OF AFGHANISTAN TO UPHOLD FREEDOM OF RELIGION AND URGING THE GOVERNMENT OF THE UNITED STATES TO PROMOTE RELIGIOUS FREEDOM IN AFGHANISTAN

Mr. DURBIN (for himself, Mr. BIDEN, Mr. LEAHY, Mr. KENNEDY, Mr. KERRY, Mr. SALAZAR, Mr. LAUTENBERG, Mr. HARKIN, Mr. NELSON of Florida, Mr. INHOFE, and Mr. COLEMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 421

Whereas under the Taliban Government of Afghanistan, individuals convicted of promoting faiths other than Islam, or expressing interpretations of Islam differing from the prevailing orthodoxy, could be imprisoned and those converting from Islam could be tortured and publicly executed;

Whereas the United States has more than 22,000 members of the Armed Forces stationed in Afghanistan and whereas 282 members of the Armed Forces have given their lives in Afghanistan since Operation Enduring Freedom began in that country;

Whereas Abdul Rahman, a citizen of Afghanistan, was arrested and accused of apostasy for converting to Christianity 16 years ago and threatened with execution;

Whereas the prosecutor in this case, Abdul Wasi, stated in court that Abdul Rahman ''is known as a microbe in society, and he should be cut off and removed from the rest of Muslim society and should be killed.'';

Whereas, while it was a welcome development that charges against Abdul Rahman were dropped, he was forced to seek asylum in Italy;

Whereas, despite his release, religious freedom and those who would practice it in Afghanistan remain in jeopardy;

Whereas religious freedom is a fundamental principle of democracy;

Whereas the Constitution of Afghanistan does not fully guarantee freedom of thought, conscience, religion, or belief;

Whereas, on several occasions throughout Afghanistan's constitution drafting process, the United States Commission on International Religious Freedom raised concerns that the constitution's ambiguity on issues of conversion and religious expression could lead to unjust criminal accusations against Muslims and non-Muslims alike;

Whereas charges of blasphemy since 2002 have justified those concerns;

Whereas the International Religious Freedom Report 2005 published by the Department of State does not list Afghanistan among those countries cited for ''State Hostility Toward Minority or Nonapproved Religions'', ''State Neglect of Societal Discrimination or Abuses Against Religious Groups'', or ''Discriminatory Legislation or Policies Prejudicial to Certain Religions'' and notes that ''[t]he new Constitution provides for freedom of religion, and the Government generally respected this right in practice'';

Whereas the International Religious Freedom Report 2005 states that conversion from Islam is ''in theory – punishable by death'' in Afghanistan;

Whereas the case of Abdul Rahman, other instances of religious persecution or discrimination against minorities, and ambiguities within the Constitution of Afghanistan appear to warrant closer scrutiny in the International Religious Freedom Report 2006; and

Whereas Afghanistan is a party to the International Covenant on Civil and Political Rights, which reads in part, ''Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.'': Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes freedom of religion as a central tenet of democracy;

(B) respects the right of the people of Afghanistan to self-government, while strongly urging the Government of Afghanistan to respect all universally recognized human rights;

(C) condemns the arrest of Abdul Rahman and other instances of religious persecution in Afghanistan;

(D) commends the dropping of charges against Abdul Rahman; and

(E) strongly urges the Government of Afghanistan to consider the importance of religious freedom for the broader relationship between the United States and Afghanistan; and

(2) it is the sense of the Senate that the President and the President's representatives should—

(A) in both public and private fora, raise concerns at the highest levels with the Government of Afghanistan regarding the violations of internationally recognized human rights, including the right to freedom of religion or belief, in Afghanistan; and

(B) ensure that the International Religious Freedom Report 2006 for Afghanistan fully addresses the issue of religious persecution in that country, including the arrest of Abdul Rahman.

SENATE RESOLUTION 422—DESIGNATING APRIL 21, 2006, AS ''NATIONAL AND GLOBAL YOUTH SERVICE DAY'', AND FOR OTHER PURPOSES

Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mrs. BOXER, Mr. BUNNING, Mr. BURR, Ms. CANTWELL, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAIG, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Mr. MARTINEZ, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. SANTORUM, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, and Mr. STEVENS) submitted the following resolution; which was considered and agreed to:

S. RES. 422

Whereas National and Global Youth Service Day is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year;

Whereas the goals of National and Global Youth Service Day are to—

(1) mobilize the youth of the United States to identify and address the needs of their communities through service and service-learning;

(2) encourage young citizens to embark on a lifelong path of service and civic engagement; and

(3) educate the public, the media, and policymakers about contributions made by young people as community leaders throughout the year ;

Whereas National and Global Youth Service Day, a program of Youth Service America, is the largest service event in the world and is being observed for the 18th consecutive year in 2006;

Whereas young people in the United States and in many other countries are volunteering more than any other generation in history;

Whereas the children and youth of the United States not only represent the future of the Nation, but also are leaders and assets today;

Whereas the children and youth of the United States should be valued for the idealism, energy, creativity, and unique perspective that they use when addressing challenges found in their communities;

Whereas a fundamental and conclusive correlation exists between youth service, lifelong adult volunteering, and philanthropy;

Whereas through community service, young people of all ages and backgrounds build character and learn valuable skills sought by employers, including time management, decision-making, teamwork, needs-assessment, and leadership;

Whereas service-learning, an innovative teaching method that combines community service with curriculum-based learning, increases student achievement while strengthening civic responsibility;

Whereas several private foundations and corporations in the United States support service-learning because they understand that educated, civically-engaged communities tend to be economically prosperous and good places to do business;

Whereas sustained investments by the Federal Government, business partners, schools, and communities fuel the positive, long-term cultural change that will make service and service-learning a common expectation and a common experience for all young people;

Whereas National and Global Youth Service Day, with the support of 51 lead agencies, hundreds of grant winners, and thousands of local partners, engages millions of young people worldwide;

Whereas National and Global Youth Service Day will involve 38 international organizations and 110 national partners, including 8 Federal agencies and 6 organizations that offer grants to support National and Global Youth Service Day;

Whereas National Youth Service Day has inspired Global Youth Service Day, which occurs concurrently in more than 100 countries and is now in its 7th year; and

Whereas both young people and their communities will benefit greatly from expanded opportunities to engage the youth of the United States in meaningful volunteer service and service-learning: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of United States youth and encourages the cultivation of a common civic bond between young people dedicated to serving their neighbors, their communities, and the Nation;

(2) designates April 21, 2006, as ''National and Global Youth Service Day''; and

(3) calls on the citizens of the United States to—

(A) observe the day by encouraging and engaging youth to participate in civic and community service projects;

(B) recognize the volunteer efforts of the young people of the United States throughout the year; and

(C) support the volunteer efforts of young people and engage them in meaningful decision-making opportunities today as an investment for the future of the United States.

SENATE RESOLUTION 423—DESIGNATING APRIL 8, 2006, AS ''NATIONAL CUSHING'S SYNDROME AWARENESS DAY''

Mr. INHOFE (for himself and Mr. COBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 423

Whereas Cushing's Syndrome annually affects an estimated 10 to 15 people per million, most of whom are currently between the ages of 20 and 50;

Whereas Cushing's Syndrome is an endocrine or hormonal disorder caused by prolonged exposure of the body's tissue to high levels of the hormone cortisol;

Whereas exposure to cortisol can occur by overproduction in the body or by taking glucocrticoid hormones, which are routinely prescribed for asthma, rheumatoid arthritis, lupus, or as an immunosuppressant following transplantation;

Whereas the syndrome may also result from pituitary adenomas, ectopic ACTH syndrome, adrenal tumors, and Familial Cushing's Syndrome;

Whereas Cushing's Syndrome can cause abnormal weight gain, skin changes, and fatigue and ultimately lead to diabetes, high blood pressure, depression, osteoporosis, and death;

Whereas Cushing's Syndrome is diagnosed through a series of tests, often requiring x-ray examinations of adrenal or pituitary glands to locate tumors;

Whereas many people who suffer from Cushing's Syndrome are misdiagnosed or go undiagnosed for years because many of the symptoms are mirrored in milder diseases, thereby delaying important treatment options;

Whereas treatments for Cushing's Syndrome include surgery, radiation, chemotherapy, cortisol-inhibiting drugs, and reducing the dosage of glucocorticoid hormones;

Whereas Cushing's Syndrome was discovered by Dr. Harvey Williams Cushing, who was born on April 8th, 1869;

Whereas the Dr. Harvey Cushing stamp was part of the United States Postal Service's ''Great American'' series, initiated in 1980 to recognize individuals for making significant contributions to the heritage and culture of the United States;

Whereas President Ronald Reagan spoke on April 8, 1987, in the Rose Garden at a White House ceremony to unveil the commemorative stamp honoring Dr. Harvey Cushing;

Whereas following the ceremony, President Reagan hosted a reception in the State Dining Room for Mrs. John Hay Whitney, Dr. Cushing's daughter, and representatives of the American Association of Neurological Surgeons; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of Cushing's Syndrome; Now, therefore, be it

Resolved, That the Senate—

(1) designates April 8, 2006, as ''National Cushing's Syndrome Awareness Day'';

(2) recognizes that all Americans should become more informed and aware of Cushing's Syndrome;

(3) calls upon the people of the United States to observe the date with appropriate ceremonies and activities; and

(4) directs the Secretary of the Senate to transmit a copy of this resolution to the Cushing's Understanding, Support & Help Organization.

SENATE CONCURRENT RESOLUTION 85—HONORING AND CONGRATULATING THE MINNESOTA NATIONAL GUARD, ON ITS 150TH ANNIVERSARY, FOR ITS SPIRIT OF DEDICATION AND SERVICE TO THE STATE OF MINNESOTA AND THE NATION AND RECOGNIZING THAT THE ROLE OF THE NATIONAL GUARD, THE NATION'S CITIZEN-SOLDIER BASED MILITIA, WHICH WAS FORMED BEFORE THE UNITED STATES ARMY, HAS BEEN AND STILL IS EXTREMELY IMPORTANT TO THE SECURITY AND FREEDOM OF THE NATION

Mr. COLEMAN (for himself and Mr. DAYTON) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 85

Whereas the Minnesota National Guard traces its origins to the formation of the Pioneer Guard in the Minnesota territory in 1856, 2 years before Minnesota became the 32nd State in the Union;

Whereas the First Minnesota Infantry regiment was among the first militia regiments in the Nation to respond to President Lincoln's call for troops in April 1861 when it volunteered for 3 years of service during the Civil War;

Whereas during the Civil War the First Minnesota Infantry regiment saw battle at Bull Run, Antietam, and Gettysburg;

Whereas during a critical moment in the Battle of Gettysburg on July 3, 1863, 262 soldiers of the First Minnesota Infantry, along with other Union forces, bravely charged and stopped Confederate troops attacking the center of the Union position on Cemetery Ridge;

Whereas only 47 men answered the roll after this valiant charge, earning the First Minnesota Infantry the highest casualty rate of any unit in the Civil War;

Whereas the Minnesota National Guard was the first to volunteer for service in the Philippines and Cuba during the Spanish-American War of 1898, with enough men to form 3 regiments;

Whereas 1 of the 3 Minnesota regiments to report for duty in the War with Spain, the 13th Volunteer regiment, under the command of Major General Arthur MacArthur, saw among the heaviest fighting of the war in the battle of Manila and suffered more casualties than all other regiments combined during that key confrontation to free the Philippines;

Whereas after the cross-border raids of Pancho Villa and the attempted instigation of a war between the United States and Mexico, the border was secured in part by the Minnesota National Guard;

Whereas the Minnesota National Guard was mobilized for duty in World War I, where many Minnesotans saw duty in France, including the 151st Field Artillery, which saw duty as part of the famed 42nd ''Rainbow'' Division;

Whereas the first Air National Guard unit in the Nation was the 109th Observation Squadron of the Minnesota National Guard, which passed its muster inspection on January 17, 1921;

Whereas a tank company of the Minnesota National Guard from Brainerd, Minnesota, was shipped to the Philippines in 1941 to shore up American defenses against Japan as World War II neared;

Whereas these men from Brainerd fought hard and bravely as American forces were pushed into the Bataan Peninsula and ultimately endured the Bataan Death March;

Whereas men of the Minnesota National Guard's 175th Field Artillery, as part of the 34th ''Red Bull'' Division, became the first American Division to be deployed to Europe in January of 1942;

Whereas when the 34th Division was shipped to North Africa, it fired the first American shells against the Nazi forces;

Whereas the 34th Division participated in 6 major Army campaigns in North Africa, Sicily, and Italy, which led to the division being credited with taking the most enemy-defended hills of any division in the European Theater as well as having more combat days than any other division in Europe;

Whereas the Minnesota National Guard served with distinction on the ground and in the air during Operations Desert Shield and Desert Storm;

Whereas Minnesota National Guard troops have helped keep the peace in the former Yugoslavia, including 1,100 troops who have seen service in Bosnia, Croatia, and Kosovo;

Whereas the Minnesota National Guard has participated in keeping America safe after September 11, 2001, in numerous ways, including airport security;

Whereas the Duluth-based 148th Fighter Wing's F–16s flew patrols over cities after September 11, 2001, for a longer time than any other air defense unit;

Whereas over 11,000 members of the Minnesota National Guard have been called up for full-time service since the September 11, 2001, terrorist attacks;

Whereas as of March 20, 2006, Minnesota National Guard troops are serving in national defense missions in Afghanistan, Pakistan, Kuwait, Qatar, Oman, and Iraq;

Whereas more than 600 Minnesota National Guard troops have been deployed to Afghanistan in Operation Enduring Freedom;

Whereas members of the Minnesota National Guard, serving in the 1st Brigade Combat Team of the 34th Infantry Division, have been a part of the State's largest troop deployment since World War II, with more than 2,600 citizen soldiers called to service in support of Operation Iraqi Freedom;

Whereas the Minnesota National Guard has greatly contributed not only to battles but to the suppressing of violent riots, such as the 1947 national meat processors strike, in which they aided helpless police officers, and the fight against natural disasters such as the Red River flood in 1997 in which they organized search and rescue missions, helped shelter people who were left homeless, ran logistics, and helped sandbagging efforts; and

Whereas on April 17, 2006, the Minnesota National Guard will celebrate its 150th anniversary along with its historical and recent accomplishments: Now, therefore, be it

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

(1) honors and congratulates the Minnesota National Guard for its spirit of dedication and service to the State of Minnesota and to the Nation on its 150th anniversary; and

(2) recognizes that the role of the National Guard, the Nation's citizen-soldier based militia, which was formed before the United States Army, has been and still is extremely important to the security and freedom of the Nation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3256. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table.

SA 3257. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3258. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3259. Mr. DOMENICI (for himself, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3260. Mr. DOMENICI (for himself, Mr. KYL, Mr. BINGAMAN, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3261. Mr. DOMENICI (for himself, Mr. DORGAN, Mr. BURNS, Mr. BINGAMAN, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3262. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3263. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3264. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3265. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3266. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3267. Mr. NELSON, of Nebraska (for himself, Mr. SESSIONS, Mr. BYRD, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3268. Mr. GREGG (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3269. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3270. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3271. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3272. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3273. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3274. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3275. Mr. GRASSLEY submitted an amendment intended to be proposed by him

to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3276. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3277. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3278. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3279. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3280. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3281. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3282. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3283. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3284. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3285. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3286. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3287. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3288. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3289. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3290. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3291. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3292. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3293. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3294. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3295. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3296. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3297. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3298. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3299. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3300. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3301. Ms. CANTWELL (for herself, Mr. CRAPO, Mr. JEFFORDS, Mr. CRAIG, Mrs. MURRAY, Mr. BAUCUS, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3302. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3303. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3304. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3305. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3306. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3307. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3308. Mr. CORNYN (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3309. Mr. CORNYN (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3310. Mr. CORNYN (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

SA 3311. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2454, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3256. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—RAPID RESPONSE

Subtitle A—Rapid Response Measures

SEC. __01. EMERGENCY DEPLOYMENT OF UNITED STATES BORDER PATROL AGENTS.

(a) IN GENERAL.—If the Governor of a State on an international border of the United States declares an international border security emergency and requests additional United States Border Patrol agents from the Secretary of Homeland Security, the Secretary is authorized, subject to subsections (b) and (c), to provide the State with up to 1,000 additional United States Border Patrol agents for the purpose of patrolling and defending the international border, in order to prevent individuals from crossing the international border and entering the United States at any location other than an authorized port of entry.

(b) CONSULTATION.—The Secretary of Homeland Security shall consult with the President upon receipt of a request under subsection (a), and shall grant it to the extent that providing the requested assistance will not significantly impair the Department of Homeland Security's ability to provide border security for any other State.

(c) COLLECTIVE BARGAINING.—Emergency deployments under this section shall be made in conformance with all collective bargaining agreements and obligations.

SEC. __02. ELIMINATION OF FIXED DEPLOYMENT OF UNITED STATES BORDER PATROL AGENTS.

The Secretary of Homeland Security shall ensure that no United States Border Patrol agent is precluded from performing patrol duties and apprehending violators of law, except in unusual circumstances where the temporary use of fixed deployment positions is necessary.

SEC. __03. HELICOPTERS AND POWER BOATS.

(a) IN GENERAL.—The Secretary of Homeland Security shall increase by not less than 100 the number of United States Border Patrol helicopters, and shall increase by not less than 250 the number of United States Border Patrol power boats. The Secretary of Homeland Security shall ensure that appropriate types of helicopters are procured for the various missions being performed. The Secretary of Homeland Security also shall ensure that the types of power boats that are procured are appropriate for both the waterways in which they are used and the mission requirements.

(b) USE AND TRAINING.—The Secretary of Homeland Security shall establish an overall policy on how the helicopters and power boats described in subsection (a) will be used and implement training programs for the agents who use them, including safe operating procedures and rescue operations.

SEC. __04. CONTROL OF UNITED STATES UNITED STATES BORDER PATROL ASSETS.

The United States Border Patrol shall have complete and exclusive administrative and operational control over all the assets utilized in carrying out its mission, including, aircraft, watercraft, vehicles, detention space, transportation, and all of the personnel associated with such assets.

SEC. __05. MOTOR VEHICLES.

The Secretary of Homeland Security shall establish a fleet of motor vehicles appropriate for use by the United States Border Patrol that will permit a ratio of at least one police-type vehicle per every 3 United States Border Patrol agents. Additionally, the Secretary of Homeland Security shall ensure that there are sufficient numbers and types of other motor vehicles to support the mission of the United States Border Patrol. All vehicles will be chosen on the basis of appropriateness for use by the United States Border Patrol, and each vehicle shall have a ''panic button'' and a global positioning system device that is activated solely in emergency situations for the purpose of tracking

the location of an agent in distress. The police-type vehicles shall be replaced at least every 3 years.

SEC. __06. PORTABLE COMPUTERS.

The Secretary of Homeland Security shall ensure that each police-type motor vehicle in the fleet of the United States Border Patrol is equipped with a portable computer with access to all necessary law enforcement databases and otherwise suited to the unique operational requirements of the United States Border Patrol.

SEC. __07. RADIO COMMUNICATIONS.

The Secretary of Homeland Security shall augment the existing radio communications system so all law enforcement personnel working in every area where United States Border Patrol operations are conducted have clear and encrypted two-way radio communication capabilities at all times. Each portable communications device shall be equipped with a ''panic button'' and a global positioning system device that is activated solely in emergency situations for the purpose of tracking the location of the agent in distress.

SEC. __08. HAND-HELD GLOBAL POSITIONING SYSTEM DEVICES.

The Secretary of Homeland Security shall ensure that each United States Border Patrol agent is issued a state-of-the-art hand-held global positioning system device for navigational purposes.

SEC. __09. NIGHT VISION EQUIPMENT.

The Secretary of Homeland Security shall ensure that sufficient quantities of state-of-the-art night vision equipment are procured and maintained to enable each United States Border Patrol agent working during the hours of darkness to be equipped with a portable night vision device.

SEC. __10. BORDER ARMOR.

The Secretary of Homeland Security shall ensure that every United States Border Patrol agent is issued high-quality body armor that is appropriate for the climate and risks faced by the individual officer. Each officer shall be allowed to select from among a variety of approved brands and styles. Officers shall be strongly encouraged, but not mandated, to wear such body armor whenever practicable. All body armor shall be replaced at least every 5 years.

SEC. __11. WEAPONS.

The Secretary of Homeland Security shall ensure that United States Border Patrol agents are equipped with weapons that are reliable and effective to protect themselves, their fellow officers, and innocent third parties from the threats posed by armed criminals. In addition, the Secretary shall ensure that the Department's policies allow all such officers to carry weapons that are suited to the potential threats that they face.

SEC. __12. UNIFORMS.

The Secretary of Homeland Security shall ensure that all United States Border Patrol agents are provided with all necessary uniform items, including outerwear suited to the climate, footwear, belts, holsters, and personal protective equipment, at no cost to such agents. Such items shall be replaced at no cost to such agents as they become worn, unserviceable, or no longer fit properly.

Subtitle B—Recruitment and Retention of Additional Immigration Law Enforcement Personnel

SEC. __21. MAXIMUM STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS.

Section 5379(b) of title 5, United States Code, is amended by adding at the end the following:

''(4) In the case of an employee (otherwise eligible for benefits under this section) who is serving as a full-time active-duty United States Border Patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

SEC. __22. RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.

The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

SEC. __23. LAW ENFORCEMENT RETIREMENT COVERAGE FOR INSPECTION OFFICERS AND OTHER EMPLOYEES.

(a) AMENDMENTS.—

(1) LAW ENFORCEMENT OFFICERS.—Section 8401(17) of title 5, United States Code, is amended—

(A) in subparagraph (C)—

(i) by striking ''and'' at the end; and

(ii) by striking ''subparagraph (A) and (B)'' and inserting ''subparagraph (A), (B), (E), or (F)''; and

(B) by inserting after subparagraph (D) the following:

''(E) an employee (not otherwise covered by this paragraph)—

''(i) the duties of whose position include the investigation or apprehension of individuals suspected or convicted of offenses against the criminal laws of the United States; and

''(ii) who is authorized to carry a firearm; and

''(F) an employee of the Internal Revenue Service, the duties of whose position are primarily the collection of delinquent taxes and the securing of delinquent returns;''.

(2) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8331(20) of title 5, United States Code, is amended in the matter preceding subparagraph (A) by inserting after ''position.'' the following: ''For the purpose of this paragraph, an employee described in the preceding sentence shall be considered to include an employee, not otherwise covered by this paragraph, who satisfies clauses (i) and (ii) of section 8401(17)(E) and an employee of the Internal Revenue Service the duties of whose position are as described in section 8401(17)(F).''.

(3) EFFECTIVE DATE.—Except as provided in subsection (b), the amendments made by this subsection shall—

(A) take effect on the date of enactment of this Act; and

(B) apply only in the case of any individual first appointed (or seeking to be first appointed) as a law enforcement officer (as defined in the amendments) on or after that date.

(b) TREATMENT OF SERVICE PERFORMED BY INCUMBENTS.—

(1) DEFINITIONS.—In this subsection:

(A) INCUMBENT.—The term ''incumbent'' means an individual who—

(i) is first appointed as a law enforcement officer before the date of enactment of this Act; and

(ii) is serving as a law enforcement officer on that date.

(B) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' means an individual who satisfies the requirements of section 8331(20) or 8401(17) of title 5, United States Code, as a result of the amendments made by subsection (a).

(C) PRIOR SERVICE.—The term ''prior service'', with respect to an incumbent who retires from Government service, means any service performed before the date on which a written notice is to be submitted under paragraph (2)(B).

(D) SERVICE.—The term ''service'' means service performed as a law enforcement officer.

(2) TREATMENT OF SERVICE PERFORMED BY INCUMBENTS.—

(A) IN GENERAL.—For purposes other than purposes described in subparagraph (B), service that is performed by an incumbent on or after the date of enactment of this Act shall be treated as service performed as a law enforcement officer, irrespective of the manner in which the service is treated under subparagraph (B).

(B) RETIREMENT.—For purposes of subchapter III of chapter 83 and chapter 84 of title 5, United States Code, service that is performed by an incumbent before, on, or after the date of enactment of this Act shall be treated as service performed as a law enforcement officer if an appropriate written notice of the election of the incumbent to retire from Government service is submitted to the Office of Personnel Management by the earlier of—

(i) the date that is 5 years after the date of enactment of this Act; or

(ii) the date of retirement of the incumbent.

(3) INDIVIDUAL CONTRIBUTIONS FOR PRIOR SERVICE.—

(A) AMOUNT OF CONTRIBUTIONS.—An incumbent who makes an election described in paragraph (2)(B) may, with respect to prior service performed by the incumbent, contribute to the Civil Service Retirement and Disability Fund an amount equal to the difference between—

(i) the individual contributions that were actually made for that service; and

(ii) the individual contributions that would have been made for that service under the amendments made by subsection (a).

(B) EFFECT OF NOT CONTRIBUTING.—If no part of or less than the full amount required under subparagraph (A) is paid—

(i) all prior service of the incumbent shall remain fully creditable as law enforcement officer service; but

(ii) the resulting annuity shall be reduced in a manner similar to the manner described in section 8334(d)(2) of title 5, United States Code, to the extent necessary to make up the amount unpaid.

(4) GOVERNMENT CONTRIBUTIONS FOR PRIOR SERVICE.—

(A) IN GENERAL.—If an incumbent makes an election under paragraph (2)(B), the agency in or under which the incumbent was serving at the time of any prior service shall remit to the Office of Personnel Management, for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund, the amount required under subparagraph (B) with respect to that service.

(B) AMOUNT REQUIRED.—The amount an agency is required to remit is, with respect to any prior service, the total amount of additional Government contributions to the Civil Service Retirement and Disability Fund (above those actually paid) that would have been required if the amendments made by subsection (a) had been in effect.

(C) CONTRIBUTIONS TO BE MADE RATABLY.—Government contributions under this paragraph on behalf of an incumbent shall be made by the agency ratably (on at least an annual basis) over the 10-year period beginning on the date on which a written notice is to be submitted under paragraph (2)(B).

(5) EXEMPTION FROM MANDATORY SEPARATION.—Nothing in section 8335(b) or 8425(b) of

title 5, United States Code, shall cause the involuntary separation of a law enforcement officer before the end of the 3-year period beginning on the date of enactment of this Act.

(6) REGULATIONS.—The Office shall promulgate regulations to carry out this section, including—

(A) provisions in accordance with which interest on any amount under paragraph (3) or (4) shall be computed, based on section 8334(e) of title 5, United States Code; and

(B) provisions for the application of this subsection in the case of—

(i) any individual who—

(I) is first appointed as a law enforcement officer before the date of enactment of this Act; and

(II) serves as a law enforcement officer after the date of enactment of this Act; and

(ii) any individual entitled to a survivor annuity (based on the service of an incumbent, or of an individual described in clause (i), who dies before making an election under paragraph (2)(B)), to the extent of any rights that would then be available to the decedent (if still living).

(7) RULE OF CONSTRUCTION.—Nothing in this subsection applies in the case of a reemployed annuitant.

SA 3257. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 122, between lines 7 and 8, insert the following:

''(b) CERTAIN ACTIONS NOT TREATED AS VIOLATIONS.—A person who, before being apprehended or placed in a removal proceeding, applies for asylum under section 208 of the Immigration and Nationality Act, withholding of removal under section 241(b)(3) of such Act, or relief under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment under title 8, Code of Federal Regulations, or classification or status under section 101(a)(15(T), 101(a)(15)(U), 101(a)(27)(J), 101(a)(51), 216(c)(4)(C), 240A(b)(2), or 244(a)(3) (as in effect prior to March 31, 1997) of such Act, shall not be prosecuted for violating section 1542, 1544, 1546 or 1548, before the application is adjudicated in accordance with the Immigration and Nationality Act. A person who is granted asylum under section 208 of the Immigration and Nationality Act, withholding of removal under section 241(b)(3) of such Act, or relief under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment under title 8, Code of Federal Regulations, or classification or status under section 101(a)(15(T), 101(a)(15)(U), 101(a)(27(J), 101(a)(51), 216(c)(4)(C), 240A(b)(2), or 244(a)(3) (as in effect prior to March 31, 1997) of such Act, shall not be considered to have violated section 1542, 1544, 1546 or 1548.

SA 3258. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 231.

SA 3259. Mr. DOMENICI (for himself, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ADDITIONAL DISTRICT COURT JUDGESHIPS.

The President shall appoint, by and with the advice and consent of the Senate, such additional district court judges as are necessary to carry out the 2005 recommendations of the Judicial Conference for district courts in which the criminal immigration filings totaled more than 50 per cent of all criminal filings for the 12-month period ending September 30, 2004.

SA 3260. Mr. DOMENICI (for himself, Mr. KYL, Mr. BINGAMAN, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 6, between lines 10 and 11, insert the following:

''(5) DEPUTY UNITED STATES MARSHALS.—In each of fiscal years 2007 through 2011, the Attorney General shall, subject to the availability of appropriations, increase by not less than 50 the number of positions for full-time active duty Deputy United States Marshals that investigate criminal matters related to immigration.''.

On page 7, between lines 3 and 4, insert the following:

''(4) DEPUTY UNITED STATES MARSHALS.—There are authorized to be appropriated to the Attorney General such sums as may be necessary for each of fiscal years 2007 through 2011 to carry out paragraph (5) of subsection (a).''.

SA 3261. Mr. DOMENICI (for himself, Mr. DORGAN, Mr. BURNS, Mr. BINGAMAN, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 54, after line 23, add the following:

Subtitle E—Border Infrastructure and Technology Modernization

SEC. 151. SHORT TITLE.

This subtitle may be cited as the ''Border Infrastructure and Technology Modernization Act''.

SEC. 152. DEFINITIONS.

In this subtitle:

(1) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Bureau of Customs and Border Protection of the Department of Homeland Security.

(2) MAQUILADORA.—The term ''maquiladora'' means an entity located in Mexico that assembles and produces goods from imported parts for export to the United States.

(3) NORTHERN BORDER.—The term ''northern border'' means the international border between the United States and Canada.

(4) SOUTHERN BORDER.—The term ''southern border'' means the international border between the United States and Mexico.

SEC. 153. PORT OF ENTRY INFRASTRUCTURE ASSESSMENT STUDY.

(a) REQUIREMENT TO UPDATE.—Not later than January 31 of each year, the Administrator of General Services shall update the Port of Entry Infrastructure Assessment Study prepared by the Bureau of Customs and Border Protection in accordance with the matter relating to the ports of entry infrastructure assessment that is set out in the joint explanatory statement in the conference report accompanying H.R. 2490 of the 106th Congress, 1st session (House of Representatives Rep. No. 106–319, on page 67) and submit such updated study to Congress.

(b) CONSULTATION.—In preparing the updated studies required in subsection (a), the Administrator of General Services shall consult with the Director of the Office of Management and Budget, the Secretary, and the Commissioner.

(c) CONTENT.—Each updated study required in subsection (a) shall—

(1) identify port of entry infrastructure and technology improvement projects that would enhance border security and facilitate the flow of legitimate commerce if implemented;

(2) include the projects identified in the National Land Border Security Plan required by section 154; and

(3) prioritize the projects described in paragraphs (1) and (2) based on the ability of a project to—

(A) fulfill immediate security requirements; and

(B) facilitate trade across the borders of the United States.

(d) PROJECT IMPLEMENTATION.—The Commissioner shall implement the infrastructure and technology improvement projects described in subsection (c) in the order of priority assigned to each project under subsection (c)(3).

(e) DIVERGENCE FROM PRIORITIES.—The Commissioner may diverge from the priority order if the Commissioner determines that significantly changed circumstances, such as immediate security needs or changes in infrastructure in Mexico or Canada, compellingly alter the need for a project in the United States.

SEC. 154. NATIONAL LAND BORDER SECURITY PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, an annually thereafter, the Secretary, after consultation with representatives of Federal, State, and local law enforcement agencies and private entities that are involved in international trade across the northern border or the southern border, shall submit a National Land Border Security Plan to Congress.

(b) VULNERABILITY ASSESSMENT.—

(1) IN GENERAL.—The plan required in subsection (a) shall include a vulnerability assessment of each port of entry located on the northern border or the southern border.

(2) PORT SECURITY COORDINATORS.—The Secretary may establish 1 or more port security coordinators at each port of entry located on the northern border or the southern border—

(A) to assist in conducting a vulnerability assessment at such port; and

(B) to provide other assistance with the preparation of the plan required in subsection (a).

SEC. 155. EXPANSION OF COMMERCE SECURITY PROGRAMS.

(a) CUSTOMS-TRADE PARTNERSHIP AGAINST TERRORISM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the

Commissioner, in consultation with the Secretary, shall develop a plan to expand the size and scope, including personnel, of the Customs–Trade Partnership Against Terrorism programs along the northern border and southern border, including—

(A) the Business Anti-Smuggling Coalition;

(B) the Carrier Initiative Program;

(C) the Americas Counter Smuggling Initiative;

(D) the Container Security Initiative;

(E) the Free and Secure Trade Initiative; and

(F) other Industry Partnership Programs administered by the Commissioner.

(2) SOUTHERN BORDER DEMONSTRATION PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Commissioner shall implement, on a demonstration basis, at least 1 Customs–Trade Partnership Against Terrorism program, which has been successfully implemented along the northern border, along the southern border.

(b) MAQUILADORA DEMONSTRATION PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Commissioner shall establish a demonstration program to develop a cooperative trade security system to improve supply chain security.

SEC. 156. PORT OF ENTRY TECHNOLOGY DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall carry out a technology demonstration program to—

(1) test and evaluate new port of entry technologies;

(2) refine port of entry technologies and operational concepts; and

(3) train personnel under realistic conditions.

(b) TECHNOLOGY AND FACILITIES.—

(1) TECHNOLOGY TESTING.—Under the technology demonstration program, the Secretary shall test technologies that enhance port of entry operations, including operations related to—

(A) inspections;

(B) communications;

(C) port tracking;

(D) identification of persons and cargo;

(E) sensory devices;

(F) personal detection;

(G) decision support; and

(H) the detection and identification of weapons of mass destruction.

(2) DEVELOPMENT OF FACILITIES.—At a demonstration site selected pursuant to subsection (c)(2), the Secretary shall develop facilities to provide appropriate training to law enforcement personnel who have responsibility for border security, including—

(A) cross-training among agencies;

(B) advanced law enforcement training; and

(C) equipment orientation.

(c) DEMONSTRATION SITES.—

(1) NUMBER.—The Secretary shall carry out the demonstration program at not less than 3 sites and not more than 5 sites.

(2) SELECTION CRITERIA.—To ensure that at least 1 of the facilities selected as a port of entry demonstration site for the demonstration program has the most up-to-date design, contains sufficient space to conduct the demonstration program, has a traffic volume low enough to easily incorporate new technologies without interrupting normal processing activity, and can efficiently carry out demonstration and port of entry operations, at least 1 port of entry selected as a demonstration site shall—

(A) have been established not more than 15 years before the date of the enactment of this Act;

(B) consist of not less than 65 acres, with the possibility of expansion to not less than 25 adjacent acres; and

(C) have serviced an average of not more than 50,000 vehicles per month during the 1-year period ending on the date of the enactment of this Act.

(d) RELATIONSHIP WITH OTHER AGENCIES.—The Secretary shall permit personnel from an appropriate Federal or State agency to utilize a demonstration site described in subsection (c) to test technologies that enhance port of entry operations, including technologies described in subparagraphs (A) through (H) of subsection (b)(1).

(e) REPORT.—

(1) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on the activities carried out at each demonstration site under the technology demonstration program established under this section.

(2) CONTENT.—The report submitted under paragraph (1) shall include an assessment by the Secretary of the feasibility of incorporating any demonstrated technology for use throughout the Bureau of Customs and Border Protection.

SEC. 157. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to any funds otherwise available, there are authorized to be appropriated—

(1) such sums as may be necessary for the fiscal years 2007 through 2011 to carry out the provisions of section 153(a);

(2) to carry out section 153(d)—

(A) $100,000,000 for each of the fiscal years 2007 through 2011; and

(B) such sums as may be necessary in any succeeding fiscal year;

(3) to carry out section 155(a)—

(A) $30,000,000 for fiscal year 2007, of which $5,000,000 shall be made available to fund the demonstration project established in section 156(a)(2); and

(B) such sums as may be necessary for the fiscal years 2008 through 2011; and

(4) to carry out section 155(b)—

(A) $5,000,000 for fiscal year 2007; and

(B) such sums as may be necessary for the fiscal years 2008 through 2011; and

(5) to carry out section 156, provided that not more than $10,000,000 may be expended for technology demonstration program activities at any 1 port of entry demonstration site in any fiscal year—

(A) $50,000,000 for fiscal year 2007; and

(B) such sums as may be necessary for each of the fiscal years 2008 through 2011.

(b) INTERNATIONAL AGREEMENTS.—Amounts authorized to be appropriated under this subtitle may be used for the implementation of projects described in the Declaration on Embracing Technology and Cooperation to Promote the Secure and Efficient Flow of People and Commerce across our Shared Border between the United States and Mexico, agreed to March 22, 2002, Monterrey, Mexico (commonly known as the Border Partnership Action Plan) or the Smart Border Declaration between the United States and Canada, agreed to December 12, 2001, Ottawa, Canada that are consistent with the provisions of this subtitle.

SA 3262. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SPECIAL RULE FOR MEXICO.

(a) IN GENERAL.—No alien who is a citizen or national of Mexico shall be eligible for any immigration benefit under this Act, or under any amendment made by this Act, until the date on which the Government of Mexico enters into a bilateral agreement with the Government of the United States in accordance with subsection (b).

(b) REQUIREMENTS FOR BILATERAL AGREEMENT.—The bilateral agreement referred to in subsection (a) shall require the Government of Mexico—

(1) to accept the return of a citizen or national of Mexico who is ordered removed from the United States not later than 5 days after such order is issued;

(2) to cooperate with the Government of the United States—

(A) to identify, track, and reduce—

(i) gang membership and violence in the United States and Mexico;

(ii) human trafficking and smuggling between the United States and Mexico; and

(iii) drug trafficking and smuggling between the United States and Mexico; and

(B) to control illegal immigration from Mexico into the United States;

(3) to provide the Government of the United States with—

(A) the passport information and criminal record of any citizen or national of Mexico who is seeking admission to the United States or is present in the United States; and

(B) admission and entry data maintained by the Government of Mexico to facilitate the entry-exit data systems maintained by the United States; and

(4) to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under this Act, or any amendment made by this Act, to ensure that such citizens and nationals are not exploited while working in the United States.

(c) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on the bilateral agreement described in this section and the activities of the Government of Mexico to carry out such agreement.

SA 3263. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitle A of title VI, insert the following new subtitle:

Subtitle A—Guest Worker Status for Unauthorized Aliens

SEC. 601. NEW GUEST WORKER CATEGORY.

(a) IN GENERAL.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended by adding at the end the following:

''(W) an alien who—

''(i) maintained a residence in the United States on December 31, 2005;

''(ii) was not legally present in the United States on December 31, 2005;

''(iii) is performing labor or services in the United States; and

''(iv) meets the requirements of section 218D.''.

(b) TECHNICAL AMENDMENTS.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) in subparagraph (U)(iii), by striking ''or'' at the end; and

(2) in subparagraph (V)(ii)(II), by striking the period at the end and inserting a semicolon and ''or''.

SEC. 602. CHANGE OF STATUS FOR UNAUTHORIZED ALIENS.

(a) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended by inserting after section 218 the following new section:

"SEC. 218D. CHANGE OF STATUS FOR UNAUTHORIZED ALIENS.

''(a) IN GENERAL.—The Secretary of Homeland Security shall grant nonimmigrant status under section 101(a)(15)(W) to an alien who is in the United States illegally if such alien meets the requirements of this section.

''(b) GENERAL REQUIREMENTS.—An alien may be eligible for a change of status under this section if the alien meets the following requirements:

''(1) PRESENCE.—

''(A) IN GENERAL.—An alien must establish that the alien was physically present in the United States on December 31, 2005 was not legally present in the United States on that date, and has remained in the United States since that date.

''(B) EVIDENCE.—An alien may provide evidence to meet the requirement for presence under subparagraph (a), including—

''(i) a record maintained by the Federal government or a State or local government;

''(ii) a record maintained by an employer;

''(iii) a housing lease or contract;

''(iv) medical documentation; and

''(v) sworn and certified affidavits.

''(2) EMPLOYMENT.—

''(A) IN GENERAL.—An alien shall establish that the alien was employed in the United States on December 31, 2005, and has not been unemployed in the United States for 30 or more consecutive days since that date.

''(B) EVIDENCE.—An alien may provide evidence to meet the requirement for employment under subparagraph (a), including—

''(i) a record maintained by the Federal government or a State or local government;

''(ii) a record maintained by an employer; and

''(iii) sworn and certified affidavits.

''(3) MEDICAL EXAMINATION.—An alien shall, at the alien's expense, undergo a medical examination (including a determination of immunization status) that conforms to generally accepted professional standards of medical practice.

''(c) APPLICATION CONTENT AND WAIVER.—

''(1) APPLICATION FORM.—The Secretary of Homeland Security shall create an application form that an alien shall be required to complete as a condition of obtaining a change of status under this section.

''(2) CONTENT.—In addition to any other information that the Secretary determines is required to determine an alien's eligibility for a change of status under this section, the Secretary shall require that the alien—

''(A) provide answers to questions concerning the alien's criminal history and gang membership, immigration history, and involvement with groups or individuals that have engaged in terrorism, genocide, persecution, or who seek the overthrow of the Government of the United States;

''(B) provide any Social Security account number or card in the possession of the alien or relied upon by the alien; and

''(C) provide any false or fraudulent documents in the alien's possession.

''(3) WAIVER OF RIGHTS.—

''(A) AUTHORITY TO REQUEST.—The Secretary shall request that an alien include with the application a waiver of rights that states that the alien, in exchange for the benefit of obtaining a change of status under this section, agrees to waive any right—

''(i) to administrative or judicial review or appeal of an immigration officer's determination as to the alien's admissibility; or

''(ii) to contest any removal action, other than on the basis of an application for asylum pursuant to the provisions contained in section 208 or 241(b)(3), or under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, if such removal action is initiated after the termination of the alien's period of authorized admission as a nonimmigrant under this section.

''(B) REFUSAL TO WAIVE.—The Secretary may refuse to grant nonimmigrant status to an alien under this section because an alien does not submit the waiver described in subparagraph (A).

''(C) KNOWLEDGE.—The Secretary of Homeland Security shall require an alien to include with the application a signed certification in which the alien certifies that the alien has read and understood all of the questions, statements, and terms of the application form, and that the alien certifies under penalty of perjury under the laws of the United States that the application, and any evidence submitted with it, are all true and correct, and that the applicant authorizes the release of any information contained in the application and any attached evidence for law enforcement purposes.

''(4) APPLICATION FEE AND FINES.—

''(A) REQUIREMENT TO PAY.—An alien applying for a change of status under this section shall pay—

''(i) a $250 visa issuance fee in addition to the cost of processing and adjudicating such application; and

''(ii) a fine of $1000.

''(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to affect consular procedures for charging reciprocal fees.

''(d) ADMISSIBILITY.—

''(1) IN GENERAL.—In determining an alien's eligibility for a change of status under this section—

''(A) the alien shall establish that the alien—

''(i) except as provided in subparagraph (B), is admissible to the United States; and

''(ii) has not assisted in the persecution of any person or persons on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(B) paragraphs (5), (6)(A), and (7) of section 212(a) shall not apply to the admissibility of such alien;

''(C) the Secretary of Homeland Security may waive any other provision of section 212(a), or a ground of ineligibility under paragraph (4), in the case of individual aliens for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.

''(2) WAIVER FEE.—An alien who is granted a waiver under subparagraph (C) shall pay a $100 fee upon approval of the alien's visa application.

''(e) INELIGIBLE.—An alien is ineligible for the change of status provided by this section if the alien—

''(1) is subject to a final order of removal under section 240;

''(2) failed to depart the United States during the period of a voluntary departure order under section 240B;

''(3) has been issued a Notice to Appear under section 239, unless the sole acts of conduct alleged to be in violation of the law are that the alien is removable under section 237(a)(1)(C) or is inadmissible under section 212(a)(6)(A);

''(4) fails to comply with any request for information made by the Secretary of Homeland Security; or

''(5) commits an act that makes the alien removable from the United States.

''(f) IMPLEMENTATION AND APPLICATION TIME PERIODS.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the application process for an adjustment of status under this section is secure and incorporates antifraud protection.

''(2) APPLICATION.—An alien must submit an initial application for a change of status under this section not later than 3 years after the date of the enactment of the Comprehensive Immigration Reform Act of 2006. An alien that fails to comply with this requirement is ineligible for a change of status under this section.

''(3) COMPLETION OF PROCESSING.—The Secretary of Homeland Security shall ensure that all applications for a change of status under this section are processed not later than 3 years after the date of the application.

''(4) LOCATION.—An alien applying for a change of status under this section need not depart the United States in order to apply for such a change of status.

''(g) FAILURE TO ACT.—An alien unlawfully in the United States who fails to apply for a change of status pursuant to this section or fails to depart from the United States prior to the date that is 6 years after the date of the enactment of the Comprehensive Immigration Reform Act of 2006 is not eligible and may not apply for or receive any immigration relief or benefit under this Act or any other law, with the exception of section 208 or 241(b)(3) or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(h) SECURITY AND LAW ENFORCEMENT BACKGROUND CHECKS.—

''(1) BIOMETRIC DATA.—An alien may not be granted a change of status under this section unless the alien submits biometric data in accordance with procedures established by the Secretary of Homeland Security.

''(2) BACKGROUND CHECKS.—The Secretary of Homeland Security may not grant a change of status under this section until all appropriate background checks, including any that the Secretary, in the Secretary's discretion may require, are completed to the satisfaction of the Secretary of Homeland Security.

''(i) DURATION, EXTENSION, AND REENTRY.—

''(1) DURATION AND EXTENSION.—The period of authorized admission for an alien granted a change of status under this section shall be 3 years, and may be extended for 2 additional 3-year periods if the alien remains employed with an employer who complies with the requirements of the Comprehensive Immigration Reform Act of 2006 and the amendments made by that Act.

''(2) APPLICATION FOR EXTENSION.—

''(A) IN GENERAL.—An alien granted a change of status for a 3-year period under this section who is seeking an extension of such status shall submit an application for such extension no more than 90 days and no less than 45 days before the end of such 3-year period. The application shall provide evidence of employment with an employer that complies with the requirements of the Comprehensive Immigration Reform Act of 2006 and the amendments made by that Act.

''(B) FEE.—An alien who submits an application for an extension described in subparagraph (A), shall pay a $100 fee with such application.

''(3) REENTRY.—Unless an alien is granted a change of status or adjustment of status pursuant to subsection (n), an alien granted a change of status pursuant to subsection (a) shall, upon the expiration of the time period for authorized admission under this section, leave the United States and be ineligible to reenter the United States, or receive any other immigration relief or benefit under this Act or any other law, with the exception of section 208 or 241(b)(3) or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, until the alien has resided continuously in the alien's home country for a period of not less than 3 years.

''(j) STANDARDS FOR DOCUMENTATION.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the document issued to provide evidence of status under this section shall be machine-readable, tamper-resistant, and allow for biometric authentication. The Secretary of Homeland Security is authorized to incorporate integrated-circuit technology into the document.

''(2) CONSULTATION.—The Secretary of Homeland Security shall consult with the head of the Forensic Document Laboratory and such other Federal agencies as may be appropriate in designing the document.

''(3) USE OF DOCUMENT.—The document may serve as a travel, entry, and work authorization document during the period of its validity.

''(k) FAILURE TO DEPART.—

''(1) INADMISSIBILITY FOR FAILURE TO DEPART.—Subject to paragraph (2), an alien who fails to depart the United States prior to the date that is 10 days after the date that the alien's authorized period of admission under this section ends is not eligible for and may not apply for or receive any immigration relief or benefit under this Act or any other law for a period of 10 years.

''(2) EXCEPTION.—The prohibition in paragraph (1) may not be applied to prohibit the admission of an alien under section 208 or 241(b)(3) of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1984.

''(l) TRAVEL OUTSIDE THE UNITED STATES.—

''(1) IN GENERAL.—An alien granted a change of status under this section and the spouse or child of such alien admitted pursuant to subsection (o)—

''(A) may travel outside of the United States; and

''(B) may be readmitted without having to obtain a new visa if the period of authorized admission under this section has not expired.

''(2) EFFECT ON PERIOD OF AUTHORIZED ADMISSION.—Time spent outside the United States under paragraph (1) may not extend the period of authorized admission in the United States permitted for an alien under this section or for the spouse or child of such alien admitted under subsection (o).

''(m) EMPLOYMENT.—

''(1) IN GENERAL.—An alien granted a change of status under this section may be employed by any employer that complies with the requirements of the Comprehensive Immigration Reform Act of 2006 and the amendments made by that Act.

''(2) CONTINUOUS EMPLOYMENT.—

''(A) REQUIREMENT FOR EMPLOYMENT.—An alien granted a change of status under this section who fails to be employed for 30 consecutive days is ineligible for reentry or employment in the United States unless the alien departs the United States and is admitted for reentry under a provision of this Act or any other provision of law.

''(B) WAIVER.—The Secretary of Homeland Security may, in the Secretary's sole and unreviewable discretion, waive the application of subparagraph (A) for an alien and authorize the alien for employment without requiring the alien to depart the United States.

''(n) LIMITATION ON CHANGE OF STATUS OR ADJUSTMENT OF STATUS.—

''(1) IN GENERAL.—An alien described in paragraph (2) may apply for any visa, adjustment of status, or other immigration benefit, other than for an adjustment of status for lawful permanent resident, that the alien qualifies for after the alien has resided lawfully in the United States pursuant to a change of status granted as described in subsection (a) for a period of not less than 5 years, and such alien may not be required to return to the alien's home country in order to obtain such a visa, adjustment of status, or other immigration benefit.

''(2) REQUIREMENTS TO APPLY.—An alien described in this paragraph is an alien who—

''(A) has been granted a change of status under subsection (a); and

''(B) during the 5-year period ending on the date of the enactment of the Comprehensive Immigration Reform Act of 2006—

''(i) was physically present in the United States; and

''(ii) was unemployed for no more than 30 consecutive days.

''(o) FAMILY MEMBERS.—

''(1) IN GENERAL.—The spouse or child of an alien admitted as a nonimmigrant under this section may be admitted to the United States—

''(A) as a nonimmigrant for the same amount of time, and on the same terms and conditions, as the alien granted a change of status under this section; or

''(B) under any other provision of law, if such family member is otherwise eligible for admission.

''(2) APPLICATION FEE.—The spouse or child of an alien admitted under this section who is seeking to be admitted pursuant to this subsection shall submit, in addition to any other fee authorized by law, an additional fee of $100.

''(p) NUMERICAL LIMIT.—There shall be no numerical limitation on the number of visas or number of aliens granted any change of status or adjustment of status under this section, including a visa issued or a change of status or adjustment of status granted pursuant to subsection (n).

''(q) PENALTIES FOR FALSE STATEMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) VIOLATION.—It shall be unlawful for any person—

''(i) to file or assist in filing an application for a change of status under this section and knowingly or willfully falsify, misrepresent, conceal, or cover up a material fact or make any false, fictitious, or fraudulent statements or representations, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

''(ii) to create or supply a false writing or document for use in making such an application.

''(B) PENALTY.—Any person who violates subparagraph (A) shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

''(2) INADMISSIBILITY.—An alien who is convicted of a crime under paragraph (1) shall be considered to be inadmissible to the United States on the ground described in section 212(a)(6)(C)(i).

''(r) TREATMENT OF APPLICANTS.—

''(1) IN GENERAL.—An alien who files an application for nonimmigrant status under subsection (a)—

''(A) shall be granted employment authorization pending final adjudication of the alien's application;

''(B) shall be granted permission to travel abroad pursuant to regulation pending final adjudication of the alien's application;

''(C) may not be detained, determined inadmissible or deportable, or removed pending final adjudication of the alien's application, unless the alien commits an act which renders the alien ineligible for such adjustment of status; and

''(D) may not be considered an unauthorized alien until such time as the alien's application is denied.

''(2) DOCUMENT OF AUTHORIZATION.—The Secretary of Homeland Security shall provide each alien who files an application for nonimmigrant status under subsection (a) under this section with a counterfeit-resistant document of authorization that—

''(A) meets all current requirements established by the Secretary of Homeland Security for travel documents; and

''(B) reflects the benefits and status set forth in paragraph (1).

''(3) SECURITY AND LAW ENFORCEMENT CLEARANCE.—Before an alien is granted employment authorization or permission to travel under paragraph (1), the alien shall be required to undergo a name check against existing databases for information relating to criminal, national security, or other law enforcement actions. The head of each relevant Federal agency shall work to ensure that such name checks are completed not later than 90 days after the date on which the name check is requested.

''(s) DISSEMINATION OF INFORMATION ON ADJUSTMENT.—During the 12 months following the issuance of final regulations relating to this section, the Secretary of Homeland Security, in cooperation with entities approved by the Secretary of Homeland Security, shall broadly disseminate information respecting adjustment of status under this section and the requirements to be satisfied to obtain such status. The Secretary of Homeland Security shall disseminate such information to employers and labor unions to advise such employers and labor unions of the rights and protections available to them and to workers who file applications under this section. Such information shall be broadly disseminated, in the languages spoken by the top 15 source countries of the aliens who would qualify for adjustment of status under this section, including to television, radio, and print media such aliens would have access to.

''(t) EMPLOYER PROTECTIONS.—

''(1) IMMIGRATION STATUS OF ALIEN.—An employer of an alien who applies for an adjustment of status under this section shall not be subject to civil or criminal tax liability relating directly to the employment of such alien prior to such alien's adjustment of status under this section.

''(2) PROVISION OF EMPLOYMENT RECORDS.—Employers that provide unauthorized aliens with copies of employment records or other evidence of employment pursuant to an application for adjustment of status under this section or any other application or petition pursuant to other provisions of the immigration laws shall not be subject to civil or criminal liability pursuant to section 274A for employing such unauthorized aliens prior to such aliens' adjustment of status under this section.

''(3) APPLICATION OF OTHER LAW.—Nothing in this subsection shall be used to shield an employer from liability pursuant to section 274B or any other labor and employment law provisions.''.

(b) INITIAL RECEIPT OF APPLICATIONS.—The Secretary shall begin accepting applications for a change of status under section 218D of the Immigration and Nationality Act, as added by subsection (a), not later than 6 months after the date of the enactment of this Act.

(c) TECHNICAL AMENDMENT.—The table of contents of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by section 615(b), is further amended by inserting after the item relating to section 218H, the following:

''Sec. 218D. Change of status for unauthorized aliens.''.

SEC. 603. STATUTORY CONSTRUCTION.

Nothing in this subtitle, or any amendment made by this subtitle, may be construed to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

SEC. 604. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary for facilities, personnel (including consular officers), training, technology, and processing necessary to carry out the amendments made by this subtitle.

SA 3264. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Strike title VI.

On page 225, beginning on line 17, strike all through page 277, line 21, and insert the following:

(d) OTHER STUDIES AND REPORTS.—

(1) STUDY BY LABOR.—The Secretary of Labor shall conduct a study on a sector-by-sector basis on the need for guest workers and the impact that any proposed temporary worker or guest worker program would have on wages and employment opportunities of American workers.

(2) STUDY BY GAO.—The Comptroller General of the United States shall conduct a study regarding establishing minimum criteria for effectively implementing any proposed temporary worker program and determining whether the Department has the capability to effectively enforce the program. If the Comptroller General determines that the Department does not have the capability to effectively enforce any proposed temporary worker program, the Comptroller General shall determine what additional manpower and resources would be required to ensure effective implementation.

(3) STUDY BY THE DEPARTMENT.—The Secretary shall conduct a study to determine if the border security and interior enforcement measures contained in this Act are being properly implemented and whether they are effective in securing United States borders and curbing illegal immigration.

(4) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall, in cooperation with the Secretary of Labor and the Comptroller General of the United States, submit a report to Congress regarding the studies conducted pursuant to paragraphs (1), (2), and (3).

SA 3265. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 327, strike lines 2 through 6 and insert the following:

''(ii) business records; or

''(iii) remittance records.

SA 3266. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ACCESS TO IMMIGRATION SERVICES IN AREAS THAT ARE NOT ACCESSIBLE BY ROAD.

Notwithstanding any other provision of law, the Secretary shall permit an employee of Customs and Border Protection or Immigration and Customs Enforcement who carries out the functions of Customs and Border Protection or Immigration and Customs Enforcement in a geographic area that is not accessible by road to carry out any function that was performed by an employee of the Immigration and Naturalization Service in such area prior to the date of the enactment of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.).

SA 3267. Mr. NELSON of Nebraska (for himself, Mr. SESSIONS, Mr. BYRD, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Border Security and Interior Enforcement Improvement Act of 2006''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Severability.

TITLE I—SOUTHWEST BORDER SECURITY

Sec. 101. Construction of fencing and security improvements in border area from Pacific Ocean to Gulf of Mexico.
Sec. 102. Border patrol agents.
Sec. 103. Increased availability of Department of Defense equipment to assist with surveillance of southern international land border of the United States.
Sec. 104. Ports of entry.
Sec. 105. Authorization of appropriations.

TITLE II—FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT

Subtitle A—Additional Federal Resources

Sec. 201. Necessary assets for controlling United States borders.
Sec. 202. Additional immigration personnel.
Sec. 203. Additional worksite enforcement and fraud detection agents.
Sec. 204. Document fraud detection.
Sec. 205. Powers of immigration officers and employees.

Subtitle B—Maintaining Accurate Enforcement Data on Aliens

Sec. 211. Entry-exit system.
Sec. 212. State and local law enforcement provision of information regarding aliens.
Sec. 213. Listing of immigration violators in the National Crime Information Center database.
Sec. 214. Determination of immigration status of individuals charged with Federal offenses.

Subtitle C—Detention of Aliens and Reimbursement of Costs

Sec. 221. Increase of Federal detention space and the utilization of facilities identified for closures as a result of the Defense Base Closure Realignment Act of 1990.
Sec. 222. Federal custody of illegal aliens apprehended by State or local law enforcement.
Sec. 223. Institutional Removal Program.

Subtitle D—State, Local, and Tribal Enforcement of Immigration Laws

Sec. 231. Congressional affirmation of immigration law enforcement authority by States and political subdivisions of States.
Sec. 232. Immigration law enforcement training of State and local law enforcement personnel.
Sec. 233. Immunity.

TITLE III—VISA REFORM AND ALIEN STATUS

Subtitle A—Limitations on Visa Issuance and Validity

Sec. 301. Curtailment of visas for aliens from countries denying or delaying repatriation of nationals.
Sec. 302. Judicial review of visa revocation.
Sec. 303. Elimination of diversity immigrant program.
Sec. 304. Completion of background and security checks.
Sec. 305. Naturalization and good moral character.
Sec. 306. Denial of benefits to terrorists and criminals.
Sec. 307. Repeal of adjustment of status of certain aliens physically present in United States under section 245(i).
Sec. 308. Grounds of Inadmissibility and Removability for Persecutors.
Sec. 309. Technical Corrections to SEVIS Reporting Requirements.

TITLE IV—WORKPLACE ENFORCEMENT AND IDENTIFICATION INTEGRITY

Subtitle A—In General

Sec. 401. Short title.
Sec. 402. Findings.

Subtitle B—Employment Eligibility Verification System

Sec. 411. Employment Eligibility Verification System.
Sec. 412. Employment eligibility verification process.
Sec. 413. Expansion of employment eligibility verification system to previously hired individuals and recruiting and referring.
Sec. 414. Extension of preemption to required construction of day laborer shelters.
Sec. 415. Basic pilot program.
Sec. 416. Protection for United States workers and individuals reporting immigration law violations.
Sec. 417. Penalties.

Subtitle C—Work Eligibility Verification Reform in the Social Security Administration

Sec. 421. Verification responsibilities of the Commissioner of Social Security.
Sec. 422. Notification by commissioner of failure to correct social security information.
Sec. 423. Restriction on access and use.
Sec. 424. Sharing of information with the commissioner of Internal Revenue Service.
Sec. 425. Sharing of information with the Secretary of Homeland Security.

Subtitle D—Sharing of Information

Sec. 431. Sharing of information with the Secretary of Homeland Security and the Commissioner of Social Security.

Subtitle E—Identification Document Integrity

Sec. 441. Consular identification documents.
Sec. 442. Machine-readable tamper-resistant immigration documents.

Subtitle F—Effective Date; Authorization of Appropriations

Sec. 451. Effective date.
Sec. 452. Authorization of appropriations.

TITLE V—PENALTIES AND ENFORCEMENT

Subtitle A—Criminal and Civil Penalties

Sec. 501. Alien smuggling and related offenses.
Sec. 502. Evasion of inspection or violation of arrival, reporting, entry, or clearance requirements.
Sec. 503. Improper entry by, or presence of, aliens.
Sec. 504. Fees and Employer Compliance Fund.
Sec. 505. Reentry of removed alien.
Sec. 506. Civil and criminal penalties for document fraud, benefit fraud, and false claims of citizenship.
Sec. 507. Rendering inadmissible and deportable aliens participating in criminal street gangs.
Sec. 508. Mandatory detention of suspected criminal street gang members.
Sec. 509. Ineligibility for asylum and protection from removal.
Sec. 510. Penalties for misusing social security numbers or filing false information with Social Security Administration.
Sec. 511. Technical and clarifying amendments.

Subtitle B—Detention, Removal, and Departure

Sec. 521. Voluntary departure reform.
Sec. 522. Release of aliens in removal proceedings.
Sec. 523. Expedited removal.
Sec. 524. Reinstatement of previous removal orders.
Sec. 525. Cancellation of removal.
Sec. 526. Detention of dangerous alien.
Sec. 527. Alternatives to detention.
Sec. 528. Authorization of appropriations.

SEC. 2. SEVERABILITY.

If any provision of this Act, any amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such holding.

TITLE I—SOUTHWEST BORDER SECURITY

SEC. 101. CONSTRUCTION OF FENCING AND SECURITY IMPROVEMENTS IN BORDER AREA FROM PACIFIC OCEAN TO GULF OF MEXICO.

(a) IN GENERAL.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1103 note) is amended to read as follows—

''(1) BORDER SECURITY IMPROVEMENTS.—

''(A) BORDER ZONE CREATION.—

''(i) IN GENERAL.—In carrying out subsection (a), the Secretary of Homeland Security shall create and control a border zone, along the international land border between the United States and Mexico, subject to the following conditions:

''(I) SIZE.—The border zone shall consist of the United States land area within 100 yards of such international land border, except that with respect to areas of the border zone that are contained within an organized subdivision of a State or local government, the Secretary may adjust the area included in the border zone to accommodate existing public and private structures.

''(II) FEDERAL LAND.—Not later than 30 days after the date of the enactment of the Border Security and Interior Enforcement Improvement Act of 2006, the head of each Federal agency having jurisdiction over Federal land included in the border zone shall transfer such land, without reimbursement, to the administrative jurisdiction of the Secretary of Homeland Security.

''(III) CONSULTATION.—Before installing any fencing or other physical barriers, roads, lighting, or sensors under subparagraph (B) on land transferred by the Secretary of Defense under subclause (II), the Secretary of Homeland Security shall consult with the Secretary of Defense for purposes of mitigating or limiting the impact of the fencing, barriers, roads, lighting, and sensors on military training and operations.

''(ii) OTHER USES.—The Secretary may authorize the use of land included in the border zone for other purposes so long as such use does not impede the operation or effectiveness of the security features installed under subparagraph (B) or the ability of the Secretary to carry out subsection (a).

''(B) REINFORCED FENCING.—In carrying out subsection (a), the Secretary of Homeland Security shall provide for—

''(i) the construction along the southern international land border between the United States and Mexico, starting at the Pacific Ocean and extending eastward to the Gulf of Mexico, of at least 2 layers of reinforced fencing; and

''(ii) the installation of such additional physical barriers, roads, lighting, ditches, and sensors along such border as may be necessary to eliminate illegal crossings and facilitate legal crossings along such border.

''(C) PRIORITY AREAS.—With respect to the border described in subparagraph (B), the Secretary shall ensure that initial fence construction occurs in high traffic and smuggling areas along such border.''.

(b) CONFORMING AMENDMENTS.—Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1103 note) as amended by subsection (a) is further amended—

(1) in subsection (a), by striking ''Attorney General, in consultation with the Commissioner of Immigration and Naturalization,'' and inserting ''Secretary of Homeland Security'';

(2) in subsection (b), by striking the heading and inserting ''BORDER ZONE CREATION AND REINFORCED FENDING—''; and

(3) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

SEC. 102. BORDER PATROL AGENTS.

Section 5202 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3734) is amended—

(1) by striking ''2010'' both places it appears and inserting ''2011''; and

(2) by striking ''2,000'' and inserting ''3,000''.

SEC. 103. INCREASED AVAILABILITY OF DEPARTMENT OF DEFENSE EQUIPMENT TO ASSIST WITH SURVEILLANCE OF SOUTHERN INTERNATIONAL LAND BORDER OF THE UNITED STATES.

(a) INCREASED AVAILABILITY OF EQUIPMENT.—The Secretary of Defense and the Secretary of Homeland Security shall develop and implement a plan to use the authorities provided to the Secretary of Defense under chapter 18 of title 10, United States Code, to increase the availability and use of Department of Defense equipment, including unmanned aerial vehicles, tethered aerostat radars, and other surveillance equipment, to assist with Department of Homeland Security surveillance activities conducted at or near the southern international land border of the United States.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall submit a report to Congress that contains—

(1) a description of the current use of Department of Defense equipment to assist with Department of Homeland Security surveillance of the southern international land border of the United States;

(2) the plan developed under subsection (a) to increase the use of Department of Defense equipment to assist with such surveillance activities; and

(3) a description of the types of equipment and other support to be provided by Department of Defense under such plan during the 1-year period beginning after submission of the report.

SEC. 104. PORTS OF ENTRY.

To facilitate legal trade, commerce, tourism, and legal immigration, the Secretary of Homeland Security is authorized to—

(1) construct additional ports of entry along the international land border of the United States, at locations to be determined by the Secretary; and

(2) make necessary improvements to the ports of entry in existence on the date of the enactment of this Act.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $5,000,000,000 to carry out section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1103), as amended by section 101. Such sums shall be available until expended.

(b) BORDER PATROL AGENTS.—There are authorized to be appropriated $3,000,000,000 to carry out section 5202 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3734), as amended by section 102.

(c) PORTS OF ENTRY.—There are authorized to be appropriated $125,000,000 to carry out section 104.

(d) CONFORMING AMENDMENT.—Section 102(b)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is repealed.

TITLE II—FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT

Subtitle A—Additional Federal Resources

SEC. 201. NECESSARY ASSETS FOR CONTROLLING UNITED STATES BORDERS.

(a) PERSONNEL.—

(1) CUSTOMS AND BORDER PROTECTION OFFICERS.—In each of the fiscal years 2007 through 2011, the Secretary of Homeland Security shall increase by not less than 250 the number of positions for full-time active duty Customs and Border Protection officers.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2007 through 2011 to carry out paragraph (1).

(b) TECHNOLOGICAL ASSETS.—

(1) ACQUISITION.—The Secretary of Homeland Security shall procure unmanned aerial vehicles, cameras, poles, sensors, and other technologies necessary to achieve operational control of the borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $500,000,000 for each of fiscal years 2007 through 2011 to carry out paragraph (1).

(c) BORDER PATROL CHECKPOINTS.—Notwithstanding any other provision of law or regulation, temporary or permanent checkpoints may be maintained on roadways in border patrol sectors close to the international land borders of the United States in such locations and for such time period durations as the Secretary of Homeland Security, in the Secretary's sole discretion, determines necessary.

SEC. 202. ADDITIONAL IMMIGRATION PERSONNEL.

(a) DEPARTMENT OF HOMELAND SECURITY.—

(1) INVESTIGATIVE PERSONNEL.—In addition to the positions authorized under section 5203 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law

108–458; 118 Stat. 3734), for each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 200 the number of positions for investigative personnel within the Department of Homeland Security investigating alien smuggling and immigration status violations above the number of such positions for which funds were made available during the preceding fiscal year.

(2) TRIAL ATTORNEYS.—In each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase the number of positions for attorneys in the Office of General Counsel of the Department of Homeland Security who represent the Department in immigration matters by not less than 100 above the number of such positions for which funds were made available during each preceding fiscal year.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Homeland Security for each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this subsection.

(b) DEPARTMENT OF JUSTICE.—

(1) ASSISTANT ATTORNEY GENERAL FOR IMMIGRATION ENFORCEMENT.—

(A) ESTABLISHMENT.—There is established within the Department of Justice the position of Assistant Attorney General for Immigration Enforcement. The Assistant Attorney General for Immigration Enforcement shall coordinate and prioritize immigration litigation and enforcement in the Federal courts, including—

(i) removal and deportation;

(ii) employer sanctions; and

(iii) alien smuggling and human trafficking.

(B) CONFORMING AMENDMENT.—Section 506 of title 28, United States Code, is amended by striking ''ten'' and inserting ''11''.

(2) LITIGATION ATTORNEYS.—In each of fiscal years 2007 through 2011, the Attorney General shall, subject to the availability of appropriations for such purpose, increase by not less than 50 the number of positions for attorneys in the Office of Immigration Litigation of the Department of Justice above the number of such positions for which funds were made available during the preceding fiscal year.

(3) ASSISTANT UNITED STATES ATTORNEYS.—In each of fiscal years 2007 through 2011, the Attorney General shall, subject to the availability of appropriations for such purpose, increase by not less than 50 the number of Assistant United States Attorneys to litigate immigration cases in the Federal courts above the number of such positions for which funds were made available during the preceding fiscal year.

(4) IMMIGRATION JUDGES.—In each of fiscal years 2007 through 2011, the Attorney General shall, subject to the availability of appropriations for such purpose, increase by not less than 50 the number of immigration judges above the number of such positions for which funds were made available during the preceding fiscal year.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Justice for each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this subsection, including the hiring of necessary support staff.

SEC. 203. ADDITIONAL WORKSITE ENFORCEMENT AND FRAUD DETECTION AGENTS.

(a) WORKSITE ENFORCEMENT.—In each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 2,000, the number of positions for investigators dedicated to enforcing compliance with sections 274 and 274A of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a) above the number of such positions in which funds were made available during the preceding fiscal year.

(b) FRAUD DETECTION.—In each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 1,000 the number of positions for Immigration Enforcement Agents dedicated to immigration fraud detection above the number of such positions in which funds were made available during the preceding fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated during each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this section.

SEC. 204. DOCUMENT FRAUD DETECTION.

(a) TRAINING.—The Secretary of Homeland Security shall provide all customs and border protection officers with training in identifying and detecting fraudulent travel documents. Such training shall be developed in consultation with the Forensic Document Laboratory of the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security.

(b) FORENSIC DOCUMENT LABORATORY.—The Secretary of Homeland Security shall provide all officers of the Bureau of Customs and Border Protection with access to the Forensic Document Laboratory.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2007 through 2011 to carry out this section.

SEC. 205. POWERS OF IMMIGRATION OFFICERS AND EMPLOYEES.

Section 287(a) of the Immigration and Nationality Act (8 U.S.C. 1357(a)) is amended—

(1) by striking paragraph (5) and the 2 undesignated paragraphs following paragraph (5);

(2) in the material preceding paragraph (1)—

(A) by striking ''(a) Any'' and inserting ''(a)(1) Any''; and

(B) by striking ''Service'' and inserting ''Department of Homeland Security'';

(3) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively; and

(4) by inserting after subparagraph (D), as redesignated by paragraph (3), the following:

''(E) to make arrests—

''(i) for any offense against the United States, if the offense is committed in the officer's or employee's presence; or

''(ii) for any felony cognizable under the laws of the United States, if the officer or employee has reasonable grounds to believe that the person to be arrested has committed or is committing such a felony.

''(2) Under regulations prescribed by the Attorney General or the Secretary of Homeland Security, an officer or employee of the Service may carry a firearm and may execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States.''.

Subtitle B—Maintaining Accurate Enforcement Data on Aliens

SEC. 211. ENTRY-EXIT SYSTEM.

(a) INTEGRATED ENTRY AND EXIT DATA SYSTEM.—Section 110(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a(b)(1)) is amended to read as follows:

''(1) provides access to, and integrates, arrival and departure data of all aliens who arrive and depart at ports of entry, in an electronic format and in a database of the Department of Homeland Security or the Department of State (including those created or used at ports of entry and at consular offices);''.

(b) CONSTRUCTION.—Section 110(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a(c)) is amended to read as follows:

''(c) CONSTRUCTION.—Nothing in this section shall be construed to reduce or curtail any authority of the Secretary of Homeland Security or the Secretary of State under any other provision of law.''.

(c) DEADLINES.—Section 110(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a(d)) is amended—

(1) in paragraph (1), by striking ''December 31, 2003'' and inserting ''October 1, 2006''; and

(2) by amending paragraph (2) to read as follows:

''(2) LAND BORDER PORTS OF ENTRY.—Not later than October 1, 2006, the Secretary of Homeland Security shall implement the integrated entry and exit data system using the data described in paragraph (1) and available alien arrival and departure data described in subsection (b)(1) pertaining to aliens arriving in, or departing from, the United States at all land border ports of entry. Such implementation shall include ensuring that such data, when collected or created by an immigration officer at a port of entry, are entered into the system and can be accessed by immigration officers at airports, seaports, and other land border ports of entry.''.

(d) AUTHORITY TO PROVIDE ACCESS TO SYSTEM.—Section 110(f)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a(f)(1)) is amended by adding at the end: ''The Secretary of Homeland Security shall ensure that any officer or employee of the Department of Homeland Security or the Department of State having need to access the data contained in the integrated entry and exit data system for any lawful purpose under the Immigration and Nationality Act has such access, including access for purposes of representation of the Department of Homeland Security in removal proceedings under section 240 of such Act and adjudication of applications for benefits under such Act.''.

(e) BIOMETRIC DATA ENHANCEMENTS.—Not later than October 1, 2006, the Secretary of Homeland Security shall—

(1) in consultation with the Attorney General, enhance connectivity between the automated biometric fingerprint identification system (IDENT) of the Department of Homeland Security and the integrated automated fingerprint identification system (IAFIS) of the Federal Bureau of Investigation fingerprint databases to ensure more expeditious data searches; and

(2) in consultation with the Secretary of State, collect all 10 fingerprints during the alien's initial enrollment in the integrated entry and exit data system described in section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), as amended by this section.

SEC. 212. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION REGARDING ALIENS.

(a) VIOLATIONS OF FEDERAL LAW.—A statute, policy, or practice that prohibits, or restricts in any manner, a law enforcement or administrative enforcement officer of a State or of a political subdivision therein, from enforcing Federal immigration laws or from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the investigative or enforcement duties of the officer or from providing information to an official of the United States Government regarding the immigration status of an individual who is believed

to be illegally present in the United States, is in violation of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)) and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644).

(b) STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ILLEGAL ALIENS.—

(1) PROVISION OF INFORMATION.—

(A) IN GENERAL.—In compliance with section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)) and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644), each law enforcement agency of a State or of a political subdivision therein shall provide to the Department of Homeland Security the information listed in paragraph (2) for each alien who is apprehended in the jurisdiction of such agency and who cannot produce the valid certificate of alien registration or alien registration receipt card described in section 264(d) of the Immigration and Nationality Act (8 U.S.C. 1304(d)).

(B) TIME LIMITATION.—Not later than 15 days after an alien described in subparagraph (A) is apprehended, information required to be provided under subparagraph (A) shall be provided in such form and in such manner as the Secretary of Homeland Security may, by regulation or guideline, require.

(C) EXCEPTION.—The reporting requirement in paragraph (A) shall not apply in the case of any alien determined to be lawfully present in the United States.

(2) INFORMATION REQUIRED.—The information listed in this subsection is as follows:

(A) The alien's name.

(B) The alien's address or place of residence.

(C) A physical description of the alien.

(D) The date, time, and location of the encounter with the alien and reason for stopping, detaining, apprehending, or arresting the alien.

(E) If applicable—

(i) the alien's driver's license number and the State of issuance of such license;

(ii) the type of any other identification document issued to the alien, any designation number contained on the identification document, and the issuing entity for the identification document;

(iii) the license number and description of any vehicle registered to, or operated by, the alien; and

(iv) a photo of the alien and a full set of the alien's 10 rolled fingerprints, if available or readily obtainable.

(3) REIMBURSEMENT.—The Secretary of Homeland Security shall reimburse such law enforcement agencies for the costs, per a schedule determined by the Secretary, incurred by such agencies in collecting and transmitting the information described in paragraph (2).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996.—

(A) TECHNICAL AMENDMENT.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(i) in subsections (a), (b)(1), and (c), by striking ''Immigration and Naturalization Service'' each place it appears and inserting ''Department of Homeland Security''; and

(ii) in the heading by striking ''**IMMIGRATION AND NATURALIZATION SERVICE**'' and inserting ''**DEPARTMENT OF HOMELAND SECURITY**''.

(B) CONFORMING AMENDMENT.—Section 1(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546) is amended by striking the item related to section 642 and inserting the following:

''Sec. 642. Communication between government agencies and the Department of Homeland Security.''.

(2) PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.—

(A) IN GENERAL.—Section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644) is amended—

(i) by striking ''Immigration and Naturalization Service'' and inserting ''Department of Homeland Security''; and

(ii) in the heading by striking ''**IMMIGRATION AND NATURALIZATION SERVICE**'' and inserting ''**DEPARTMENT OF HOMELAND SECURITY**''.

(B) CONFORMING AMENDMENT.—Section 2 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1642) is amended by striking the item related to section 434 and inserting the following:

''Sec. 434. Communication between State and local government agencies and the Department of Homeland Security.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the requirements of this section.

SEC. 213. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NATIONAL CRIME INFORMATION CENTER.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the head of the National Crime Information Center of the Department of Justice the information that the Secretary of Homeland Security has or maintains related to any alien—

(A) against whom a final order of removal has been issued;

(B) who enters into a voluntary departure agreement, or is granted voluntary departure by an immigration judge, whose period for departure has expired under subsection (a)(2) or (b)(2) of section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) or who has violated a condition of a voluntary departure agreement under such section 240B;

(C) detained by a Federal, State, or local law enforcement agency whom a Federal immigration officer has confirmed to be unlawfully present in the United States but, in the exercise of discretion, has been released from detention without transfer into the custody of a Federal immigration officer;

(D) who has remained in the United States beyond the alien's authorized period of stay; and

(E) whose visa has been revoked.

(2) REMOVAL OF INFORMATION.—The head of the National Crime Information Center should promptly remove any information provided by the Secretary of Homeland Security under paragraph (1) related to an alien who is granted lawful authority to enter or remain legally in the United States.

(b) INCLUSION OF INFORMATION IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.—Section 534(a) of title 28, United States Code, is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) acquire, collect, classify, and preserve records of violations of the immigration laws of the United States, regardless of whether the alien has received notice of the violation or the alien has already been removed; and''.

SEC. 214. DETERMINATION OF IMMIGRATION STATUS OF INDIVIDUALS CHARGED WITH FEDERAL OFFENSES.

(a) RESPONSIBILITY OF UNITED STATES ATTORNEYS.—Beginning 2 years after the date of the enactment of this Act, the office of the United States attorney that is prosecuting a criminal case in a Federal court—

(1) shall determine, not later than 30 days after filing the initial pleadings in the case, whether each defendant in the case is lawfully present in the United States (subject to subsequent legal proceedings to determine otherwise);

(2)(A) if the defendant is determined to be an alien lawfully present in the United States, shall notify the court in writing of the determination and the current status of the alien under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

(B) if the defendant is determined not to be lawfully present in the United States, shall notify the court in writing of the determination, the defendant's alien status, and, to the extent possible, the country of origin or legal residence of the defendant; and

(3) ensure that the information described in paragraph (2) is included in the case file and the criminal records system of the office of the United States attorney.

(b) GUIDELINES.—A determination made under subsection (a)(1) shall be made in accordance with guidelines of the Executive Office for Immigration Review of the Department of Justice.

(c) RESPONSIBILITIES OF FEDERAL COURTS.—

(1) MODIFICATIONS OF RECORDS AND CASE MANAGEMENTS SYSTEMS.—Not later than 2 years after the date of the enactment of this Act, all Federal courts that hear criminal cases, or appeals of criminal cases, shall modify their criminal records and case management systems, in accordance with guidelines which the Director of the Administrative Office of the United States Courts shall establish, so as to enable accurate reporting of information described in subsection (a)(2).

(2) DATA ENTRIES.—Beginning 2 years after the date of the enactment of this Act, each Federal court described in paragraph (1) shall enter into its electronic records the information contained in each notification to the court under subsection (a)(2).

(d) ANNUAL REPORT TO CONGRESS.—The Director of the Administrative Office of the United States Courts shall include, in the annual report filed with the Congress under section 604 of title 28, United States Code—

(1) statistical information on criminal trials of aliens in the courts and criminal convictions of aliens in the lower courts and upheld on appeal, including the type of crime in each case and including information on the legal status of the aliens; and

(2) recommendations on whether additional court resources are needed to accommodate the volume of criminal cases brought against aliens in the Federal courts.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2007 through 2012, such sums as may be necessary to carry out this Act. Funds appropriated pursuant to this subsection in any fiscal year shall remain available until expended.

Subtitle C—Detention of Aliens and Reimbursement of Costs

SEC. 221. INCREASE OF FEDERAL DETENTION SPACE AND THE UTILIZATION OF FACILITIES IDENTIFIED FOR CLOSURES AS A RESULT OF THE DEFENSE BASE CLOSURE REALIGNMENT ACT OF 1990.

(a) CONSTRUCTION OR ACQUISITION OF DETENTION FACILITIES.—

(1) IN GENERAL.—The Secretary of Homeland Security shall construct or acquire, in addition to existing facilities for the detention of aliens, 20 detention facilities in the

United States that have the capacity to detain a combined total of not less than 10,000 individuals at any time for aliens detained pending removal or a decision on removal of such aliens from the United States.

(2) DETERMINATION OF LOCATION.—The location of any detention facility built or acquired in accordance with this subsection shall be determined with the concurrence of the Secretary by the senior officer responsible for Detention and Removal Operations in the Department of Homeland Security. The detention facilities shall be located so as to enable the Department to increase to the maximum extent practicable the annual rate and level of removals of illegal aliens from the United States.

(3) USE OF INSTALLATIONS UNDER BASE CLOSURE LAWS.—In acquiring detention facilities under this subsection, the Secretary of Homeland Security shall consider the transfer of appropriate portions of military installations approved for closure or realignment under the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note) for use in accordance with paragraph (1).

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking ''may expend'' and inserting ''shall expend''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 222. FEDERAL CUSTODY OF ILLEGAL ALIENS APPREHENDED BY STATE OR LOCAL LAW ENFORCEMENT.

(a) IN GENERAL.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by adding after section 240C the following new section:

''SEC. 240D. TRANSFER OF ILLEGAL ALIENS FROM STATE TO FEDERAL CUSTODY.

''(a) IN GENERAL.—If the head of a law enforcement entity of a State (or, if appropriate, a political subdivision of the State) exercising authority with respect to the apprehension or arrest of an illegal alien submits a request to the Secretary of Homeland Security that the alien be taken into Federal custody, the Secretary of Homeland Security—

''(1) shall—

''(A) deem the request to include the inquiry to verify immigration status described in section 642(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(c)), and expeditiously inform the requesting entity whether such individual is an illegal alien; and

''(B) if the individual is an illegal alien, either—

''(i) not later than 72 hours after the conclusion of the State charging process or dismissal process, or if no State charging or dismissal process is required, not later than 72 hours after the illegal alien is apprehended, take the illegal alien into the custody of the Federal Government and incarcerate the alien; or

''(ii) request that the relevant State or local law enforcement agency temporarily detain or transport the illegal alien to a location for transfer to Federal custody; and

''(2) shall designate at least 1 Federal, State, or local prison or jail or a private contracted prison or detention facility within each State as the central facility for that State to transfer custody of criminal or illegal aliens to the Department of Homeland Security.

''(b) REIMBURSEMENT.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall reimburse a State or a political subdivision of a State for expenses, as verified by the Secretary of Homeland Security, incurred by the State or political subdivision in the detention and transportation of a criminal or illegal alien as described in subparagraphs (A) and (B) of subsection (a)(1).

''(2) COST COMPUTATION.—Compensation provided for costs incurred under subparagraphs (A) and (B) of subsection (a)(1) shall be—

''(A) the product of—

''(i) the average daily cost of incarceration of a prisoner in the relevant State, as determined by the chief executive officer of a State (or, as appropriate, a political subdivision of the State); multiplied by

''(ii) the number of days that the alien was in the custody of the State or political subdivision; plus

''(B) the cost of transporting the criminal or illegal alien from the point of apprehension or arrest to the location of detention, and if the location of detention and of custody transfer are different, to the custody transfer point; plus

''(C) the cost of uncompensated emergency medical care provided to a detained illegal alien during the period between the time of transmittal of the request described in subsection (a) and the time of transfer into Federal custody.

''(c) REQUIREMENT FOR APPROPRIATE SECURITY.—The Secretary of Homeland Security shall ensure that illegal aliens incarcerated in a Federal facility pursuant to this subsection are held in facilities which provide an appropriate level of security, and that, where practicable, aliens detained solely for civil violations of Federal immigration law are separated within a facility or facilities.

''(d) REQUIREMENT FOR SCHEDULE.—In carrying out this section, the Secretary of Homeland Security shall establish a regular circuit and schedule for the prompt transportation of apprehended illegal aliens from the custody of those States and political subdivisions of States which routinely submit requests described in subsection (a) into Federal custody.

''(e) AUTHORITY FOR CONTRACTS.—

''(1) IN GENERAL.—The Secretary of Homeland Security may enter into contracts or cooperative agreements with appropriate State and local law enforcement and detention agencies to implement this section.

''(2) DETERMINATION BY SECRETARY.—Prior to entering into a contract or cooperative agreement with a State or political subdivision of a State under paragraph (1), the Secretary shall determine whether the State, or where appropriate, the political subdivision in which the agencies are located has in place any formal or informal policy that violates section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373). The Secretary shall not allocate any of the funds made available under this section to any State or political subdivision that has in place a policy that violates such section.

''(f) ILLEGAL ALIEN DEFINED.—In this section, the term 'illegal alien' means an alien who—

''(1) entered the United States without inspection or at any time or place other than that designated by the Secretary of Homeland Security;

''(2) was admitted as a nonimmigrant and who, at the time the alien was taken into custody by the State or a political subdivision of the State, had failed to—

''(A) maintain the nonimmigrant status in which the alien was admitted or to which it was changed under section 248; or

''(B) comply with the conditions of any such status;

''(3) was admitted as an immigrant and has subsequently failed to comply with the requirements of that status; or

''(4) failed to depart the United States under a voluntary departure agreement or under a final order of removal.''.

(b) AUTHORIZATION OF APPROPRIATIONS FOR THE DETENTION AND TRANSPORTATION TO FEDERAL CUSTODY OF ALIENS NOT LAWFULLY PRESENT.—There are authorized to be appropriated $850,000,000 for fiscal year 2007 and each subsequent fiscal year for the detention and removal of aliens not lawfully present in the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 223. INSTITUTIONAL REMOVAL PROGRAM.

(a) INSTITUTIONAL REMOVAL PROGRAM.—

(1) CONTINUATION.—The Secretary of Homeland Security shall continue to operate the Institutional Removal Program or develop and implement any other program to—

(A) identify removable criminal aliens in Federal and State correctional facilities;

(B) ensure that such aliens are not released into the community; and

(C) remove such aliens from the United States after the completion of their sentences.

(2) EXPANSION.—The Secretary of Homeland Security shall extend the institutional removal program to all States. Each State should—

(A) cooperate with officials of the Federal Institutional Removal Program;

(B) expeditiously and systematically identify criminal aliens in its prison and jail populations; and

(C) promptly convey the information collected under subparagraph (B) to officials of the Institutional Removal Program.

(b) IMPLEMENTATION OF COOPERATIVE INSTITUTIONAL REMOVAL PROGRAMS.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), is amended by adding at the end the following:

''(d) AUTHORIZATION FOR DETENTION AFTER COMPLETION OF STATE OR LOCAL PRISON SENTENCE.—Law enforcement officers of a State or political subdivision of a State are authorized to—

''(1) hold an illegal alien for a period of up to 14 days after the alien has completed the alien's State prison sentence in order to effectuate the transfer of the alien to Federal custody when the alien is removable or not lawfully present in the United States; or

''(2) issue a detainer that would allow aliens who have served a State prison sentence to be detained by the State prison until personnel from the Bureau of Immigration and Customs Enforcement can take the alien into custody.

''(e) TECHNOLOGY USAGE.—Technology such as videoconferencing shall be used to the maximum extent practicable in order to make the Institutional Removal Program available in remote locations. Mobile access to Federal databases of aliens, such as the automated biometric fingerprint identification system (IDENT) of the Department of Homeland Security, and live scan technology shall be used to the maximum extent practicable in order to make these resources available to State and local law enforcement agencies in remote locations.

''(f) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Border Security and Interior Enforcement Improvement Act of 2006, the Secretary of Homeland Security shall submit to Congress a report on the participation of States in the Institutional Removal Program and in any other program carried out under subsection (a).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the Institutional Removal Program—

''(1) $30,000,000 for fiscal year 2007;

''(2) $40,000,000 for fiscal year 2008;

''(3) $50,000,000 for fiscal year 2009;

''(4) $60,000,000 for fiscal year 2010; and

''(5) $70,000,000 for fiscal year 2011 and each fiscal year thereafter.''.

Subtitle D—State, Local, and Tribal Enforcement of Immigration Laws

SEC. 231. CONGRESSIONAL AFFIRMATION OF IMMIGRATION LAW ENFORCEMENT AUTHORITY BY STATES AND POLITICAL SUBDIVISIONS OF STATES.

Notwithstanding any other provision of law and reaffirming the existing inherent authority of States, law enforcement personnel of a State or a political subdivision of a State have the inherent authority of a sovereign entity to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens in the United States (including the transportation of such aliens across State lines to detention centers), for the purpose of assisting in the enforcement of the immigration laws of the United States in the normal course of carrying out the law enforcement duties of such personnel. This State authority has never been displaced or preempted by a Federal law.

SEC. 232. IMMIGRATION LAW ENFORCEMENT TRAINING OF STATE AND LOCAL LAW ENFORCEMENT PERSONNEL.

(a) TRAINING MANUAL AND POCKET GUIDE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish—

(A) a training manual for law enforcement personnel of a State or political subdivision of a State to train such personnel in the investigation, identification, apprehension, arrest, detention, and transfer to Federal custody of aliens in the United States (including the transportation of such aliens across State lines to detention centers and the identification of fraudulent documents); and

(B) an immigration enforcement pocket guide for law enforcement personnel of a State or political subdivision of a State to provide a quick reference for such personnel in the course of duty.

(2) AVAILABILITY.—The training manual and pocket guide established in accordance with paragraph (1) shall be made available to all State and local law enforcement personnel.

(3) APPLICABILITY.—Nothing in this subsection shall be construed to require State or local law enforcement personnel to carry the training manual or pocket guide established in accordance with paragraph (1) with them while on duty.

(4) COSTS.—The Secretary of Homeland Security shall be responsible for any and all costs incurred in establishing the training manual and pocket guide under this subsection.

(b) TRAINING FLEXIBILITY.—

(1) IN GENERAL.—The Secretary of Homeland Security shall make training of State and local law enforcement officers available through as many means as possible, including residential training at the Center for Domestic Preparedness of the Department of Homeland Security, on-site training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses.

(2) ONLINE TRAINING.—The head of the Distributed Learning Program of the Federal Law Enforcement Training Center shall make training available for State and local law enforcement personnel via the Internet through a secure, encrypted distributed learning system that has all its servers based in the United States.

(3) FEDERAL PERSONNEL TRAINING.—The training of State and local law enforcement personnel under this section shall not displace the training of Federal personnel.

(c) COOPERATIVE ENFORCEMENT PROGRAMS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall negotiate and execute, where practicable, a cooperative enforcement agreement described in section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) with at least 1 law enforcement agency in each State, to train law enforcement officers in the detection and apprehension of individuals engaged in transporting, harboring, sheltering, or encouraging aliens in violation of section 274 of such Act (8 U.S.C. 1324).

(d) DURATION OF TRAINING.—Section 287(g)(2) of the Immigration and Nationalization Act (8 U.S.C. 1357(g)(2)) is amended by adding at the end ''Such training may not exceed 14 days or 80 hours of classroom training.''.

(e) CLARIFICATION.—Nothing in this Act or any other provision of law shall be construed as making any immigration-related training a requirement for, or prerequisite to, any State or local law enforcement officer exercising the inherent authority of the officer to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody illegal aliens during the normal course of carrying out the law enforcement duties of the officer.

(f) TECHNICAL AMENDMENTS.—Section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) is amended by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

SEC. 233. IMMUNITY.

(a) PERSONAL IMMUNITY.—Notwithstanding any other provision of law, a law enforcement officer of a State, or of a political subdivision of a State, shall be immune, to the same extent as a Federal law enforcement officer, from personal liability arising out of the enforcement of any immigration law. The immunity provided by this subsection shall only apply to an officer of a State, or of a political subdivision of a State, who is acting within the scope of such officer's official duties.

(b) AGENCY IMMUNITY.—Notwithstanding any other provision of law, a law enforcement agency of a State, or of a political subdivision of a State, shall be immune from any claim for money damages based on Federal, State, or local civil rights law for an incident arising out of the enforcement of any immigration law, except to the extent that the law enforcement officer of such agency, whose action the claim involves, committed a violation of Federal, State, or local criminal law in the course of enforcing such immigration law.

TITLE III—VISA REFORM AND ALIEN STATUS

Subtitle A—Limitations on Visa Issuance and Validity

SEC. 301. CURTAILMENT OF VISAS FOR ALIENS FROM COUNTRIES DENYING OR DELAYING REPATRIATION OF NATIONALS.

(a) IN GENERAL.—Section 243 of the Immigration and Nationality Act (8 U.S.C. 1253) is amended by adding at the end the following new subsection:

''(e) PUBLIC LISTING OF ALIENS WITH NO SIGNIFICANT LIKELIHOOD OF REMOVAL.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall establish and maintain a public listing of every alien who is subject to a final order of removal and with respect to whom the Secretary or any Federal court has determined that there is no significant likelihood of removal in the reasonably foreseeable future due to the refusal, or unreasonable delay, of all countries designated by the alien under this section to receive the alien. The public listing shall indicate whether such alien has been released from Federal custody, and the city and State in which such alien resides.

''(2) DISCONTINUATION OF VISAS.—If 25 or more of the citizens, subjects, or nationals of any foreign state remain on the public listing described in paragraph (1) throughout any month—

''(A) such foreign state shall be deemed to have denied or unreasonably delayed the acceptance of such aliens;

''(B) the Secretary of Homeland Security shall make the notification to the Secretary of State prescribed in subsection (d) of this section; and

''(C) the Secretary of State shall discontinue the issuance of nonimmigrant visas to citizens, subjects, or nationals of such foreign state until such time as the number of aliens on the public listing from such foreign state has—

''(i) declined to fewer than 6; or

''(ii) remained below 25 for at least 30 days.''.

(b) TECHNICAL AMENDMENT.—Section 243 of the Immigration and Nationality Act (8 U.S.C. 1253) is amended—

(1) in subsection (a)(1)(D), by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'';

(2) in subsection (c)—

(A) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''; and

(B) by striking ''Commissioner'' and inserting ''Secretary''; and

(3) in subsection (d)—

(A) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''; and

(B) by inserting ''of State'' after ''notifies the Secretary''.

SEC. 302. JUDICIAL REVIEW OF VISA REVOCATION.

Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking '', except in the context of a removal proceeding if such revocation provides the sole ground for removal under section 237(a)(1)(B)''.

SEC. 303. ELIMINATION OF DIVERSITY IMMIGRANT PROGRAM.

(a) WORLDWIDE LEVEL OF DIVERSITY IMMIGRANTS.—Section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended—

(1) in subsection (a)—

(A) by inserting ''and'' at the end of paragraph (1);

(B) by striking ''; and'' at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3); and

(2) by striking subsection (e).

(b) ALLOCATION OF DIVERSITY IMMIGRANT VISAS.—Section 203 of such Act (8 U.S.C. 1153) is amended—

(1) by striking subsection (c);

(2) in subsection (d), by striking ''(a), (b), or (c),'' and inserting ''(a) or (b),'';

(3) in subsection (e), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(4) in subsection (f), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(5) in subsection (g), by striking ''(a), (b), and (c)'' and inserting ''(a) and (b)''.

(c) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204 of such Act (8 U.S.C. 1154) is amended—

(1) by striking subsection (a)(1)(I); and

(2) in subsection (e), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2006.

SEC. 304. COMPLETION OF BACKGROUND AND SECURITY CHECKS.

Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following new subsection:

''(i) Notwithstanding any other provision of law, the Secretary of Homeland Security, the Attorney General, or any court shall not—

''(1) grant or order the grant of adjustment of status to that of an alien lawfully admitted for permanent residence;

''(2) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

''(3) issue any documentation evidencing or related to such grant by the Attorney General, the Secretary, or any court,

until such background and security checks as the Secretary may in his discretion require have been completed to the satisfaction of the Secretary.''.

SEC. 305. NATURALIZATION AND GOOD MORAL CHARACTER.

(a) NATURALIZATION REFORM.—

(1) BARRING TERRORISTS FROM NATURALIZATION.—Section 316 of the Immigration and Nationality Act (8 U.S.C. 1427) is amended by adding at the end the following new subsection:

''(g) No person shall be naturalized who the Secretary of Homeland Security determines, in the Secretary's discretion, to have been at any time an alien described in section 212(a)(3) or 237(a)(4). Such determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information, and shall be binding upon, and unreviewable by, any court exercising jurisdiction under the immigration laws over any application for naturalization, regardless whether such jurisdiction to review a decision or action of the Secretary is de novo or otherwise.''.

(2) CONCURRENT NATURALIZATION AND REMOVAL PROCEEDINGS.—The last sentence of section 318 of such Act (8 U.S.C. 1429) is amended—

(A) by striking ''shall be considered by the Attorney General'' and inserting ''shall be considered by the Secretary of Homeland Security or any court'';

(B) by striking ''pursuant to a warrant of arrest issued under the provisions of this or any other Act:'' and inserting ''or other proceeding to determine the applicants inadmissibility or deportability, or to determine whether the applicants lawful permanent resident status should be rescinded, regardless of when such proceeding was commenced:''; and

(C) by striking ''upon the Attorney General'' and inserting ''upon the Secretary of Homeland Security''.

(3) PENDING DENATURALIZATION OR REMOVAL PROCEEDINGS.—Section 204(b) of such Act (8 U.S.C. 1154(b)) is amended by adding at the end ''No petition shall be approved pursuant to this section if there is any administrative or judicial proceeding (whether civil or criminal) pending against the petitioner that could (whether directly or indirectly) result in the petitioner's denaturalization or the loss of the petitioner's lawful permanent resident status.''.

(4) CONDITIONAL PERMANENT RESIDENTS.—Section 216(e) of such Act (8 U.S.C. 1186a(e)) and section 216A(e) of such Act (8 U.S.C. 1186b(e)) are each amended by inserting before the period at the end of each such section '', if the alien has had the conditional basis removed under this section''.

(5) DISTRICT COURT JURISDICTION.—Section 336(b) of such Act (8 U.S.C. 1447(b)) is amended to read as follows:

''(b) If there is a failure to render a final administrative decision under section 335 before the end of the 180-day period after the date on which the Secretary of Homeland Security completes all examinations and interviews conducted under such section (as such terms are defined in regulations issued by the Secretary), the applicant may apply to the district court for the district in which the applicant resides for a hearing on the matter. Such court shall only have jurisdiction to review the basis for delay and remand the matter to the Secretary for the Secretary's determination on the application.''.

(6) CONFORMING AMENDMENTS.—Section 310(c) of such Act (8 U.S.C. 1421(c)) is amended—

(A) by inserting '', not later than 120 days after the date of the Secretary's final determination'' before ''seek''; and

(B) by striking the second sentence and inserting ''The burden shall be upon the petitioner to show that the Secretary's denial of the application was not supported by facially legitimate and bona fide reasons. Except in a proceeding under section 340, notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to determine, or to review a determination of the Secretary made at any time regarding, for purposes of an application for naturalization, whether an alien is a person of good moral character, whether an alien understands and is attached to the principles of the Constitution of the United States, or whether an alien is well disposed to the good order and happiness of the United States.''.

(7) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act, shall apply to any act that occurred before, on, or after such date, and shall apply to any application for naturalization or any other case or matter under the immigration laws pending on, or filed on or after, such date.

(b) BAR TO GOOD MORAL CHARACTER.—

(1) IN GENERAL.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(A) by inserting after paragraph (1) the following new paragraph:

''(2) one who the Secretary of Homeland Security or the Attorney General determines, in the unreviewable discretion of the Secretary or the Attorney General, to have been at any time an alien described in section 212(a)(3) or section 237(a)(4), which determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information, and which shall be binding upon any court regardless of the applicable standard of review;'';

(B) in paragraph (8), by inserting '', regardless whether the crime was classified as an aggravated felony at the time of conviction'' after ''(as defined in subsection (a)(43))''; and

(C) by striking the first sentence in the undesignated paragraph following paragraph (9) and inserting ''The fact that any person is not within any of the foregoing classes shall not preclude a discretionary finding for other reasons that such a person is or was not of good moral character. The Secretary and the Attorney General shall not be limited to the applicant's conduct during the period for which good moral character is required, but may take into consideration as a basis for determination the applicant's conduct and acts at any time.''.

(2) AGGRAVATED FELONY EFFECTIVE DATE.—Section 509(b) of the Immigration Act of 1990 (Public Law 101–649), as amended by section 306(a)(7) of the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991 (Public Law 102–232)), is amended to read as follows:

''(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on November 29, 1990, and shall apply to convictions occurring before, on, or after such date.''.

(3) TECHNICAL CORRECTION TO THE INTELLIGENCE REFORM ACT.—Section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3741) is amended by striking ''adding at the end'' and inserting ''inserting after paragraph (8) and before the undesignated paragraph at the end''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act, shall apply to any act that occurred before, on, or after such date, and shall apply to any application for naturalization or any other benefit or relief or any other case or matter under the immigration laws pending on, or filed on or after, such date; or

(B) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—The amendments made by paragraph (3) shall take effect as if included in the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638).

SEC. 306. DENIAL OF BENEFITS TO TERRORISTS AND CRIMINALS.

(a) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by adding at the end the following new section:

''SEC. 219A. PROHIBITION ON PROVIDING IMMIGRATION BENEFITS TO CERTAIN ALIENS.

''Nothing in this Act or any other provision of law shall permit the Secretary of Homeland Security, the Attorney General, the Secretary of State, the Secretary of Labor, or any other authorized head of any agency to grant any application, approve any petition, or grant or continue any status or benefit under the immigration laws by, to, or on behalf of—

''(1) any alien described in subparagraphs (A)(i), (A)(iii), (B), or (F) of sections 212(a)(3) or subparagraphs (A)(i), (A)(iii), or (B) of section 237(a)(4);

''(2) any alien with respect to whom a criminal or other investigation or case is pending that is material to the alien's inadmissibility, deportability, or eligibility for the status or benefit sought; or

''(3) any alien for whom all law enforcement checks, as deemed appropriate by such authorized official, have not been conducted and resolved.''.

(b) INADMISSIBILITY ON SECURITY AND RELATED GROUNDS.—Section 212(a)(3)(B)(ii)(I) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)(I)) is amended by inserting ''is able to demonstrate, by clear and convincing evidence, that such spouse or child'' after ''who''.

SEC. 307. REPEAL OF ADJUSTMENT OF STATUS OF CERTAIN ALIENS PHYSICALLY PRESENT IN UNITED STATES UNDER SECTION 245(i).

Section 245(i) of the Immigration and Nationality Act (8 U.S.C. 1255(i)) is repealed.

SEC. 308. GROUNDS OF INADMISSIBILITY AND REMOVABILITY FOR PERSECUTORS.

(a) GENERAL CLASSES OF ALIENS INELIGIBLE TO RECEIVE VISAS AND INELIGIBLE FOR ADMISSION.—

(1) PERSECUTION.—Section 212(a)(3)(E) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(E)) is amended—

(A) in the header, by striking ''NAZI''; and

(B) by inserting after clause (iii) the following new clause:

''(iv) PARTICIPATION IN OTHER PERSECUTION.—Any alien who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion is inadmissible.''.

(2) RECOMMENDATIONS BY CONSULAR OFFICERS.—Section 212(d)(3)(A) of the Immigration and Nationality Act (8 U.S.C.

1182(d)(3)(A)) by striking ''and clauses (i) and (ii) of paragraph (3)(E)'' both places it appears and inserting ''or 3(E)''.

(b) GENERAL CLASSES OF DEPORTABLE ALIENS.—Section 237(a)(4)(D) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(D)) is amended—

(1) in the header, by striking ''NAZI''; and

(2) by striking ''or (iii)'' and inserting ''(iii), or (iv)''.

(c) BAR TO GOOD MORAL CHARACTER.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) in paragraph (8), by striking ''or'';

(2) in paragraph (9), as added by section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3741), as amended by section 305(b)(3) of this Act, by striking the period at the end and inserting a semicolon and ''or''; and

(3) inserting after paragraph (9), as added by section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3741), as amended by section 305(b)(3) of this Act, and before the undesignated paragraph at the end the following new paragraph:

''(10) one who at any time has ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.''.

(d) VOLUNTARY DEPARTURE.—Section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended—

(1) in subsection (a)(1), by striking ''deportable under section 237(a)(2)(A)(iii) or section 237(a)(4)(B)'' and inserting ''removable under section 237(a)(2)(A)(iii), subparagraph (B) or (D) or section 237(a)(4), or section 212(a)(3)(E).''; and

(2) in subsection (b)(1)(C), by striking ''deportable under section 237(a)(2)(A)(iii) or section 237(a)(4)(B)'' and inserting ''removable under section 237(a)(2)(A)(iii), subparagraph (B) or (D) of section 237(a)(4), or section 212(a)(3)(E).''.

(e) AIDING OR ASSISTING CERTAIN ALIENS TO ENTER THE UNITED STATES.—Section 277 of such Act (8 U.S.C. 1327) is amended by striking ''or 212(a)(3) (other than subparagraph (E) thereof)'' and inserting '', section 212(a)(3)''.

SEC. 309. TECHNICAL CORRECTIONS TO SEVIS REPORTING REQUIREMENTS.

(a) PROGRAM TO COLLECT INFORMATION RELATING TO NONIMMIGRANT FOREIGN STUDENTS.—

(1) IN GENERAL.—Section 641(a)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(a)(4)) is amended—

(A) by striking ''Not later than 30 days after the deadline for registering for classes for an academic term'' and inserting ''Not later than the program start date (for new students) or the next session start date (for continuing students) of an academic term''; and

(B) by striking ''shall report to the Immigration and Naturalization Service any failure of the alien to enroll or to commence participation.'' and inserting ''shall report to the Secretary of Homeland Security any failure to enroll or to commence participation by the program start date or next session start date, as applicable.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—Except as provided in subparagraph (B), section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is amended by striking ''Attorney General'' each place that term appears and inserting ''Secretary of Homeland Security''.

(B) EXCEPTIONS.—Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is amended—

(i) in subsections (b), (c)(4)(A), (c)(4)(B), (e)(1), (e)(6), and (g) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'' each place that term appears;

(ii) by striking the heading of section (c)(4)(B) and inserting ''SECRETARY OF HOMELAND SECURITY AND ATTORNEY GENERAL''; and

(iii) in subsection (f), by inserting ''the Secretary of Homeland Security,'' before ''the Attorney General''.

(b) CLARIFICATION OF RELEASE OF INFORMATION.—Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372), as amended by subsection (a), is further amended—

(1) in subsection (c)(1)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in subparagraph (H), by striking the period and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(I) any other information the Secretary of Homeland Security determines is necessary.''; and

(2) in subsection (c)(2), by adding at the end ''Approved institutions of higher education or other approved educational institutions shall release information regarding alien students referred to in this section to the Secretary of Homeland Security as part of such information collection program or upon request.''.

TITLE IV—WORKPLACE ENFORCEMENT AND IDENTIFICATION INTEGRITY

Subtitle A—In General

SEC. 401. SHORT TITLE.

This title may be cited as the ''Employment Security Act of 2006''.

SEC. 402. FINDINGS.

Congress makes the following findings:

(1) The failure of Federal, State, and local governments to control and sanction the unauthorized employment and unlawful exploitation of illegal alien workers is a primary cause of illegal immigration.

(2) The use of modern technology not available in 1986, when the Immigration Reform and Control Act of 1986 (Public Law 99–603; 100 Stat. 3359) created the I–9 worker verification system, will enable employers to rapidly and accurately verify the identity and work authorization of their employees and independent contractors.

(3) The Government and people of the United States share a compelling interest in protection of United States employment authorization, income tax withholding, and social security accounting systems, against unauthorized access by illegal aliens.

(4) Limited data sharing between the Department of Homeland Security, the Internal Revenue Service, and the Social Security Administration is essential to the integrity of these vital programs, which protect the employment and retirement security of all working Americans.

(5) The Federal judiciary must be open to private United States citizens, legal foreign workers, and law-abiding enterprises that seek judicial protection against injury to their wages and working conditions due to unlawful employment of illegal alien workers and the United States enterprises that utilize the labor or services provided by illegal aliens, especially where lack of resources constrains enforcement of Federal immigration law by Federal immigration officials.

Subtitle B—Employment Eligibility Verification System

SEC. 411. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

(a) IN GENERAL.—Section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)) is amended by adding at the end the following:

''(7) EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—

''(A) IN GENERAL.—The Secretary of Homeland Security shall establish and administer a verification system, known as the Employment Eligibility Verification System, through which the Secretary—

''(i) responds to inquiries made by persons at any time through a toll-free telephone line and other toll-free electronic media concerning an individual's identity and whether the individual is authorized to be employed; and

''(ii) maintains records of the inquiries that were made, of verifications provided (or not provided), and of the codes provided to inquirers as evidence of their compliance with their obligations under this section.

''(B) INITIAL RESPONSE.—The verification system shall provide verification or a tentative nonverification of an individual's identity and employment eligibility within 3 working days of the initial inquiry. If providing verification or tentative nonverification, the verification system shall provide an appropriate code indicating such verification or such nonverification.

''(C) SECONDARY VERIFICATION PROCESS IN CASE OF TENTATIVE NONVERIFICATION.—In cases of tentative nonverification, the Secretary shall specify, in consultation with the Commissioner of Social Security, an available secondary verification process to confirm the validity of information provided and to provide a final verification or nonverification within 10 working days after the date of the tentative nonverification. When final verification or nonverification is provided, the verification system shall provide an appropriate code indicating such verification or nonverification.

''(D) DESIGN AND OPERATION OF SYSTEM.—The verification system shall be designed and operated—

''(i) to maximize its reliability and ease of use by persons and other entities consistent with insulating and protecting the privacy and security of the underlying information;

''(ii) to respond to all inquiries made by such persons and entities on whether individuals are authorized to be employed and to register all times when such inquiries are not received;

''(iii) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information; and

''(iv) to have reasonable safeguards against the system's resulting in unlawful discriminatory practices based on national origin or citizenship status, including—

''(I) the selective or unauthorized use of the system to verify eligibility;

''(II) the use of the system prior to an offer of employment; or

''(III) the exclusion of certain individuals from consideration for employment as a result of a perceived likelihood that additional verification will be required, beyond what is required for most job applicants.

''(E) RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY.—As part of the verification system, the Commissioner of Social Security, in consultation with the Secretary of Homeland Security (and any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified

under subparagraphs (B) and (C), compares the name and social security account number provided in an inquiry against such information maintained by the Commissioner in order to validate (or not validate) the information provided regarding an individual whose identity and employment eligibility must be confirmed, the correspondence of the name and number, and whether the individual has presented a social security account number that is not valid for employment. The Commissioner shall not disclose or release social security information (other than such verification or nonverification) except as provided for in this section or section 205(c)(2)(I) of the Social Security Act.

''(F) RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.—(i) As part of the verification system, the Secretary of Homeland Security (in consultation with any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under subparagraphs (B) and (C), compares the name and alien identification or authorization number which are provided in an inquiry against such information maintained by the Secretary in order to validate (or not validate) the information provided, the correspondence of the name and number, and whether the alien is authorized to be employed in the United States.

''(ii) When a single employer has submitted to the verification system pursuant to paragraph (3)(A) the identical social security account number in more than one instance, or when multiple employers have submitted to the verification system pursuant to such paragraph the identical social security account number, in a manner which indicates the possible fraudulent use of that number, the Secretary of Homeland Security shall conduct an investigation, within the time periods specified in subparagraphs (B) and (C), in order to ensure that no fraudulent use of a social security account number has taken place. If the Secretary has selected a designee to establish and administer the verification system, the designee shall notify the Secretary when a single employer has submitted to the verification system pursuant to paragraph (3)(A) the identical social security account number in more than one instance, or when multiple employers have submitted to the verification system pursuant to such paragraph the identical social security account number, in a manner which indicates the possible fraudulent use of that number. The designee shall also provide the Secretary with all pertinent information, including the name and address of the employer or employers who submitted the relevant social security account number, the relevant social security account number submitted by the employer or employers, and the relevant name and date of birth of the employee submitted by the employer or employers.

''(G) UPDATING INFORMATION.—The Commissioner of Social Security and the Secretary of Homeland Security shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in subparagraph (C).

''(H) LIMITATION ON USE OF THE VERIFICATION SYSTEM AND ANY RELATED SYSTEMS.—Notwithstanding any other provision of law, nothing in this subsection shall be construed to permit or allow any department, bureau, or other agency of the United States Government to utilize any information, database, or other records assembled under this subsection for any purpose other than the enforcement and administration of the immigration laws, the Social Security Act, or any provision of Federal criminal law.

''(I) FEDERAL TORT CLAIMS ACT.—If an individual alleges that the individual would not have been dismissed from a job but for an error of the verification mechanism, the individual may seek compensation only through the mechanism of the Federal Tort Claims Act, and injunctive relief to correct such error. No class action may be brought under this subparagraph.

''(J) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION.—No person or entity shall be civilly or criminally liable for any action taken in good faith reliance on information provided through the employment eligibility verification mechanism established under this paragraph.''.

(b) REPEAL OF PROVISION RELATING TO EVALUATIONS AND CHANGES IN EMPLOYMENT VERIFICATION.—Section 274A(d) (8 U.S.C. 1324a(d)) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 2 years after the date of the enactment of this Act.

SEC. 412. EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.

(a) IN GENERAL.—Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (a)(3), by inserting ''(A)'' after ''DEFENSE.—'', and by adding at the end the following:

''(B) FAILURE TO SEEK AND OBTAIN VERIFICATION.—In the case of a person or entity in the United States that hires, or continues to employ, an individual, or recruits or refers an individual for employment, the following requirements apply:

''(i) FAILURE TO SEEK VERIFICATION.—

''(I) IN GENERAL.—If the person or entity has not made an inquiry, under the mechanism established under subsection (b)(7), seeking verification of the identity and work eligibility of the individual, by not later than the end of 3 working days (as specified by the Secretary of Homeland Security) after the date of the hiring, the date specified in subsection (b)(8)(B) for previously hired individuals, or before the recruiting or referring commences, the defense under subparagraph (A) shall not be considered to apply with respect to any employment, except as provided in subclause (II).

''(II) SPECIAL RULE FOR FAILURE OF VERIFICATION MECHANISM.—If such a person or entity in good faith attempts to make an inquiry in order to qualify for the defense under subparagraph (A) and the verification mechanism has registered that not all inquiries were responded to during the relevant time, the person or entity can make an inquiry until the end of the first subsequent working day in which the verification mechanism registers no nonresponses and qualify for such defense.

''(ii) FAILURE TO OBTAIN VERIFICATION.—If the person or entity has made the inquiry described in clause (i)(I) but has not received an appropriate verification of such identity and work eligibility under such mechanism within the time period specified under subsection (b)(7)(B) after the time the verification inquiry was received, the defense under subparagraph (A) shall not be considered to apply with respect to any employment after the end of such time period.'';

(2) by amending subparagraph (A) of subsection (b)(1) to read as follows:

''(A) IN GENERAL.—The person or entity must attest, under penalty of perjury and on a form designated or established by the Secretary by regulation, that it has verified that the individual is not an unauthorized alien by—

''(i) obtaining from the individual the individual's social security account number and recording the number on the form (if the individual claims to have been issued such a number), and, if the individual does not attest to United States citizenship under paragraph (2), obtaining such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary of Homeland Security may specify, and recording such number on the form; and

''(ii)(I) examining a document described in subparagraph (B); or

''(II) examining a document described in subparagraph (C) and a document described in subparagraph (D).

A person or entity has complied with the requirement of this paragraph with respect to examination of a document if the document reasonably appears on its face to be genuine, reasonably appears to pertain to the individual whose identity and work eligibility is being verified, and, if the document bears an expiration date, that expiration date has not elapsed. If an individual provides a document (or combination of documents) that reasonably appears on its face to be genuine, reasonably appears to pertain to the individual whose identity and work eligibility is being verified, and is sufficient to meet the first sentence of this paragraph, nothing in this paragraph shall be construed as requiring the person or entity to solicit the production of any other document or as requiring the individual to produce another document.'';

(3) in subsection (b)(1)(D)—

(A) in clause (i), by striking ''or such other personal identification information relating to the individual as the Attorney General finds, by regulation, sufficient for purposes of this section''; and

(B) in clause (ii), by inserting before the period ''and that contains a photograph of the individual'';

(4) in subsection (b)(2), by adding at the end the following: ''The individual must also provide that individual's social security account number (if the individual claims to have been issued such a number), and, if the individual does not attest to United States citizenship under this paragraph, such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary may specify.'';

(5) by amending paragraph (3) of subsection (b) to read as follows:

''(3) RETENTION OF VERIFICATION FORM AND VERIFICATION.—

''(A) IN GENERAL.—After completion of such form in accordance with paragraphs (1) and (2), the person or entity shall—

''(i) retain a paper, microfiche, microfilm, or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Special Counsel for Immigration-Related Unfair Employment Practices, or the Department of Labor during a period beginning on the date of the hiring, recruiting, or referral of the individual or the date of the completion of verification of a previously hired individual and ending—

''(I) in the case of the recruiting or referral of an individual, three years after the date of the recruiting or referral;

''(II) in the case of the hiring of an individual, the later of—

''(aa) three years after the date of such hiring; or

''(bb) one year after the date the individual's employment is terminated; and

''(III) in the case of the verification of a previously hired individual, the later of—

''(aa) three years after the date of the completion of verification; or

''(bb) one year after the date the individual's employment is terminated;

''(ii) make an inquiry, as provided in paragraph (7), using the verification system to seek verification of the identity and employment eligibility of an individual, by not later than the end of 3 working days (as specified by the Secretary of Homeland Security) after the date of the hiring or in the case of previously hired individuals, the date specified in subsection (b)(8)(B), or before the recruiting or referring commences; and

''(iii) not commence recruitment or referral of the individual until the person or entity receives verification under subparagraph (B)(i) or (B)(iii).

''(B) VERIFICATION.—

''(i) VERIFICATION RECEIVED.—If the person or other entity receives an appropriate verification of an individual's identity and work eligibility under the verification system within the time period specified, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a final verification of such identity and work eligibility of the individual.

''(ii) TENTATIVE NONVERIFICATION RECEIVED.—If the person or other entity receives a tentative nonverification of an individual's identity or work eligibility under the verification system within the time period specified, the person or entity shall so inform the individual for whom the verification is sought. If the individual does not contest the nonverification within the time period specified, the nonverification shall be considered final. The person or entity shall then record on the form an appropriate code which has been provided under the system to indicate a tentative nonverification. If the individual does contest the nonverification, the individual shall utilize the process for secondary verification provided under paragraph (7). The nonverification will remain tentative until a final verification or nonverification is provided by the verification system within the time period specified. In no case shall an employer terminate employment of an individual because of a failure of the individual to have identity and work eligibility confirmed under this section until a nonverification becomes final. Nothing in this clause shall apply to a termination of employment for any reason other than because of such a failure.

''(iii) FINAL VERIFICATION OR NONVERIFICATION RECEIVED.—If a final verification or nonverification is provided by the verification system regarding an individual, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a verification or nonverification of identity and work eligibility of the individual.

''(iv) EXTENSION OF TIME.—If the person or other entity in good faith attempts to make an inquiry during the time period specified and the verification system has registered that not all inquiries were received during such time, the person or entity may make an inquiry in the first subsequent working day in which the verification system registers that it has received all inquiries. If the verification system cannot receive inquiries at all times during a day, the person or entity merely has to assert that the entity attempted to make the inquiry on that day for the previous sentence to apply to such an inquiry, and does not have to provide any additional proof concerning such inquiry.

''(v) CONSEQUENCES OF NONVERIFICATION.—

''(I) TERMINATION OR NOTIFICATION OF CONTINUED EMPLOYMENT.—If the person or other entity has received a final nonverification regarding an individual, the person or entity may terminate employment of the individual (or decline to recruit or refer the individual). If the person or entity does not terminate employment of the individual or proceeds to recruit or refer the individual, the person or entity shall notify the Secretary of Homeland Security of such fact through the verification system or in such other manner as the Secretary may specify.

''(II) FAILURE TO NOTIFY.—If the person or entity fails to provide notice with respect to an individual as required under subclause (I), the failure is deemed to constitute a violation of subsection (a)(1)(A) with respect to that individual.

''(vi) CONTINUED EMPLOYMENT AFTER FINAL NONVERIFICATION.—If the person or other entity continues to employ (or to recruit or refer) an individual after receiving final nonverification, a rebuttable presumption is created that the person or entity has violated subsection (a)(1)(A).'';

(6) by amending paragraph (4) of subsection (b) to read as follows:

''(4) COPYING AND RECORD KEEPING OF DOCUMENTATION REQUIRED.—

''(A) LAWFUL EMPLOYMENT DOCUMENTS.—Notwithstanding any other provision of law, a person or entity shall retain a copy of each document presented by an individual to the individual or entity pursuant to this subsection. Such copy may only be used (except as otherwise permitted under law) for the purposes of complying with the requirements of this subsection and shall be maintained for a time period to be determined by the Secretary of Homeland Security.

''(B) SOCIAL SECURITY CORRESPONDENCE.—A person or entity shall maintain records of correspondence from the Commissioner of Social Security regarding name and number mismatches or no-matches and the steps taken to resolve such mismatches or no-matches. The employer shall maintain such records for a time period to be determined by the Secretary.

''(C) OTHER DOCUMENTS.—The Secretary may, by regulation, require additional documents to be copied and maintained.''; and

(7) by amending paragraph (5) of subsection (b) to read as follows:

''(5) USE OF ATTESTATION FORM.—A form designated by the Secretary to be used for compliance with this subsection, and any information contained in or appended to such form, may not be used for purposes other than for enforcement of this chapter or of title 18, United States Code.''.

(b) INVESTIGATION NOT A WARRANTLESS ENTRY.—Section 287(e) of the Immigration and Nationality Act (8 U.S.C. 1357(e)) is amended by adding at the end the following: ''An investigation authorized pursuant to subsections (b)(7) or (e) of section 274A is not a warrantless entry.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 2 years after the date of the enactment of this Act.

SEC. 413. EXPANSION OF EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM TO PREVIOUSLY HIRED INDIVIDUALS AND RECRUITING AND REFERRING.

(a) APPLICATION TO RECRUITING AND REFERRING.—Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (a)(1)(A), by striking ''for a fee'';

(2) in subsection (a)(1), by amending subparagraph (B) to read as follows:

''(B) to hire, continue to employ, or to recruit or refer for employment in the United States an individual without complying with the requirements of subsection (b).'';

(3) in subsection (a)(2) by striking ''after hiring an alien for employment in accordance with paragraph (1),'' and inserting ''after complying with paragraph (1),''; and

(4) in subsection (a)(3), as amended by section 702, is further amended by striking ''hiring,'' and inserting ''hiring, employing,'' each place it appears.

(b) EMPLOYMENT ELIGIBILITY VERIFICATION FOR PREVIOUSLY HIRED INDIVIDUALS.—Section 274A(b) of such Act (8 U.S.C. 1324a(b)), as amended by section 411(a), is amended by adding at the end the following new paragraph:

''(8) USE OF EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM FOR PREVIOUSLY HIRED INDIVIDUALS.—

''(A) ON A VOLUNTARY BASIS.—Beginning on the date that is 2 years after the date of the enactment of the Employment Security Act of 2006 and until the date specified in subparagraph (B)(iii), a person or entity may make an inquiry, as provided in paragraph (7), using the verification system to seek verification of the identity and employment eligibility of any individual employed by the person or entity, as long as it is done on a nondiscriminatory basis.

''(B) ON A MANDATORY BASIS.—

''(i) INITIAL COMPLIANCE.—A person or entity described in clause (ii) shall make an inquiry as provided in paragraph (7), using the verification system to seek verification of the identity and employment eligibility of all individuals employed by the person or entity who have not been previously subject to an inquiry by the person or entity by the date 3 years after the date of the enactment of the Employment Security Act of 2006.

''(ii) PERSON OR ENTITY COVERED.—A person or entity is described in this clause if it is a Federal, State, or local governmental body (including the Armed Forces of the United States), or if it employs individuals working in a location that is a Federal, State, or local government building, a military base, a nuclear energy site, a weapon site, an airport, or that contains critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))), but only to the extent of such individuals.

''(iii) SUBSEQUENT COMPLIANCE.—All persons and entities other than a person or entity described in clause (ii) shall make an inquiry, as provided in paragraph (7), using the verification system to seek verification of the identity and employment eligibility of all individuals employed by the person or entity that have not been previously subject to an inquiry by the person or entity by the date 6 years after the date of the enactment of the Employment Security Act of 2006.''.

SEC. 414. EXTENSION OF PREEMPTION TO REQUIRED CONSTRUCTION OF DAY LABORER SHELTERS.

Paragraph 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)) is amended—

(1) by striking ''imposing'', and inserting a dash and ''(A) imposing'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(B) Requiring as a condition of conducting, continuing, or expanding a business that a business entity—

''(i) provide, build, fund, or maintain a shelter, structure, or designated area for use by day laborers at or near its place of business; or

''(ii) take other steps that facilitate the employment of day laborers by others.''.

SEC. 415. BASIC PILOT PROGRAM.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking ''at the end of the 11-year period beginning on the first day the pilot program is in effect'' and inserting ''2 years after the date of the enactment of the Employment Security Act of 2006''.

SEC. 416. PROTECTION FOR UNITED STATES WORKERS AND INDIVIDUALS REPORTING IMMIGRATION LAW VIOLATIONS.

Section 274B(a) of the Immigration and Nationality Act (8 U.S.C. 1324b(a)) is amended by adding at the end the following:

''(7) PROTECTION OF RIGHT TO REPORT.—Notwithstanding any other provision of law, the rights protected by this subsection include the right of any individual to report a violation or suspected violation of any immigration law to the Secretary of Homeland Security or a law enforcement agency.''.

SEC. 417. PENALTIES.

(a) CIVIL AND CRIMINAL PENALTIES.—Section 274A(e)(4) of the Immigration and Nationality Act (8 U.S.C. 1324a(e)(4)) is amended to read:

''(4) CIVIL AND CRIMINAL PENALTIES.—

''(A) KNOWINGLY HIRING UNAUTHORIZED ALIENS.—Any person or entity that violates subsection (a)(1)(A) shall—

''(i) in the case of a first offense, be fined $10,000 for each unauthorized alien;

''(ii) (in the case of a second offense, be fined $50,000 for each unauthorized alien; and

''(iii) in the case of a third or subsequent offense, be fined in accordance with title 18, United States Code, imprisoned not less than 1 year and not more than 3 years, or both.

''(B) CONTINUING EMPLOYMENT OF UNAUTHORIZED ALIENS.—Any person or entity that violates subsection (a)(2) shall be fined in accordance of title 18, United States Code, imprisoned not less than 1 year and not more than 3 years, or both.''.

(b) PAPERWORK OR VERIFICATION VIOLATIONS.—Section 274A(e)(5) of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended to read:

''(5) PAPERWORK OR VERIFICATION VIOLATIONS.—Any person or entity that violates subsection (a)(1)(B) shall—

''(A) in the case of a first offense, be fined $1,000 for each violation;

''(B) in the case of a second violation, be fined $5,000 for each violation; and

''(C) in the case of a third and subsequent violation, be fined $10,000 for each such violation.''.

(c) GOVERNMENT CONTRACTS.—Section 274A(e) of the Immigration and Nationality Act (8 U.S.C. 1324a(e)) is amended by adding at the end the following new paragraph:

''(10) GOVERNMENT CONTRACTS.—

''(A) EMPLOYERS.—

''(i) IN GENERAL.—If the Secretary of Homeland Secretary determines that a person or entity that employs an alien is a repeat violator of this section or is convicted of a crime under this section, such person or entity shall be debarred from the receipt of a Federal contract, grant, or cooperative agreement for a period of 2 years. The Secretary of Homeland Security or the Attorney General shall advise the Administrator of General Services of such a debarment, and the Administrator of General Services shall list the employer on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs for a 2-year period.

''(ii) WAIVER.—The Administrator of General Services, in consultation with the Secretary of Homeland Security and Attorney General, may waive the application of this subparagraph or may limit the duration or scope of the debarment imposed under it.

''(iii) PROHIBITION ON JUDICIAL REVIEW.—Any proposed debarment that is predicated on an administrative determination of liability for civil penalty by the Secretary of Homeland Security or the Attorney General may not be reviewable in any debarment proceeding. The decision of whether to debar or take alternation may not be reviewed by any court.

''(B) CONTRACTORS AND RECIPIENTS.—

''(i) IN GENERAL.—If the Secretary of Homeland Security determines that a person or entity that employs an alien and holds a Federal contract, grant, or cooperative agreement is a repeat violator of this section or is convicted of a crime under this section, such person or entity shall be debarred from the receipt of a Federal contract, grant, or cooperative agreement for a period of 2 years. Prior to debarring the employer, the Secretary of Homeland Security, in cooperation with the Administrator of General Services, shall advise the head of each agency holding such a contract, grant, or cooperative agreement with person or entity of the Government's intention to debar the employer from the receipt of new Federal contracts, grants, or cooperative agreements for a period of 2 years.

''(ii) WAIVER.—After consideration of the views of the head of each such agency, the Secretary of Homeland Security may, in lieu of debarring the employer from the receipt of new a Federal contract, grant, or cooperative agreement for a period of 2 years, waive application of this subparagraph, limit the duration or scope of the debarment, or may refer to an appropriate lead agency the decision of whether to debar the employer, for what duration, and under what scope in accordance with the procedures and standards prescribed by the Federal Acquisition Regulation.

''(iii) PROHIBITION ON REVIEW.—Any proposed debarment that is predicated on an administrative determination of liability for civil penalty by the Secretary of Homeland Security or the Attorney General may not be reviewable in any debarment proceeding. The decision of whether to debar or take alternation may not be reviewed by any court.

''(C) CAUSE FOR SUSPENSION.—Indictments for violations of this section or adequate evidence of actions that could form the basis for debarment under this paragraph shall be considered a cause for suspension under the procedures and standards for suspension prescribed by the Federal Acquisition Regulation.

''(D) APPLICABILITY.—The provisions of this paragraph shall apply to any Federal contract, grant, or cooperative agreement that is effective on or after the date of the enactment of the Employment Security Act of 2006.''.

(d) CRIMINAL PENALTIES FOR PATTERN OR PRACTICE VIOLATIONS.—Section 274A(f)(1) of the Immigration and Nationality Act (8 U.S.C. 1324a(f)(1)) is amended to read as follows:

''(1) CRIMINAL PENALTY.—Any person or entity engages in a pattern or practice of violations of subsection (a)(1) or (2) shall be fined not more than $50,000 for each unauthorized alien with respect to which such a violation occurs, imprisoned for not less than 3 years and not more than 5 years, or both, notwithstanding the provisions of any other Federal law relating to fine levels. The amount of the gross proceeds of such violation, and any property traceable to such proceeds, shall be seized and subject to forfeiture under title 18, United States Code.''.

(e) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—Subsections (b)(2) and (f)(2) of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) are amended by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

Subtitle C—Work Eligibility Verification Reform in the Social Security Administration

SEC. 421. VERIFICATION RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY.

The Commissioner of Social Security is authorized to perform activities with respect to carrying out the Commissioner's responsibilities in this title or the amendments made by this title, however in no case shall funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund be used to carry out such responsibilities.

SEC. 422. NOTIFICATION BY COMMISSIONER OF FAILURE TO CORRECT SOCIAL SECURITY INFORMATION.

The Commissioner of Social Security shall promptly notify the Secretary of Homeland Security of the failure of any individual to provide, upon any request of the Commissioner made pursuant to section 205(c)(2) of the Social Security Act (42 U.S.C. 405(c)(2)), evidence necessary, under such section to—

(1) establish the age, citizenship, immigration or work eligibility status of the individual;

(2) establish such individual's true identity; or

(3) determine which (if any) social security account number has previously been assigned to such individual.

SEC. 423. RESTRICTION ON ACCESS AND USE.

Section 205(c)(2) of the Social Security Act (42 U.S.C. 405(c)(2)) is amended by adding at the end the following new subparagraph:

''(I)(i) Access to any information contained in the Employment Eligibility Verification System established section 274A(b)(7) of the Immigration and Nationality Act, shall be prohibited for any purpose other than the administration or enforcement of Federal immigration, social security, and tax laws, any provision of title 18, United States Code, or as otherwise authorized by Federal law.

''(ii) No person or entity may use the information in such Employment Eligibility Verification System for any purpose other than as permitted by Federal law.

''(iii) Whoever knowingly uses, discloses, publishes, or permits the unauthorized use of information in such Employment Eligibility Verification System in violation of clause (i) or (ii) shall be fined not more than $10,000 per individual injured by such violation. The Commissioner of Social Security shall establish procedure to ensure that 60 percent of any fine imposed under this clause is awarded to the individual injured by such violation.''.

SEC. 424. SHARING OF INFORMATION WITH THE COMMISSIONER OF INTERNAL REVENUE SERVICE.

Section 205(c)(2)(H) of the Social Security Act (42 U.S.C. 405(c)(2)(H)) is amended to read as follows:

''(H) The Commissioner of Social Security shall share with the Secretary of the Treasury—

''(i) the information obtained by the Commissioner pursuant to the second sentence of subparagraph (B)(ii) and to subparagraph (C)(ii) for the purpose of administering those sections of the Internal Revenue Code of 1986 that grant tax benefits based on support or residence of children; and

''(ii) information relating to the detection of wages or income from self-employment of unauthorized aliens (as defined by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)), or the investigation of false statements or fraud by such persons incident to the administration of immigration, social security, or tax laws of the United States.

Information disclosed under this subparagraph shall be solely for the use of the officers and employees to whom such information is disclosed in such response or investigation.''.

SEC. 425. SHARING OF INFORMATION WITH THE SECRETARY OF HOMELAND SECURITY.

(a) AMENDMENT TO THE SOCIAL SECURITY ACT.—Section 205(c)(2) of the Social Security

Act (42 U.S.C. 405(c)(2)), as amended by section 423, is amended by adding at the end the following new subparagraph:

''(J) Upon the issuance of a social security account number under subparagraph (B) to any individual or the issuance of a Social Security card under subparagraph (G) to any individual, the Commissioner of social security shall transmit to the Secretary of Homeland Security such information received by the Commissioner in the individual's application for such number or such card as the Secretary of Homeland Security determines necessary and appropriate for administration of the immigration laws of the United States.''.

(b) AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—

(1) FORMS AND PROCEDURES.—Section 264(f) of the Immigration and Nationality Act (8 U.S.C. 1304(f)) is amended to read as follows:

''(f) Notwithstanding any other provision of law (including section 6103 of title 26, United States Code), the Secretary of Homeland Security, Secretary of Labor and the Attorney General are authorized to require any individual to provide the individual's own social security account number for purposes of inclusion in any record of the individual maintained by any of any such Secretary or the Attorney General, or for inclusion on any application, document, or form provided under or required by the immigration laws.''.

(2) CENTRAL FILE.—Section 290(c) of the Immigration and Nationality Act (8 U.S.C. 1360(c)) is amended by striking paragraph (2) and inserting the following new paragraphs:

''(2) Notwithstanding any other provision of law (including section 6103 of title 26, United States Code) if earnings are reported on or after January 1, 1997, to the Commissioner of Social Security on a social security account number issued to an alien who is not authorized to work in the United States, the Commissioner shall provide the Secretary of Homeland Security with information regarding the name, date of birth, and address of the alien, the name and address of the person reporting the earnings, and the amount of the earnings. The information shall be provided in an electronic form agreed upon by the Commissioner and the Secretary.

''(3) Notwithstanding any other provision of law (including section 6103 of title 26, United States Code), the Commissioner of Social Security shall provide the Secretary of Homeland Security information regarding the name, date of birth, and address of an individual, as well as the name and address of the person reporting the earnings, in any case where a social security account number does not match the name in the Social Security Administration record. The information shall be provided in an electronic form agreed upon by the Commissioner and the Secretary for the sole purpose of enforcing the immigration laws. The Secretary, in consultation with the Commissioner, may limit or modify these requirements as appropriate to identify those cases posing the highest possibility of fraudulent use of social security account numbers related to violation of the immigration laws.

''(4) Notwithstanding any other provision of law (including section 6103 of title 26, United States Code), the Commissioner of Social Security shall provide the Secretary of Homeland Security information regarding the name, date of birth, and address of an individual, as well as the name and address of the person reporting the earnings, in any case where the individual has more than one person reporting earnings for the individual during a single tax year and where a social security number was used with multiple names. The information shall be provided in an electronic form agreed upon by the Commissioner and the Secretary for the sole purpose of enforcing the immigration laws. The Secretary, in consultation with the Commissioner, may limit or modify these requirements as appropriate to identify those cases posing the highest possibility of fraudulent use of social security account numbers related to violation of the immigration laws.

''(5)(A) The Commissioner of Social Security shall perform, at the request of the Secretary of Homeland Security, any search or manipulation of records held by the Commissioner, so long as the Secretary certifies that the purpose of the search or manipulation is to obtain information likely to assist in identifying individuals (and their employers) who—

''(i) are using false names or social security numbers; who are sharing among multiple individuals a single valid name and social security number;

''(ii) are using the social security number of persons who are deceased, too young to work or not authorized to work; or

''(iii) are otherwise engaged in a violation of the immigration laws.

''(B) The Commissioner shall provide the results of such search or manipulation to the Secretary, notwithstanding any other provision of law (including section 6103 of title 26, United States Code). The Secretary shall transfer to the Commissioner the funds necessary to cover the additional cost directly incurred by the Commissioner in carrying out the searches or manipulations reported by the Secretary.''.

Subtitle D—Sharing of Information

SEC. 431. SHARING OF INFORMATION WITH THE SECRETARY OF HOMELAND SECURITY AND THE COMMISSIONER OF SOCIAL SECURITY.

(a) AMENDMENT TO THE INTERNAL REVENUE CODE OF 1986.—Section 6103(i) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE OF INFORMATION RELATING TO VIOLATIONS OF FEDERAL IMMIGRATION LAW.—

''(A) Upon receipt by the Secretary of the Treasury of a written request, by the Secretary of Homeland Security or Commissioner of Social Security, the Secretary of the Treasury shall disclose return information to officers and employees of the Department of Homeland Security and the Social Security Administration who are personally and directly engaged in—

''(i) preparation for any judicial or administrative civil or criminal enforcement proceeding against an alien under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), other than the adjudication of any application for a change in immigration status or other benefit by such alien, or

''(ii) preparation for a civil or criminal enforcement proceeding against a citizen or national of the United States under section 274, 274A, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a, or 1324c), or

''(iii) any investigation which may result in the proceedings enumerated in clauses (i) and (ii) above.

''(B) LIMITATION ON USE AND RETENTION OF TAX RETURN INFORMATION.—

''(i) Information disclosed under this paragraph shall be solely for the use of the officers and employees to whom such information is disclosed in such response or investigation.

''(ii) Should the proceeding for which such information has been disclosed not commence within 3 years after the date on which the information has been disclosed by the Secretary, the information shall be returned to the Secretary in its entirety, and shall not be retained in any form by the requestor, unless the taxpayer is notified in writing as to the information that has been retained.''.

(b) AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.—Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended by adding at the end the following new subsection:

''(i) NO-MATCH NOTICE.—

''(1) NO-MATCH NOTICE DEFINED.—In this subsection, the term 'no-match notice' means a written notice from the Commissioner of Social Security to an employer reporting earnings on a Form W-2 that an employee name or corresponding social security account number fail to match records maintained by the Commissioner.

''(2) PROVISION OF INFORMATION.—

''(A) REQUIREMENT TO PROVIDE.—Notwithstanding any other provision of law (including section 6103 of title 26, United States Code), the Commissioner shall provide the Secretary of Homeland Security with information relating to employers who have received no-match notices and, upon request, with such additional information as the Secretary certifies is necessary to administer or enforce the immigration laws.

''(B) FORM OF INFORMATION.—The information shall be provided in an electronic form agreed upon by the Commissioner and the Secretary.

''(C) USE OF INFORMATION.—A no-match notice received by the Secretary from the Commissioner may be used as evidence in any civil or criminal proceeding.

''(3) OTHER AUTHORITIES.—

''(A) VERIFICATION REQUIREMENT.—The Secretary, in consultation with the Commissioner, is authorized to establish by regulation requirements for verifying the identity and work authorization of an employee who is the subject of a no-match notice.

''(B) PENALTIES.—The Secretary is authorized to establish by regulation penalties for failure to comply with this subsection.

''(C) LIMITATION ON AUTHORITIES.—This authority in this subsection is provided in aid of the Secretary's authority to administer and enforce the immigration laws, and nothing in this subsection shall be construed to authorize the Secretary to establish any regulation regarding the administration or enforcement of laws otherwise relating to taxation or the Social Security system.''.

Subtitle E—Identification Document Integrity

SEC. 441. CONSULAR IDENTIFICATION DOCUMENTS.

(a) ACCEPTANCE OF FOREIGN IDENTIFICATION DOCUMENTS.—

(1) IN GENERAL.—Subject to paragraph (3), for purposes of personal identification, no agency, commission, entity, or agent of the executive or legislative branches of the Federal Government may accept, acknowledge, recognize, or rely on any identification document issued by the government of a foreign country, unless otherwise mandated by Federal law.

(2) AGENT DEFINED.—In this section, the term ''agent'' shall include the following:

(A) A Federal contractor or grantee.

(B) An institution or entity exempted from Federal income taxation under the Internal Revenue Code of 1986.

(C) A financial institution required to ask for identification under section 5318(l) of title 31, United States Code.

(3) EXCEPTIONS.—

(A) IN GENERAL.—An individual who is not a citizen or national of the United States may present for purposes of personal identification an official identification document issued by the government of a foreign country or other foreign identification document recognized pursuant to a treaty entered into by the United States, if—

(i) such individual simultaneously presents valid verifiable documentation of lawful

presence in the United States issued by the appropriate agency of the Federal Government;

(ii) reporting a violation of law or seeking government assistance in an emergency;

(iii) the document presented is a passport issued to a citizen or national of a country that participates in the visa waiver program established under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) by the government of such country; or

(iv) such use is expressly permitted another provision of Federal law.

(B) NONAPPLICATION.—The provisions of paragraph (1) shall not apply to—

(i) inspections of alien applicants for admission to the United States; or

(ii) verification of personal identification of persons outside the United States.

(4) LISTING OF ACCEPTABLE DOCUMENTS.—The Secretary of Homeland Security shall issue and maintain an updated public listing, compiled in consultation with the Secretary of State, and including sample facsimiles, of all acceptable Federal documents that satisfy the requirements of paragraph (3)(A).

(b) ESTABLISHMENT OF PERSONAL IDENTITY.—Section 274C(a) of the Immigration and Nationality Act (8 U.S.C. 1324c(a)) is amended—

(1) in paragraph (5), by striking ''or'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting a comma and ''or''; and

(3) by inserting after paragraph (6) the following new paragraph:

''(7) to use to establish personal identity, before any agent of the Federal Government, or before any agency of the Federal Government or of a State or any political subdivision therein, a travel or identification document issued by a foreign government that is not accepted by the Secretary of Homeland Security to establish personal identity for purposes of admission to the United States at a port of entry, except—

''(A) in the case of a person who is not a citizen of the United States—

''(i) the person simultaneously presents valid verifiable documentation of lawful presence in the United States issued by an agency of the Federal Government;

''(ii) the person is reporting a violation of law or seeking government assistance in an emergency; or

''(iii) such use is expressly permitted by Federal law.''.

SEC. 442. MACHINE-READABLE TAMPER-RESISTANT IMMIGRATION DOCUMENTS.

(a) IN GENERAL.—Section 303 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1732) is amended—

(1) in the heading, by striking ''**ENTRY AND EXIT DOCUMENTS**'' and inserting ''**TRAVEL, ENTRY, AND EVIDENCE OF STATUS DOCUMENTS**'';

(2) in subsection (b)(1)—

(A) by striking ''Not later than October 26, 2004, the Attorney General'' and inserting ''The Secretary of Homeland Security''; and

(B) by striking ''visas and'' each place it appears and inserting ''visas, evidence of status, and'';

(3) by striking subsection (d) and inserting the following:

''(d) OTHER DOCUMENTS.—Not later than October 26, 2007, every document, other than an interim document, issued by the Secretary of Homeland Security, which may be used as evidence of immigrant, nonimmigrant, parole, asylee, or refugee status, shall be machine-readable, tamper-resistant, and incorporate a biometric identifier to allow the Secretary of Homeland Security to electronically verify the identity and status of the alien.

''(e) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated such sums as may be necessary to carry out this section, including reimbursements to international and domestic standards organizations.

''(2) FEE.—During any fiscal year for which appropriations sufficient to issue documents described in subsection (d) are not made pursuant to law, the Secretary of Homeland Security is authorized to implement and collect a fee sufficient to cover the direct cost of issuance of such document from the alien to whom the document will be issued.

''(3) EXCEPTION.—The fee described in paragraph (2) may not be levied against nationals of a foreign country if the Secretary of Homeland has determined that the total estimated population of such country who are unlawfully present in the United States does not exceed 3,000 aliens.''.

(b) TECHNICAL AMENDMENT.—The table of contents in section 1(b) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (Public Law 107–173; 116 Stat. 543) is amended by striking the item relating to section 303 and inserting the following:

''Sec. 303. Machine-readable, tamper-resistant travel, entry, and evidence of status documents.''.

Subtitle F—Effective Date; Authorization of Appropriations

SEC. 451. EFFECTIVE DATE.

Except as otherwise specially provided in this Act, the provisions of this title shall take effect not later than 45 days after the date of the enactment of this Act.

SEC. 452. AUTHORIZATION OF APPROPRIATIONS.

In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2007 through 2011 to carry out this title.

TITLE V—PENALTIES AND ENFORCEMENT

Subtitle A—Criminal and Civil Penalties

SEC. 501. ALIEN SMUGGLING AND RELATED OFFENSES.

(a) IN GENERAL.—Section 274 of the Immigration and Nationality Act (8 U.S.C. 1324) is amended to read as follows:

''SEC. 274. ALIEN SMUGGLING AND RELATED OFFENSES.

''(a) CRIMINAL OFFENSES AND PENALTIES.—

''(1) PROHIBITED ACTIVITIES.—Whoever—

''(A) assists, encourages, directs, or induces a person to come to or enter the United States, or to attempt to come to or enter the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to come to or enter the United States;

''(B) assists, encourages, directs, or induces a person to come to or enter the United States at a place other than a designated port of entry or place other than as designated by the Secretary of Homeland Security, regardless of whether such person has official permission or lawful authority to be in the United States, knowing or in reckless disregard of the fact that such person is an alien;

''(C) assists, encourages, directs, or induces a person to reside in or remain in the United States, or to attempt to reside in or remain in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to reside in or remain in the United States;

''(D) transports or moves a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to enter or be in the United States, where the transportation or movement will aid or further in any manner the person's illegal entry into or illegal presence in the United States;

''(E) harbors, conceals, or shields from detection a person in the United States knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to be in the United States;

''(F) transports, moves, harbors, conceals, or shields from detection a person outside of the United States knowing or in reckless disregard of the fact that such person is an alien in unlawful transit from one country to another or on the high seas, under circumstances in which the person is in fact seeking to enter the United States without official permission or lawful authority; or

''(G) conspires or attempts to commit any of the preceding acts,

shall be punished as provided in paragraph (2), regardless of any official action which may later be taken with respect to such alien.

''(2) CRIMINAL PENALTIES.—A person who violates the provisions of paragraph (1) shall—

''(A) except as provided in subparagraphs (D) through (H), in the case where the offense was not committed for commercial advantage, profit, or private financial gain, be imprisoned for not more than 5 years, or fined under title 18, United States Code, or both;

''(B) except as provided in subparagraphs (C) through (H), where the offense was committed for commercial advantage, profit, or private financial gain—

''(i) in the case of a first violation of this subparagraph, be imprisoned for not more than 20 years, or fined under title 18, United States Code, or both; and

''(ii) for any subsequent violation, be imprisoned for not less than 3 years nor more than 20 years, or fined under title 18, United States Code, or both;

''(C) in the case where the offense was committed for commercial advantage, profit, or private financial gain and involved 2 or more aliens other than the offender, be imprisoned for not less than 3 nor more than 20 years, or fined under title 18, United States Code, or both;

''(D) in the case where the offense furthers or aids the commission of any other offense against the United States or any State, which offense is punishable by imprisonment for more than 1 year, be imprisoned for not less than 5 nor more than 20 years, or fined under title 18, United States Code, or both;

''(E) in the case where any participant in the offense created a substantial risk of death or serious bodily injury to another person, including—

''(i) transporting a person in an engine compartment, storage compartment, or other confined space;

''(ii) transporting a person at an excessive speed or in excess of the rated capacity of the means of transportation; or

''(iii) transporting or harboring a person in a crowded, dangerous, or inhumane manner,

be imprisoned not less than 5 nor more than 20 years, or fined under title 18, United States Code, or both;

''(F) in the case where the offense caused serious bodily injury (as defined in section 1365 of title 18, United States Code, including any conduct that would violate sections 2241 or 2242 of title 18, United States Code, if the conduct occurred in the special maritime and territorial jurisdiction of the United States) to any person, be imprisoned for not less than 7 nor more than 30 years, or fined under title 18, United States Code, or both;

''(G) in the case where the offense involved an alien who the offender knew or had reason to believe was an alien—

''(i) engaged in terrorist activity (as defined in section 212(a)(3)(B)); or

''(ii) intending to engage in such terrorist activity,

be imprisoned for not less than 10 nor more than 30 years, or fined under title 18, United States Code, or both; and

''(H) in the case where the offense caused or resulted in the death of any person, be punished by death or imprisoned for not less than 10 years, or any term of years, or for life, or fined under title 18, United States Code, or both.

''(3) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over the offenses described in this subsection.

''(b) EMPLOYMENT OF UNAUTHORIZED ALIENS.—

''(1) IN GENERAL.—Any person who, during any 12-month period, knowingly hires for employment at least 10 individuals with actual knowledge that the individuals are aliens described in paragraph (2), shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both.

''(2) ALIEN DESCRIBED.—A alien described in this paragraph is an alien who—

''(A) is an unauthorized alien (as defined in section 274A(h)(3)); and

''(B) has been brought into the United States in violation of subsection (a).

''(c) SEIZURE AND FORFEITURE.—

''(1) IN GENERAL.—Any property, real or personal, that has been used to commit or facilitate the commission of a violation of this section, the gross proceeds of such violation, and any property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, including section 981(d) of such title, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in that section shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security.

''(d) AUTHORITY TO ARREST.—No officer or person shall have authority to make any arrests for a violation of any provision of this section except officers and employees designated by the Secretary of Homeland Security, either individually or as a member of a class, and all other officers whose duty it is to enforce criminal laws.

''(e) ADMISSIBILITY OF EVIDENCE.—

''(1) PRIMA FACIE EVIDENCE IN DETERMINATIONS OF VIOLATIONS.—Notwithstanding any provision of the Federal Rules of Evidence, in determining whether a violation of subsection (a) has occurred, any of the following shall be prima facie evidence that an alien involved in the violation lacks lawful authority to come to, enter, reside, remain, or be in the United States or that such alien had come to, entered, resided, remained or been present in the United States in violation of law:

''(A) Any order, finding, or determination concerning the alien's status or lack thereof made by a federal judge or administrative adjudicator (including an immigration judge or an immigration officer) during any judicial or administrative proceeding authorized under the immigration laws or regulations prescribed thereunder.

''(B) An official record of the Department of Homeland Security, Department of Justice, or the Department of State concerning the alien's status or lack thereof.

''(C) Testimony by an immigration officer having personal knowledge of the facts concerning the alien's status or lack thereof.

''(2) VIDEOTAPED TESTIMONY.—Notwithstanding any provision of the Federal Rules of Evidence, the videotaped (or otherwise audiovisually preserved) deposition of a witness to a violation of subsection (a) who has been deported or otherwise expelled from the United States, or is otherwise unavailable to testify, may be admitted into evidence in an action brought for that violation if the witness was available for cross examination at the deposition and the deposition otherwise complies with the Federal Rules of Evidence.

''(f) DEFINITIONS.—For purposes of this section:

''(1) The term 'lawful authority' means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or the regulations prescribed thereunder. Such term does not include any such authority secured by fraud or otherwise obtained in violation of law, nor does it include authority that has been sought but not approved. No alien shall be deemed to have lawful authority to come to, enter, reside, remain, or be in the United States if such coming to, entry, residence, remaining, or presence was, is, or would be in violation of law.

''(2) The term 'unlawful transit' means travel, movement, or temporary presence that violates the laws of any country in which the alien is present, or any country from which or to which the alien is traveling or moving.''.

(b) CLERICAL AMENDMENT.—The item relating to section 274 in the table of contents of such Act is amended to read as follows:

''Sec. 274. Alien smuggling and related offenses.''.

SEC. 502. EVASION OF INSPECTION OR VIOLATION OF ARRIVAL, REPORTING, ENTRY, OR CLEARANCE REQUIREMENTS.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end a new section as follows:

''§ 554. Evasion of inspection or during violation of arrival, reporting, entry, or clearance requirements

''(a) PROHIBITION.—A person shall be punished as described in subsection (b) if such person—

''(1) attempts to elude or eludes customs, immigration, or agriculture inspection or fails to stop at the command of an officer or employee of the United States charged with enforcing the immigration, customs, or other laws of the United States at a port of entry or customs or immigration checkpoint; or

''(2) intentionally violates an arrival, reporting, entry, or clearance requirement of—

''(A) section 107 of the Federal Plant Pest Act (7 U.S.C. 105ff);

''(B) section 10 of the Act of August 20, 1912 (7 U.S.C. 164(a));

''(C) section 7 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2806);

''(D) the Agriculture and Food Act of 1981 (Public Law 97–98; 95 Stat. 1213);

''(E) section 431, 433, 434, or 459 of the Tariff Act of 1930 (19 U.S.C. 1431, 1433, 1434, and 1459);

''(F) section 10 of the Act of August 20, 1890 (21 U.S.C. 105);

''(G) section 2 of the Act of February 2, 1903 (21 U.S.C. 111);

''(H) section 4197 of the Revised Statutes (46 U.S.C. App. 91); or

''(I) the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

''(b) PENALTIES.—A person who commits an offense described in subsection (a) shall be—

''(1) fined under this title;

''(2)(A) imprisoned for not more than 5 years, or both;

''(B) imprisoned for not more than 10 years, or both, if in commission of this violation, attempts to inflict or inflicts bodily injury (as defined in section 1365(g) of this title); or

''(C) imprisoned for any term of years or for life, or both, if death results, and may be sentenced to death; or

''(3) both fined and imprisoned under this subsection.

''(c) CONSPIRACY.—If 2 or more persons conspire to commit an offense described in subsection (a), and 1 or more of such persons do any act to effect the object of the conspiracy, each shall be punishable as a principal, except that the sentence of death may not be imposed.

''(d) PRIMA FACIE EVIDENCE.—For the purposes of seizure and forfeiture under applicable law, in the case of use of a vehicle or other conveyance in the commission of this offense, or in the case of disregarding or disobeying the lawful authority or command of any officer or employee of the United States under section 111(b) of this title, such conduct shall constitute prima facie evidence of smuggling aliens or merchandise.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by inserting at the end:

''554. Evasion of inspection or during violation of arrival, reporting, entry, or clearance requirements.''.

(b) FAILURE TO OBEY BORDER ENFORCEMENT OFFICERS.—Section 111 of title 18, United States Code, is amended by inserting after subsection (b) the following:

''(c) FAILURE TO OBEY LAWFUL ORDERS OF BORDER ENFORCEMENT OFFICERS.—Whoever willfully disregards or disobeys the lawful authority or commend of any officer or employee of the United States charged with enforcing the immigration, customs, or other laws of the United States while engaged in, or on account of, the performance of official duties shall be fined under this title or imprisoned for not more than 5 years, or both.''.

SEC. 503. IMPROPER ENTRY BY, OR PRESENCE OF, ALIENS.

(a) IN GENERAL.—Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) in the section heading, by inserting ''**UNLAWFUL PRESENCE**;'' after ''**IMPROPER TIME OR PLACE;**'';

(2) in subsection (a)—

(A) by striking ''Any alien'' and inserting ''Except as provided in subsection (b), any alien'';

(B) by striking ''or'' before (3);

(C) by inserting after ''concealment of a material fact,'' the following: ''or (4) is otherwise present in the United States in violation of the immigration laws or the regulations prescribed thereunder,''; and

(D) by striking ''6 months'' and inserting ''one year'';

(3) by amending subsection (c) to read as follows:

''(c)(1) Whoever—

''(A) knowingly enters into a marriage for the purpose of evading any provision of the immigration laws; or

''(B) knowingly misrepresents the existence or circumstances of a marriage—

''(i) in an application or document arising under or authorized by the immigration laws of the United States or the regulations prescribed thereunder, or

''(ii) during any immigration proceeding conducted by an administrative adjudicator (including an immigration officer or examiner, a consular officer, an immigration judge, or a member of the Board of Immigration Appeals);

shall be fined under title 18, United States Code, or imprisoned not more than 10 years, or both.

''(2) Whoever—

''(A) knowingly enters into two or more marriages for the purpose of evading any provision of the immigration laws; or

''(B) knowingly arranges, supports, or facilitates two or more marriages designed or intended to evade any provision of the immigration laws;

shall be fined under title 18, United States Code, imprisoned not less than 2 years nor more than 20 years, or both.

''(3) An offense under this subsection continues until the fraudulent nature of the marriage or marriages is discovered by an immigration officer.

''(4) For purposes of this section, the term 'proceeding' includes an adjudication, interview, hearing, or review.''

(4) in subsection (d)—

(A) by striking ''5 years'' and inserting ''10 years'';

(B) by adding at the end the following: ''An offense under this subsection continues until the fraudulent nature of the commercial enterprise is discovered by an immigration officer.''; and

(5) by adding at the end the following new subsections:

''(e)(1) Any alien described in paragraph (2)—

''(A) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both, if the offense described in such paragraph was committed subsequent to a conviction or convictions for commission of three or more misdemeanors involving drugs, crimes against the person, or both, or a felony;

''(B) whose violation was subsequent to conviction for a felony for which the alien received a sentence of 30 months or more, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both; or

''(C) whose violation was subsequent to conviction for a felony for which the alien received a sentence of 60 months or more, shall be fined under title 18, United States Code, imprisoned not more than 20 years, or both.

''(2) An alien described in this paragraph is an alien who—

''(A) enters or attempts to enter the United States at any time or place other than as designated by immigration officers;

''(B) eludes examination or inspection by immigration officers;

''(C) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact; or

''(D) is otherwise present in the United States in violation of the immigration laws or the regulations prescribed thereunder.

''(3) The prior convictions in subparagraph (A), (B), or (C) of paragraph (1) are elements of those crimes and the penalties in those subparagraphs shall apply only in cases in which the conviction (or convictions) that form the basis for the additional penalty are alleged in the indictment or information and are proven beyond a reasonable doubt at trial or admitted by the defendant in pleading guilty. Any admissible evidence may be used to show that the prior conviction is a qualifying crime, and the criminal trial for a violation of this section shall not be bifurcated.

''(4) An offense under subsection (a) or paragraph (1) of this subsection continues until the alien is discovered within the United States by immigration officers.

''(f) For purposes of this section, the term 'attempts to enter' refers to the general intent of the alien to enter the United States and does not refer to the intent of the alien to violate the law.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) may be construed to limit the authority of any State or political subdivision therein to enforce criminal trespass laws against aliens whom a law enforcement agency has verified to be present in the United States in violation of this Act or the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 504. FEES AND EMPLOYER COMPLIANCE FUND.

(a) EQUAL ACCESS TO JUSTICE FEES.—Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following new subsection:

''(w) FEES AND COSTS.—The provisions of section 2412, title 28, United States Code, shall not apply to civil actions arising under or related to the immigration laws, including any action under—

''(1) any provision of title 5, United States Code;

''(2) any application for a writ of habeas corpus under section 2241 of title 28, United States Code, or any other habeas corpus provision; or

''(3) any action under section 1361 or 1651 of title 28, United States Code, that involves or is related to the enforcement or administration of the immigration laws with respect to any person or entity.''.

(b) EMPLOYER COMPLIANCE FUND.—

(1) ESTABLISHMENT.—Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), as amended by subsection (a), is further amended by adding at the end the following new subsection:

''(x) EMPLOYER COMPLIANCE FUND.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury, a separate account which shall be known as the 'Employer Compliance Fund' (referred to in this subsection as the 'Fund')

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Fund all monetary penalties collected by the Secretary of Homeland Security under section 274A.

''(3) USE OF FUNDS.—Amounts deposited into the Fund shall be used by the Secretary of Homeland Security for the purposes of enhancing employer compliance with section 274A, compliance training, and outreach.

''(4) AVAILABILITY OF FUNDS.—Amounts deposited into the Fund shall remain available until expended and shall be refunded out of the Fund by the Secretary of the Treasury, at least on a quarterly basis, to the Secretary of Homeland Security.''.

(2) CONFORMING AMENDMENT.—Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 431(b), is further amended by adding at the end the following new subsection:

''(j) DEPOSITS OF AMOUNTS RECEIVED.—Amounts collected under this section shall be deposited by the Secretary of Homeland Security into the Employer Compliance Fund established under section 286(x).''.

SEC. 505. REENTRY OF REMOVED ALIEN.

(a) IN GENERAL.—Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking all that follows ''United States'' the first place it appears and inserting a comma;

(B) in the matter following paragraph (2), by striking ''imprisoned not more than 2 years,'' and inserting ''imprisoned for a term of not less than 1 year and not more than 2 years,''; and

(C) by adding at the end the following: ''It shall be an affirmative defense to an offense under this subsection that (A) prior to an alien's reembarkation at a place outside the United States or an alien's application for admission from foreign contiguous territory, the Secretary of Homeland Security has expressly consented to the alien's reapplying for admission; or (B) with respect to an alien previously denied admission and removed, such alien was not required to obtain such advance consent under this Act or any prior Act.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''imprisoned not more than 10 years,'' and insert ''imprisoned for a term of not less than 5 years and not more than 10 years,'';

(B) in paragraph (2), by striking ''imprisoned not more than 20 years,'' and insert ''imprisoned for a term of not less than 10 years and not more than 20 years,'';

(C) in paragraph (3), by striking ''. or'' and inserting ''; or'';

(D) in paragraph (4), by striking ''imprisoned for not more than 10 years,'' and insert ''imprisoned for a term of not less than 5 years and not more than 10 years,''; and

(E) by adding at the end the following: ''The prior convictions in paragraphs (1) and (2) are elements of enhanced crimes and the penalties under such paragraphs shall apply only where the conviction (or convictions) that form the basis for the additional penalty are alleged in the indictment or information and are proven beyond a reasonable doubt at trial or admitted by the defendant in pleading guilty. Any admissible evidence may be used to show that the prior conviction is a qualifying crime and the criminal trial for a violation of either such paragraph shall not be bifurcated.'';

(3) in subsections (b)(3), (b)(4), and (c), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'' each place it appears;

(4) in subsection (c)—

(A) by inserting ''(as in effect before the effective date of the amendments made by section 305 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-597)), or removed under section 241(a)(4),'' after ''242(h)(2)'';

(B) by striking ''(unless the Attorney General has expressly consented to such alien's reentry)'';

(C) by inserting ''or removal'' after ''time of deportation''; and

(D) by inserting ''or removed'' after ''reentry of deported'';

(5) in subsection (d)—

(A) in the matter before paragraph (1), by striking ''deportation order'' and inserting ''deportation or removal order''; and

(B) in paragraph (2), by inserting ''or removal'' after ''deportation''; and

(6) by adding at the end the following new subsection:

''(e) For purposes of this section, the term 'attempts to enter' refers to the general intent of the alien to enter the United States and does not refer to the intent of the alien to violate the law.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to criminal proceedings involving aliens who enter, attempt to enter, or are found in the United States, after such date.

SEC. 506. CIVIL AND CRIMINAL PENALTIES FOR DOCUMENT FRAUD, BENEFIT FRAUD, AND FALSE CLAIMS OF CITIZENSHIP.

(a) CIVIL PENALTIES FOR DOCUMENT FRAUD.—Section 274C(d)(3) of the Immigration and Nationality Act (8 U.S.C. 1324c(d)(3)) is amended—

(1) in subparagraph (A), by striking ''$250 and not more than $2,000'' and inserting ''$500 and not more than $4,000''; and

(2) in subparagraph (B), by striking ''$2,000 and not more than $5,000'' and inserting ''$4,000 and not more than $10,000''.

(b) FRAUD AND FALSE STATEMENTS.—Chapter 47 of title 18, United States Code, is amended—

(1) in section 1015, by striking ''not more than 5 years'' and inserting ''not more than 10 years''; and

(2) in section 1028(b)—

(A) in paragraph (1), by striking ''15 years'' and inserting ''20 years'';

(B) in paragraph (2), by striking ''5 years'' and inserting ''6 years'';

(C) in paragraph (3), by striking ''20 years'' and inserting ''25 years''; and

(D) in paragraph (6), by striking ''one year'' and inserting ''2 years''.

(c) DOCUMENT FRAUD.—Section 1546 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''not more than 25 years'' and inserting ''not less than 25 years''

(B) by inserting ''and if the terrorism offense resulted in the death of any person, shall be punished by death or imprisoned for life,'' after ''section 2331 of this title)),'';

(C) by striking ''20 years'' and inserting ''imprisoned not more than 40 years'';

(D) by striking ''10 years'' and inserting ''imprisoned not more than 20 years''; and

(E) by striking ''15 years'' and inserting ''imprisoned not more than 25 years''; and

(2) in subsection (b), by striking ''5 years'' and inserting ''10 years''.

(d) CRIMES OF VIOLENCE.—

(1) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 51 the following:

''CHAPTER 52—ILLEGAL ALIENS

''Sec.

''1131. Enhanced penalties for certain crimes committed by illegal aliens.

''§ 1131. Enhanced penalties for certain crimes committed by illegal aliens

''(a) Any alien unlawfully present in the United States, who commits, or conspires or attempts to commit, a crime of violence or a drug trafficking crime (as such terms are defined in section 924), shall be fined under this title and sentenced to not less than 5 years in prison.

''(b) If an alien who violates subsection (a) was previously ordered removed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the grounds of having committed a crime, the alien shall be sentenced to not less than 15 years in prison.

''(c) A sentence of imprisonment imposed under this section shall run consecutively to any other sentence of imprisonment imposed for any other crime.''.

(2) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 51 the following:

''52. Illegal aliens ..... 1131''.

SEC. 507. RENDERING INADMISSIBLE AND DEPORTABLE ALIENS PARTICIPATING IN CRIMINAL STREET GANGS.

(a) INADMISSIBLE.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

''(J) CRIMINAL STREET GANG PARTICIPATION.—

''(i) IN GENERAL.—Any alien is inadmissible if—

''(I) the alien has been removed under section 237(a)(2)(F); or

''(II) the consular officer or the Secretary of Homeland Security knows, or has reasonable ground to believe that the alien—

''(aa) is a member of a criminal street gang and has committed, conspired, or threatened to commit, or seeks to enter the United States to engage solely, principally, or incidentally in, a gang crime or any other unlawful activity; or

''(bb) is a member of a criminal street gang designated under section 219A.

''(ii) DEFINITIONS.—In this subparagraph:

''(I) CRIMINAL STREET GANG.—The term 'criminal street gang' means an ongoing group, club organization or informal association of 5 or more persons who engage, or have engaged within the past 5 years in a continuing series of 3 or more gang crimes (1 of which is a crime of violence, as defined in section 16 of title 18, United States Code).

''(II) GANG CRIME.—The term 'gang crime' means conduct constituting any Federal or State crime, punishable by imprisonment for 1 year or more, in any of the following categories:

''(aa) A crime of violence (as defined in section 16 of title 18, United States Code).

''(bb) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(cc) A crime involving the manufacturing, importing, distributing, possessing with intent to distribute, or otherwise dealing in a controlled substance or listed chemical (as those terms are defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(dd) Any conduct punishable under section 844 of title 18, United States Code (relating to explosive materials), subsection (d), (g)(1) (where the underlying conviction is a violent felony (as defined in section 924(e)(2)(B) of such title) or is a serious drug offense (as defined in section 924(e)(2)(A)), (i), (j), (k), (o), (p), (q), (u), or (x) of section 922 of such title (relating to unlawful acts), or subsection (b), (c), (g), (h), (k), (l), (m), or (n) of section 924 of such title (relating to penalties), section 930 of such title (relating to possession of firearms and dangerous weapons in Federal facilities), section 931 of such title (relating to purchase, ownership, or possession of body armor by violent felons), sections 1028 and 1029 of such title (relating to fraud and related activity in connection with identification documents or access devices), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(ee) Any conduct punishable under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose) of this Act.''.

(b) DEPORTABLE.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(F) CRIMINAL STREET GANG PARTICIPATION.—

''(i) IN GENERAL.—An alien is deportable if the alien—

''(I) is a member of a criminal street gang and is convicted of committing, or conspiring, threatening, or attempting to commit, a gang crime; or

''(II) is determined by the Secretary of Homeland Security to be a member of a criminal street gang designated under section 219A.

''(ii) DEFINITIONS.—For purposes of this subparagraph, the terms 'criminal street gang' and 'gang crime' have the meaning given such terms in section 212(a)(2)(J)(ii).''.

(c) DESIGNATION OF CRIMINAL STREET GANGS.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by adding at the end the following:

''SEC. 219A. DESIGNATION OF CRIMINAL STREET GANGS.

''(a) DESIGNATION.—

''(1) IN GENERAL.—The Attorney General is authorized to designate a group or association as a criminal street gang in accordance with this subsection if the Attorney General finds that the group or association meets the criteria described in section 212(a)(2)(J)(ii)(I).

''(2) PROCEDURE.—

''(A) NOTICE.—

''(i) TO CONGRESSIONAL LEADERS.—Seven days before making a designation under this subsection, the Attorney General shall, by classified communication, notify the Speaker and Minority Leader of the House of Representatives, the President pro tempore, Majority Leader, and Minority Leader of the Senate, and the members of the relevant committees, in writing, of the intent to designate a group or association under this subsection, together with the findings made under paragraph (1) with respect to that group or association, and the factual basis therefore.

''(ii) PUBLICATION IN FEDERAL REGISTER.—The Attorney General shall publish the designation in the Federal Register 7 days after providing the notification under clause (i).

''(B) EFFECT OF DESIGNATION.—A designation under this subsection shall take effect upon publication under subparagraph (A)(ii).

''(3) RECORD.—In making a designation under this subsection, the Attorney General shall create an administrative record.

''(4) PERIOD OF DESIGNATION.—

''(A) IN GENERAL.—A designation under this subsection shall be effective for all purposes until revoked under paragraph (5) or (6) or set aside pursuant to subsection (b).

''(B) REVIEW OF DESIGNATION UPON PETITION.—

''(i) IN GENERAL.—The Attorney General shall review the designation of a criminal street gang under the procedures set forth in clauses (iii) and (iv) if the designated gang or association files a petition for revocation within the petition period described in clause (ii).

''(ii) PETITION PERIOD.—For purposes of clause (i)—

''(I) if the designated gang or association has not previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date on which the designation was made; or

''(II) if the designated gang or association has previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date of the determination made under clause (iv) on that petition.

''(iii) PROCEDURES.—Any criminal street gang that submits a petition for revocation under this subparagraph shall provide evidence in that petition that the relevant circumstances described in paragraph (1) are sufficiently different from the circumstances that were the basis for the designation such that a revocation with respect to the gang is warranted.

''(iv) DETERMINATION..—

''(I) IN GENERAL.—Not later than 180 days after receiving a petition for revocation submitted under this subparagraph, the Attorney General shall make a determination as to such revocation.

''(II) PUBLICATION OF DETERMINATION.—A determination made by the Attorney General under this clause shall be published in the Federal Register.

''(III) PROCEDURES.—Any revocation by the Attorney General shall be made in accordance with paragraph (6).

''(C) OTHER REVIEW OF DESIGNATION.—

''(i) IN GENERAL.—If in a 4-year period no review has taken place under subparagraph (B), the Attorney General shall review the designation of the criminal street gang in order to determine whether such designation should be revoked pursuant to paragraph (6).

''(ii) PROCEDURES.—If a review does not take place pursuant to subparagraph (B) in response to a petition for revocation that is filed in accordance with that subparagraph, then the review shall be conducted pursuant to procedures established by the Attorney General. The results of such review and the applicable procedures shall not be reviewable in any court.

''(iii) PUBLICATION OF RESULTS OF REVIEW.—The Attorney General shall publish any determination made pursuant to this subparagraph in the Federal Register.

''(5) REVOCATION BASED ON CHANGE IN CIRCUMSTANCES.—

''(A) IN GENERAL.—The Attorney General may revoke a designation made under paragraph (1) at any time, and shall revoke a designation upon completion of a review conducted pursuant to subparagraphs (b) and (c) of paragraph (4) if the Attorney General finds that—

''(i) the circumstances that were the basis for the designation have changed in such a manner as to warrant revocation; or

''(ii) the national security of the United States warrants a revocation.

''(B) PROCEDURE.—The procedural requirements of paragraphs (2) and (3) shall apply to a revocation under this paragraph. Any revocation shall take effect on the date specified in the revocation or upon publication in the Federal Register if no effective date is specified.

''(6) EFFECT OF REVOCATION.—The revocation of a designation under paragraph (5) shall not affect any action or proceeding based on conduct committed prior to the effective date of such revocation.

''(7) USE OF DESIGNATION IN HEARING.—If a designation under this subsection has become effective under paragraph (2)(B), an alien in a removal proceeding shall not be permitted to raise any question concerning the validity of the issuance of such designation as a defense or an objection at any hearing.

''(b) JUDICIAL REVIEW OF DESIGNATION.—

''(1) IN GENERAL.—Not later than 60 days after publication of the designation in the Federal Register, a group or association designated as a criminal street gang may seek judicial review of the designation in the United States Court of Appeals for the District of Columbia Circuit.

''(2) BASIS OF REVIEW.—Review under this subsection shall be based solely upon the administrative record.

''(3) SCOPE OF REVIEW.—The court shall hold unlawful and set aside a designation the court finds to be—

''(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

''(B) contrary to constitutional right, power, privilege, or immunity;

''(C) in excess of statutory jurisdiction, authority, or limitation, or short of statutory right;

''(D) lacking substantial support in the administrative record taken as a whole; or

''(E) not in accord with the procedures required by law.

''(4) JUDICIAL REVIEW INVOKED.—The pendency of an action for judicial review of a designation shall not affect the application of this section, unless the court issues a final order setting aside the designation.

''(c) RELEVANT COMMITTEE DEFINED.—As used in this section, the term 'relevant committees' means the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 219 the following:

''Sec. 219A. Designation of criminal street gangs.''.

SEC. 508. MANDATORY DETENTION OF SUSPECTED CRIMINAL STREET GANG MEMBERS.

(a) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(1) by inserting ''or 212(a)(2)(J)'' after ''212(a)(3)(B)''; and

(2) by inserting ''or 237(a)(2)(F)'' before ''237(a)(4)(B)''.

(b) ANNUAL REPORT.—Not later than March 1 2007, and annually thereafter, the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the number of aliens detained under the amendments made by subsection (a).

SEC. 509. INELIGIBILITY FOR ASYLUM AND PROTECTION FROM REMOVAL.

(a) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(F)(i) or who is'' after ''to an alien''.

(b) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(1) in clause (v), by striking ''or'' at the end;

(2) by redesignating clause (vi) as clause (vii); and

(3) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(J)(i) or section 237(a)(2)(F)(i) (relating to participation in criminal street gangs); or''.

(c) DENIAL OF REVIEW OF DETERMINATION OF INELIGIBILITY FOR TEMPORARY PROTECTED STATUS.—Section 244(c)(2) of such Act (8 U.S.C. 1254a(c)(2)) is amended by adding at the end the following:

''(C) LIMITATION ON JUDICIAL REVIEW.—There shall be no judicial review of any finding under subparagraph (B) that an alien is described in section 208(b)(2)(A)(vi).''.

SEC. 510. PENALTIES FOR MISUSING SOCIAL SECURITY NUMBERS OR FILING FALSE INFORMATION WITH SOCIAL SECURITY ADMINISTRATION.

(a) MISUSE OF SOCIAL SECURITY NUMBERS.—

(1) IN GENERAL.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(A) in paragraph (7), by adding after subparagraph (C) the following:

''(D) with intent to deceive, discloses, sells, or transfers his own social security account number, assigned to him by the Commissioner of Social Security (in the exercise of the Commissioner's authority under section 205(c)(2) to establish and maintain records), to any person; or'';

(B) in paragraph (8), by adding ''or'' at the end; and

(C) by inserting after paragraph (8) the following:

''(9) without lawful authority, offers, for a fee, to acquire for any individual, or to assist in acquiring for any individual, an additional social security account number or a number that purports to be a social security account number;

''(10) willfully acts or fails to act so as to cause a violation of section 205(c)(2)(C)(xii);

''(11) being an officer or employee of any executive, legislative, or judicial agency or instrumentality of the Federal Government or of a State or political subdivision thereof, or a person acting as an agent of such an agency or instrumentality (or an officer or employee thereof or a person acting as an agent thereof) in possession of any individual's social security account number, willfully acts or fails to act so as to cause a violation of clause (vi)(II), (x), (xi), (xii), (xiii), or (xiv) of section 205(c)(2)(C); or

''(12) being a trustee appointed in a case under title 11, United States Code (or an officer or employee thereof or a person acting as an agent thereof), willfully acts or fails to act so as to cause a violation of clause (x) or (xi) of section 205(c)(2)(C).''.

(2) EFFECTIVE DATES.—Paragraphs (7)(D) and (9) of section 208(a) of the Social Security Act, as added by paragraph (1), shall apply with respect to each violation occurring after the date of the enactment of this Act. Paragraphs (10), (11), and (12) of section 208(a) of such Act, as added by paragraph (1)(C), shall apply with respect to each violation occurring on or after the effective date of this Act.

(b) REPORT ON ENFORCEMENT EFFORTS CONCERNING EMPLOYERS FILING FALSE INFORMATION RETURNS.—The Commissioner of Internal Revenue and the Commissioner of Social Security shall submit to Congress an annual report on efforts taken to identify and enforce penalties against employers that file incorrect information returns.

SEC. 511. TECHNICAL AND CLARIFYING AMENDMENTS.

(a) TERRORIST ACTIVITIES.—Section 212 (a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended—

(1) by striking ''Subclause (VII) of clause (i)'' and inserting ''Subclause (IX) of clause (i)''; and

(2) in subclause (II), by striking ''consular officer or Attorney General'' and inserting ''consular officer, Attorney General, or Secretary of Homeland Security''.

(b) CLARIFICATION OF INELIGIBILITY FOR MISREPRESENTATION.—Section 212(a)(6)(C)(ii)(I) (8 U.S.C. 1182(a)(6)(C)(ii)(I)), is amended by striking ''citizen'' and inserting ''national''.

Subtitle B—Detention, Removal, and Departure

SEC. 521. VOLUNTARY DEPARTURE REFORM.

(a) ENCOURAGING ALIENS TO DEPART VOLUNTARILY.—

(1) AUTHORITY.—Subsection (a) of section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended—

(A) by amending paragraph (1) to read as follows:

''(1) IN LIEU OF REMOVAL PROCEEDINGS.—The Secretary of Homeland Security may permit an alien voluntarily to depart the United States at the alien's own expense under this subsection, in lieu of being subject to proceedings under section 240, if the alien is not described in section 237(a)(2)(A)(iii) or section 237(a)(4).'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3);

(D) by inserting after paragraph (1) the following new paragraph:

''(2) PRIOR TO THE CONCLUSION OF REMOVAL PROCEEDINGS.—After removal proceedings under section 240 are initiated, the Attorney General may permit an alien voluntarily to depart the United States at the alien's own expense under this subsection, prior to the

conclusion of such proceedings before an immigration judge, if the alien is not described in section 237(a)(2)(A)(iii) or section 237(a)(4).''; and

(E) in paragraph (4), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''.

(2) VOLUNTARY DEPARTURE PERIOD.—Such section is further amended—

(A) in subsection (a)(3), as redesignated by paragraph (1)(C)—

(i) by amending subparagraph (A) to read as follows:

''(A) IN LIEU OF REMOVAL.—Subject to subparagraph (C), permission to depart voluntarily under paragraph (1) shall not be valid for a period exceeding 90 days. The Secretary of Homeland Security may require an alien permitted to depart voluntarily under paragraph (1) to post a voluntary departure bond, to be surrendered upon proof that the alien has departed the United States within the time specified.'';

(ii) in subparagraph (B), by striking ''subparagraphs (C) and (D)(ii)'' and inserting ''subparagraphs (D) and (E)(ii)'';

(iii) in subparagraphs (C) and (D), by striking ''subparagraph (B)'' and inserting ''subparagraph (C)'' each place it appears;

(iv) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(v) by inserting after subparagraph (A) the following new subparagraph:

''(B) PRIOR TO THE CONCLUSION OF REMOVAL PROCEEDINGS.—Permission to depart voluntarily under paragraph (2) shall not be valid for a period exceeding 60 days, and may be granted only after a finding that the alien has established that the alien has the means to depart the United States and intends to do so. An alien permitted to depart voluntarily under paragraph (2) must post a voluntary departure bond, in an amount necessary to ensure that the alien will depart, to be surrendered upon proof that the alien has departed the United States within the time specified. An immigration judge may waive posting of a voluntary departure bond in individual cases upon a finding that the alien has presented compelling evidence that the posting of a bond will be a serious financial hardship and the alien has presented credible evidence that such a bond is unnecessary to guarantee timely departure.''; and

(B) in subsection (b)(2), by striking ''60 days'' and inserting ''45 days''.

(3) VOLUNTARY DEPARTURE AGREEMENTS.—Subsection (c) of such section is amended to read as follows:

''(c) CONDITIONS ON VOLUNTARY DEPARTURE.—

''(1) VOLUNTARY DEPARTURE AGREEMENT.—Voluntary departure will be granted only as part of an affirmative agreement by the alien. A voluntary departure agreement under subsection (b) shall include a waiver of the right to any further motion, appeal, application, petition, or petition for review relating to removal or relief or protection from removal.

''(2) CONCESSIONS BY THE SECRETARY.—In connection with the alien's agreement to depart voluntarily under paragraph (1), the Secretary of Homeland Security in the exercise of discretion may agree to a reduction in the period of inadmissibility under subparagraph (A) or (B)(i) of section 212(a)(9).

''(3) FAILURE TO COMPLY WITH AGREEMENT AND EFFECT OF FILING TIMELY APPEAL.—If an alien agrees to voluntary departure under this section and fails to depart the United States within the time allowed for voluntary departure or fails to comply with any other terms of the agreement (including a failure to timely post any required bond), the alien automatically becomes ineligible for the benefits of the agreement, subject to the penalties described in subsection (d), and subject to an alternate order of removal if voluntary departure was granted under subsection (a)(2) or (b). However, if an alien agrees to voluntary departure but later files a timely appeal of the immigration judge's decision granting voluntary departure, the alien may pursue the appeal instead of the voluntary departure agreement. Such appeal operates to void the alien's voluntary departure agreement and the consequences thereof, but the alien may not again be granted voluntary departure while the alien remains in the United States.''.

(4) ELIGIBILITY.—Subsection (e) of such section is amended to read as follows:

''(e) ELIGIBILITY.—

''(1) PRIOR GRANT OF VOLUNTARY DEPARTURE.—An alien shall not be permitted to depart voluntarily under this section if the Secretary of Homeland Security or the Attorney General previously permitted the alien to depart voluntarily.

''(2) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security may by regulation limit eligibility or impose additional conditions for voluntary departure under subsection (a)(1) for any class or classes of aliens. The Secretary or Attorney General may by regulation limit eligibility or impose additional conditions for voluntary departure under subsection (a)(2) or (b) for any class or classes of aliens. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and section 1361 and 1651 of such title, no court may review any regulation issued under this subsection.''.

(b) AVOIDING DELAYS IN VOLUNTARY DEPARTURE.—

(1) ALIEN'S OBLIGATION TO DEPART WITHIN THE TIME ALLOWED.—Subsection (c) of section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c), as amended by subsection (a), is further amended by adding at the end the following new paragraph:

''(4) VOLUNTARY DEPARTURE PERIOD NOT AFFECTED.—Except as expressly agreed to by the Secretary of Homeland Security in writing in the exercise of the Secretary's discretion before the expiration of the period allowed for voluntary departure, no motion, appeal, application, petition, or petition for review shall affect, reinstate, enjoin, delay, stay, or toll the alien's obligation to depart from the United States during the period agreed to by the alien and the Secretary.''.

(2) NO TOLLING.—Subsection (f) of such section is amended by adding at the end the following new sentence: ''Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and section 1361 and 1651 of such title, no court shall have jurisdiction to affect, reinstate, enjoin, delay, stay, or toll the period allowed for voluntary departure under this section.''.

(c) PENALTIES FOR FAILURE TO DEPART VOLUNTARILY.—

(1) PENALTIES FOR FAILURE TO DEPART.—Subsection (d) of section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended to read as follows:

''(d) PENALTIES FOR FAILURE TO DEPART.—If an alien is permitted to depart voluntarily under this section and fails voluntarily to depart from the United States within the time period specified or otherwise violates the terms of a voluntary departure agreement, the following provisions apply:

''(1) CIVIL PENALTY.—

''(A) IN GENERAL.—The alien will be liable for a civil penalty of $3,000.

''(B) SPECIFICATION IN ORDER.—The order allowing voluntary departure shall specify the amount of the penalty, which shall be acknowledged by the alien on the record.

''(C) COLLECTION.—If the Secretary of Homeland Security thereafter establishes that the alien failed to depart voluntarily within the time allowed, no further procedure will be necessary to establish the amount of the penalty, and the Secretary may collect the civil penalty at any time thereafter and by whatever means provided by law.

''(D) INELIGIBILITY FOR BENEFITS.—An alien will be ineligible for any benefits under this title until any civil penalty under this subsection is paid.

''(2) INELIGIBILITY FOR RELIEF.—The alien will be ineligible during the time the alien remains in the United States and for a period of 10 years after the alien's departure for any further relief under this section and sections 240A, 245, 248, and 249.

''(3) REOPENING.—

''(A) IN GENERAL.—Subject to subparagraph (B), the alien will be ineligible to reopen a final order of removal which took effect upon the alien's failure to depart, or the alien's violation of the conditions for voluntary departure, during the period described in paragraph (2).

''(B) EXCEPTION.—Subparagraph (A) does not preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture.

''The order permitting the alien to depart voluntarily under this section shall inform the alien of the penalties under this subsection.''.

(2) IMPLEMENTATION OF EXISTING STATUTORY PENALTIES.—The Secretary of Homeland Security shall implement regulations to provide for the imposition and collection of penalties for failure to depart under section 240B(d) of the Immigration and Nationality Act, as amended by paragraph (1).

(d) VOLUNTARY DEPARTURE AGREEMENTS NEGOTIATED BY STATE OR LOCAL COURTS.—Section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended by adding at the end the following new subsection:

''(g) VOLUNTARY DEPARTURE AGREEMENTS NEGOTIATED BY STATE OR LOCAL COURTS.—

''(1) IN GENERAL.—The Secretary of Homeland Security may permit an alien voluntarily to depart the United States at the alien's own expense under this subsection at any time prior to the scheduling of the first merits hearing, in lieu of applying for another form of relief from removal, if the alien—

''(A) is deportable under section 237(a)(1);

''(B) is charged in a criminal proceeding in a State or local court for which conviction would subject the alien to deportation under paragraphs (2) through (6) of section 237(a); and

''(C) has accepted a plea bargain in such proceeding which stipulates that the alien, after consultation with counsel in such proceeding—

''(i) voluntarily waives application for another form of relief from removal;

''(ii) consents to transportation, under custody of a law enforcement officer of the State or local court, to an appropriate international port of entry where departure from the United States will occur;

''(iii) possesses or will promptly obtain travel documents issued by the foreign state of which the alien is a national or legal resident; and

''(iv) possesses the means to purchase transportation from the port of entry to the foreign state to which the alien will depart from the United States.

''(2) REVIEW.—The Secretary shall promptly review an application for voluntary departure for compliance with the requirements of paragraph (1). The Secretary shall permit

voluntary departure under this subsection unless the State or local jurisdiction is informed in writing not later that 30 days after such application is filed, that the Secretary intends to seek removal under section 240.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to all orders granting voluntary departure under section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) made on or after the date that is 180 days after the date of the enactment of this Act.

(2) EXCEPTION.—The amendment made by subsection (b)(2) shall take effect on the date of the enactment of this Act and shall apply with respect to any petition for review which is entered on or after such date.

SEC. 522. RELEASE OF ALIENS IN REMOVAL PROCEEDINGS.

(a) IN GENERAL.—

(1) BONDS.—Section 236(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1226(a)(2)) is amended to read as follows:

''(2) may, upon an express finding by an immigration judge, that the alien is not a flight risk and is not a threat to the United States, release the alien on a bond—

''(A) of not less than $5,000 release an alien; or

''(B) if the alien is a national of Canada or Mexico, of not less than $3,000; or.''.

(2) CONFORMING AMENDMENT.—Section 236(a) of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by inserting ''or the Secretary of Homeland Security'' after the ''Attorney General'' each place it appears.

(3) REPORT.—Not later than 2 years after the enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report on the number of aliens who are citizens or nationals of a country other than Canada or Mexico who are apprehended along an international land border of the United States between ports of entry.

(b) DETENTION OF ALIENS DELIVERED BY BONDSMEN.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended by adding at the end the following new paragraph:

''(8) EFFECT OF PRODUCTION OF ALIEN BY BONDSMAN.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall take into custody any alien subject to a final order of removal, and cancel any bond previously posted for the alien, if the alien is produced within the prescribed time limit by the obligor on the bond. The obligor on the bond shall be deemed to have substantially performed all conditions imposed by the terms of the bond, and shall be released from liability on the bond, if the alien is produced within such time limit.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) and (b) shall take effect on the date of the enactment of this Act and the amendment made by subsection (b) shall apply to all immigration bonds posted before, on, or after such date.

SEC. 523. EXPEDITED REMOVAL.

(a) IN GENERAL.—Section 238 of the Immigration and Nationality Act (8 U.S.C. 1228) is amended—

(1) by striking the section heading and inserting ''EXPEDITED REMOVAL OF CRIMINAL ALIENS'';

(2) in subsection (a), by striking the subsection heading and inserting: ''EXPEDITED REMOVAL FROM CORRECTIONAL FACILITIES.—'';

(3) in subsection (b), by striking the subsection heading and inserting: ''REMOVAL OF CRIMINAL ALIENS.—'';

(4) in subsection (b), by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—The Secretary of Homeland Security may, in the case of an alien described in paragraph (2), determine the deportability of such alien and issue an order of removal pursuant to the procedures set forth in this subsection or section 240.

''(2) ALIENS DESCRIBED.—An alien is described in this paragraph if the alien, whether or not admitted into the United States, was convicted of any criminal offense described in subparagraph (A)(iii), (C), or (D) of section 237(a)(2).'';

(5) in the subsection (c) that relates to presumption of deportability, by striking ''convicted of an aggravated felony'' and inserting ''described in subsection (b)(2)'';

(6) by redesignating the subsection (c) that relates to judicial removal as subsection (d); and

(7) in subsection (d)(5) (as so redesignated), by striking '', who is deportable under this Act,''.

(b) APPLICATION TO CERTAIN ALIENS.—

(1) IN GENERAL.—Section 235(b)(1)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(A)(iii)) is amended—

(A) in subclause (I), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'' each place it appears; and

(B) by adding at the end the following new subclause:

''(III) EXCEPTION.—Notwithstanding subclauses (I) and (II), the Secretary of Homeland Security shall apply clauses (i) and (ii) of this subparagraph to any alien (other than an alien described in subparagraph (F)) who is not a national of a country contiguous to the United States, who has not been admitted or paroled into the United States, and who is apprehended within 100 miles of an international land border of the United States and within 14 days of entry.''.

(2) EXCEPTIONS.—Section 235(b)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(F)) is amended—

(A) by striking ''and who arrives by aircraft at a port of entry'' and inserting ''and—''; and

(B) by adding at the end the following:

''(i) who arrives by aircraft at a port of entry; or

''(ii) who is present in the United States and arrived in any manner at or between a port of entry.''.

(c) LIMIT ON INJUNCTIVE RELIEF.—Section 242(f)(2) of such Act (8 U.S.C. 1252(f)(2)) is amended by inserting ''or stay, whether temporarily or otherwise,'' after ''enjoin''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to all aliens apprehended or convicted on or after such date.

SEC. 524. REINSTATEMENT OF PREVIOUS REMOVAL ORDERS.

Section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended to read as follows:

''(5) REINSTATEMENT OF PREVIOUS REMOVAL ORDERS.—

''(A) REMOVAL.—The Secretary of Homeland Security shall remove an alien who is an applicant for admission (other than an admissible alien presenting himself or herself for inspection at a port of entry or an alien paroled into the United States under section 212(d)(5)), after having been, on or after September 30, 1996, excluded, deported, or removed, or having departed voluntarily under an order of exclusion, deportation, or removal.

''(B) JUDICIAL REVIEW.—The removal described in subparagraph (A) shall not require any proceeding before an immigration judge, and shall be under the prior order of exclusion, deportation, or removal, which is not subject to reopening or review. The alien is not eligible and may not apply for or receive any immigration relief or benefit under this Act or any other law, with the exception of sections 208 or 241(b)(3) or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, in the case of an alien who indicates either an intention to apply for asylum under section 208 or a fear of persecution or torture.''.

SEC. 525. CANCELLATION OF REMOVAL.

Section 240A(c) of the Immigration and Nationality Act (8 U.S.C. 1229b(c)) is amended by adding at the end the following:

''(7) An alien who is inadmissible under section 212(a)(9)(B)(i).''.

SEC. 526. DETENTION OF DANGEROUS ALIEN.

(a) IN GENERAL.—Section 241 of the Immigration and Nationality Act (8 U.S.C. 1231) is amended—

(1) in subsection (a), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'' each place it appears;

(2) in subsection (a)(1)(B), by adding after clause (iii) the following:

''If, at that time, the alien is not in the custody of the Secretary (under the authority of this Act), the Secretary shall take the alien into custody for removal, and the removal period shall not begin until the alien is taken into such custody. If the Secretary transfers custody of the alien during the removal period pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency, the removal period shall be tolled, and shall begin anew on the date of the alien's return to the custody of the Secretary.''.

(3) by amending clause (ii) of subsection (a)(1)(B) to read as follows:

''(ii) If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of the removal of the alien, the date the stay of removal is no longer in effect.'';

(4) by amending subparagraph (C) of subsection (a)(1) to read as follows:

''(C) SUSPENSION OF PERIOD.—The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent the alien's removal subject to an order of removal.'';

(5) in subsection (a)(2), by adding at the end ''If a court orders a stay of removal of an alien who is subject to an administratively final order of removal, the Secretary in the exercise of discretion may detain the alien during the pendency of such stay of removal.'';

(6) in subsection (a)(3), by amending subparagraph (D) to read as follows:

''(D) to obey reasonable restrictions on the alien's conduct or activities, or perform affirmative acts, that the Secretary prescribes for the alien, in order to prevent the alien from absconding, or for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(7) in subsection (a)(6), by striking ''removal period and, if released,'' and inserting ''removal period, in the discretion of the Secretary, without any limitations other than those specified in this section, until the alien is removed. If an alien is released, the alien'';

(8) by redesignating paragraph (7) of subsection (a) as paragraph (10) and inserting after paragraph (6) of such subsection the following new paragraphs:

''(7) PAROLE.—If an alien detained pursuant to paragraph (6) is an applicant for admission, the Secretary, in the Secretary's discretion, may parole the alien under section 212(d)(5) of this Act and may provide, notwithstanding section 212(d)(5), that the alien shall not be returned to custody unless either the alien violates the conditions of the alien's parole or the alien's removal becomes reasonably foreseeable, provided that in no circumstance shall such alien be considered admitted.

''(8) APPLICATION OF ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS WHO HAVE MADE AN ENTRY.—The rules set forth in subsection (j) shall only apply with respect to an alien who was lawfully admitted the most recent time the alien entered the United States or has otherwise effected an entry into the United States.

''(9) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision pursuant to paragraphs (6), (7), or (8) or subsection (j) shall be available exclusively in habeas corpus proceedings instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and regulatory) available to the alien as of right.''; and

(9) by adding at the end the following new subsection:

''(j) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS WHO HAVE MADE AN ENTRY.—

''(1) APPLICATION.—The rules set forth in this subsection apply in the case of an alien described in subsection (a)(8).

''(2) ESTABLISHMENT OF A DETENTION REVIEW PROCESS FOR ALIENS WHO FULLY COOPERATE WITH REMOVAL.—

''(A) IN GENERAL.—The Secretary of Homeland Security shall establish an administrative review process to determine whether the aliens should be detained or released on conditions for aliens who—

''(i) have made all reasonable efforts to comply with their removal orders;

''(ii) have complied with the Secretary's efforts to carry out the removal orders, including making timely application in good faith for travel or other documents necessary to the alien's departure; and

''(iii) have not conspired or acted to prevent removal.

''(B) DETERMINATION.—The Secretary shall make a determination whether to release an alien after the removal period in accordance with paragraphs (3) and (4). The determination—

''(i) shall include consideration of any evidence submitted by the alien and the history of the alien's efforts to comply with the order of removal; and

''(ii) may include any information or assistance provided by the Secretary of State or other Federal agency and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(3) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(A) INITIAL 90-DAY PERIOD.—The Secretary of Homeland Security in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in subsection (a)(1)(C)).

''(B) EXTENSION.—

''(i) IN GENERAL.—The Secretary in the exercise of discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the 90-day period authorized in subparagraph (A)—

''(I) until the alien is removed if the conditions described in subparagraph (A) or (B) of paragraph (4) apply; or

''(II) pending a determination as provided in subparagraph (C) of paragraph (4).

''(ii) RENEWAL.—The Secretary may renew a certification under paragraph (4)(B) every six months without limitation, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under such paragraph.

''(iii) DELEGATION.—Notwithstanding section 103, the Secretary may not delegate the authority to make or renew a certification described in clause (ii), (iii), or (v) of paragraph (4)(B) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iv) HEARING.—The Secretary may request that the Attorney General provide for a hearing to make the determination described in clause (iv)(II) of paragraph (4)(B).

''(4) CONDITIONS FOR EXTENSION.—The conditions for continuation of detention are any of the following:

''(A) The Secretary determines that there is a significant likelihood that the alien—

''(i) will be removed in the reasonably foreseeable future; or

''(ii) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspiracies or acts to prevent removal.

''(B) The Secretary certifies in writing any of the following:

''(i) In consultation with the Secretary of Health and Human Services, the alien has a highly contagious disease that poses a threat to public safety.

''(ii) After receipt of a written recommendation from the Secretary of State, the release of the alien is likely to have serious adverse foreign policy consequences for the United States.

''(iii) Based on information available to the Secretary (including available information from the intelligence community, and without regard to the grounds upon which the alien was ordered removed), there is reason to believe that the release of the alien would threaten the national security of the United States.

''(iv) The release of the alien will threaten the safety of the community or any person, the conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and—

''(I) the alien has been convicted of one or more aggravated felonies described in section 101(a)(43)(A) or of one or more crimes identified by the Secretary by regulation, or of one or more attempts or conspiracies to commit any such aggravated felonies or such crimes, for an aggregate term of imprisonment of at least five years; or

''(II) the alien has committed one or more crimes of violence and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future.

''(v) The release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and the alien has been convicted of at least one aggravated felony.

''(C) Pending a determination under subparagraph (B), if the Secretary has initiated the administrative review process no later than 30 days after the expiration of the removal period (including any extension of the removal period as provided in subsection (a)(1)(C)).

''(5) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention, the Secretary in the exercise of discretion may impose conditions on release as provided in subsection (a)(3).

''(6) REDETENTION.—The Secretary in the exercise of discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody if the alien fails to comply with the conditions of release or to cooperate in the alien's removal from the United States, or if, upon reconsideration, the Secretary determines that the alien can be detained under paragraph (1). Paragraphs (6) through (8) of subsection (a) shall apply to any alien returned to custody pursuant to this paragraph, as if the removal period terminated on the day of the redetention.

''(7) CERTAIN ALIENS WHO EFFECTED ENTRY.—If an alien has effected an entry into the United States but has neither been lawfully admitted nor physically present in the United States continuously for the 2-year period immediately prior to the commencement of removal proceedings under this Act or deportation proceedings against the alien, the Secretary in the exercise of discretion may decide not to apply subsection (a)(8) and this subsection and may detain the alien without any limitations except those imposed by regulation.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect upon the date of the enactment of this Act, and section 241 of the Immigration and Nationality Act, as amended, shall apply to—

(1) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(2) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

SEC. 527. ALTERNATIVES TO DETENTION.

The Secretary of Homeland Security shall implement pilot programs in the 6 States with the largest estimated populations of deportable aliens to study the effectiveness of alternatives to detention, including electronic monitoring devices and intensive supervision programs, in ensuring alien appearance at court and compliance with removal orders.

SEC. 528. AUTHORIZATION OF APPROPRIATIONS.

In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2007 through 2011 to carry out this title.

SA 3268. Mr. GREGG (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 324, after line 22, add the following:

(e) WORLDWIDE LEVEL OF IMMIGRANTS WITH ADVANCED DEGREES.—Section 201 (8 U.S.C. 1151) is amended—

(1) in subsection (a)(3), by inserting ''and immigrants with advanced degrees'' after ''diversity immigrants''; and

(2) by amending subsection (e) to read as follows:

''(e) WORLDWIDE LEVEL OF DIVERSITY IMMIGRANTS AND IMMIGRANTS WITH ADVANCED DEGREES.—

''(1) DIVERSITY IMMIGRANTS.—The worldwide level of diversity immigrants described in section 203(c)(1) is equal to 18,333 for each fiscal year.

''(2) IMMIGRANTS WITH ADVANCED DEGREES.—The worldwide level of immigrants with advanced degrees described in section 203(c)(2) is equal to 36,667 for each fiscal year.''.

(f) IMMIGRANTS WITH ADVANCED DEGREES.—Section 203 (8 U.S.C. 1153(c)) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''paragraph (2), aliens subject to the worldwide level specified in section 201(e)'' and inserting ''paragraphs (2) and (3), aliens subject to the worldwide level specified in section 201(e)(1)'';

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(C) by inserting after paragraph (1) the following:

''(2) ALIENS WHO HOLD AN ADVANCED DEGREE IN SCIENCE, MATHEMATICS, TECHNOLOGY, OR ENGINEERING.—

''(A) IN GENERAL.—Qualified immigrants who hold a master's or doctorate degree in the life sciences, the physical sciences, mathematics, technology, or engineering shall be allotted visas each fiscal year in a number not to exceed the worldwide level specified in section 201(e)(2).

''(B) ECONOMIC CONSIDERATIONS.—Beginning on the date which is 1 year after the date of the enactment of this paragraph, the Secretary of State, in consultation with the Secretary of Commerce and the Secretary of Labor, and after notice and public hearing, shall determine which of the degrees described in subparagraph (A) will provide immigrants with the knowledge and skills that are most needed to meet anticipated workforce needs and protect the economic security of the United States.'';

(D) in paragraph (3), as redesignated, by striking ''this subsection'' each place it appears and inserting ''paragraph (1)''; and

(E) by amending paragraph (4), as redesignated, to read as follows:

''(4) MAINTENANCE OF INFORMATION.—

''(A) DIVERSITY IMMIGRANTS.—The Secretary of State shall maintain information on the age, occupation, education level, and other relevant characteristics of immigrants issued visas under paragraph (1).

''(B) IMMIGRANTS WITH ADVANCED DEGREES.—The Secretary of State shall maintain information on the age, degree (including field of study), occupation, work experience, and other relevant characteristics of immigrants issued visas under paragraph (2).''; and

(2) in subsection (e)—

(A) in paragraph (2), by striking ''(c)'' and inserting ''(c)(1)'';

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

''(3) Immigrant visas made available under subsection (c)(2) shall be issued as follows:

''(A) If the Secretary of State has not made a determination under subsection (c)(2)(B), immigrant visas shall be issued in a strictly random order established by the Secretary for the fiscal year involved.

''(B) If the Secretary of State has made a determination under subsection (c)(2)(B) and the number of eligible qualified immigrants who have a degree selected under such subsection and apply for an immigrant visa described in subsection (c)(2) is greater than the worldwide level specified in section 201(e)(2), the Secretary shall issue immigrant visas only to such immigrants and in a strictly random order established by the Secretary for the fiscal year involved.

''(C) If the Secretary of State has made a determination under subsection (c)(2)(B) and the number of eligible qualified immigrants who have degrees selected under such subsection and apply for an immigrant visa described in subsection (c)(2) is not greater than the worldwide level specified in section 201(e)(2), the Secretary shall—

''(i) issue immigrant visas to eligible qualified immigrants with degrees selected in subsection (c)(2)(B); and

''(ii) issue any immigrant visas remaining thereafter to other eligible qualified immigrants with degrees described in subsection (c)(2)(A) in a strictly random order established by the Secretary for the fiscal year involved.''.

(g) DIVERSITY VISA CARRYOVER.—Section 204(a)(1)(I)(ii)(II) (8 U.S.C. 1154(a)(1)(I)(ii)(II)) is amended to read as follows:

''(II) An immigrant visa made available under subsection 203(c) for fiscal year 2007 or any subsequent fiscal year may be issued, or adjustment of status under section 245(a) may be granted, to an eligible qualified alien who has properly applied for such visa or adjustment of status in the fiscal year for which the alien was selected notwithstanding the end of such fiscal year. Such visa or adjustment of status shall be counted against the worldwide levels set forth in section 201(e) for the fiscal year for which the alien was selected.''.

(h) EFFECTIVE DATE.—The amendments made by subsections (e) through (g) shall take effect on October 1, 2006.

SA 3269. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 333, line 5, strike ''$1,000'' and insert ''$5,000''.

On page 341, line 17, strike ''$1,000'' and insert ''$10,000''.

SA 3270. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 333, line 8, strike ''21'' and insert ''14''.

On page 341, line 17, strike ''21'' and insert ''14''.

SA 3271. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 333, line 5, strike ''$1,000'' and insert ''$5,000''.

On page 333, line 8, strike ''21'' and insert ''14''.

On page 341, strike line 17 and insert the following: ''least 21 years of age shall pay a fee of $10,000.''.

SA 3272. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 342, strike line 25 and all that follows through page 343, line 7, and insert the following: ''alien meets the requirements of section 312.''.

SA 3273. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 331, between lines 6 and 7, insert the following:

''(6) MEDICAL EXAMINATION.—An alien may not be granted conditional nonimmigrant status under this section unless the alien undergoes, at the alien's expense, an appropriate medical examination (including a determination of immunization status) that conforms to generally accepted professional standards of medical practice.

On page 341, strike line 23 and all that follows through page 342, line 2.

SA 3274. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 327, strike lines 2 through 6 and insert the following:

''(ii) business records; or

''(iii) remittance records.

SA 3275. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 326, strike lines 4 and 5 and insert the following:

''(2) EVIDENCE OF EMPLOYMENT.—An alien

On page 326, strike line 19 and all that follows through page 327, line 6.

SA 3276. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 334, strike line 7 and all that follows through ''(3)'' on line 16, and insert ''(2)''.

On page 334, line 21, strike ''(4)'' and insert ''(3)''.

SA 3277. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 337, strike line 19 and all that follows through ''(j)'' on page 338, line 23, and insert ''(i)''.

SA 3278. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 338, strike lines 19 through 22.

SA 3279. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 338, lines 17 and 18, strike '', when such information is requested in writing by such entity''.

SA 3280. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 338, beginning on line 17, strike '', when such'' and all that follows through line 22.

SA 3281. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 276, line 8, strike ''visa—'' and all that follows through line 12, and insert the following: ''visa by the alien's employer.''.

SA 3282. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 324, strike lines 1 through 17.

SA 3283. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. H–1B EMPLOYER FEE.

Section 214(c)(9)(B) (8 U.S.C. 1184(c)(9)(B)) is amended by striking ''$1,500'' and inserting ''$2,000''.

SA 3284. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. OFFICE OF INTERNAL CORRUPTION INVESTIGATION.

(a) INTERNAL CORRUPTION; BENEFITS FRAUD.—Section 453 of the Homeland Security Act of 2002 (6 U.S.C. 273) is amended—

(1) by striking ''the Bureau of'' each place it appears and inserting ''United States'';

(2) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) establishing the Office of Internal Corruption Investigation, which shall—

''(A) receive, process, administer, and investigate criminal and noncriminal allegations of misconduct, corruption, and fraud involving any employee or contract worker of United States Citizenship and Immigration Services that are not subject to investigation by the Inspector General for the Department;

''(B) ensure that all complaints alleging any violation described in subparagraph (A) are handled and stored in a manner appropriate to their sensitivity;

''(C) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to United States Citizenship and Immigration Services, which relate to programs and operations for which the Director is responsible under this Act;

''(D) request such information or assistance from any Federal, State, or local governmental agency as may be necessary for carrying out the duties and responsibilities under this section;

''(E) require the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary to carry out the functions under this section—

''(i) by subpoena, which shall be enforceable, in the case of contumacy or refusal to obey, by order of any appropriate United States district court; or

''(ii) through procedures other than subpoenas if obtaining documents or information from Federal agencies;

''(F) administer to, or take from, any person an oath, affirmation, or affidavit, as necessary to carry out the functions under this section, which oath, affirmation, or affidavit, if administered or taken by or before an agent of the Office of Internal Corruption Investigation shall have the same force and effect as if administered or taken by or before an officer having a seal;

''(G) investigate criminal allegations and noncriminal misconduct;

''(H) acquire adequate office space, equipment, and supplies as necessary to carry out the functions and responsibilities under this section; and

''(I) be under the direct supervision of the Director.'';

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) establishing the Office of Immigration Benefits Fraud Investigation, which shall—

''(A) conduct administrative investigations, including site visits, to address immigration benefit fraud;

''(B) assist United States Citizenship and Immigration Services provide the right benefit to the right person at the right time;

''(C) track, measure, assess, conduct pattern analysis, and report fraud-related data to the Director; and

''(D) work with counterparts in other Federal agencies on matters of mutual interest or information-sharing relating to immigration benefit fraud.''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Director, in consultation with the Office of Internal Corruption Investigations, shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes—

''(1) the activities of the Office, including the number of investigations began, completed, pending, turned over to the Inspector General for criminal investigations, and turned over to a United States Attorney for prosecution; and

''(2) the types of allegations investigated by the Office during the 12-month period immediately preceding the submission of the report that relate to the misconduct, corruption, and fraud described in subsection (a)(1).''.

(b) USE OF IMMIGRATION FEES TO COMBAT FRAUD.—Section 286(v)(2)(B) (8 U.S.C. 1356(v)(2)(B)) is amended by adding at the end the following: ''Not less than 20 percent of the funds made available under this subparagraph shall be used for activities and functions described in paragraphs (1) and (4) of section 453(a) of the Homeland Security Act of 2002 (6 U.S.C. 273(a)).''.

SA 3285. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ___. NATIONAL CENTER FOR WELCOMING NEW AMERICANS.

(a) ESTABLISHMENT.—The Secretary, acting through the Director of the Bureau of Citizenship and Immigration Services, may establish the National Center for Welcoming New Americans, an organization duly established at the University of Northern Iowa.

(b) PURPOSES.—The purposes of the National Center for Welcoming New Americans shall be—

(1) to promote the integration of new immigrants and refugees in communities, institutions, faith-based organizations, and workplaces;

(2) to provide training to new immigrants and refugees with respect to culturally appropriate social and health services;

(3) to create publications for new immigrants and refugees, United States citizens, and institutions; and

(4) to establish a national clearinghouse to collect and disseminate information relating to best practices in immigrant integration in the United States and abroad.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 3286. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 342, strike lines 3 through 21, and insert the following:

''(5) PAYMENT OF INCOME TAXES.—

''(A) IN GENERAL.—Not later than the date on which status is adjusted under this section, the alien establishes the payment of all applicable Federal income tax liability by establishing that—

''(i) no such tax liability exists;

''(ii) all outstanding liabilities have been paid; or

''(iii) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

''(B) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of subparagraph (A), the term 'applicable Federal income tax liability' means liability for Federal income taxes owed for any year during the period of employment required by section 218D(b)(1)(B) for which the statutory period for assessment of any deficiency for such taxes has not expired.

''(C) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this paragraph.

On page 364, strike lines 6 through 25, and insert the following:

(D) PAYMENT OF INCOME TAXES.—

(i) IN GENERAL.—Not later than the date on which an alien's status is adjusted under this subsection, the alien shall establish the payment of all applicable Federal income tax liability by establishing that—

(I) no such tax liability exists;

(II) all outstanding liabilities have been paid; or

(III) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

(ii) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of clause (i), the term ''applicable Federal income tax liability'' means liability for Federal income taxes owed for any year during the period of employment required under paragraph (1)(A) for which the statutory period for assessment of any deficiency for such taxes has not expired.

(iii) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this subparagraph.

SA 3287. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 3 and 4, insert the following:

''(2) PAYMENT OF INCOME TAXES.—

''(A) IN GENERAL.—Not later than the date on which status is adjusted under this section, the alien establishes the payment of all applicable Federal income tax liability by establishing that—

''(i) no such tax liability exists;

''(ii) all outstanding liabilities have been paid; or

''(iii) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

''(B) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of subparagraph (A), the term 'applicable Federal income tax liability' means liability for Federal income taxes owed during the period of employment required by paragraph (1)(B) for which the statutory period for assessment of any deficiency for such taxes has not expired.

''(C) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this paragraph.

On page 342, strike lines 3 through 21, and insert the following:

''(5) PAYMENT OF INCOME TAXES.—

''(A) IN GENERAL.—Not later than the date on which status is adjusted under this section, the alien establishes the payment of all applicable Federal income tax liability by establishing that—

''(i) no such tax liability exists;

''(ii) all outstanding liabilities have been paid; or

''(iii) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

''(B) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of subparagraph (A), the term 'applicable Federal income tax liability' means liability for Federal income taxes owed for any year during the period of employment required by section 218D(b)(1)(B) for which the statutory period for assessment of any deficiency for such taxes has not expired.

''(C) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this paragraph.

On page 364, strike lines 6 through 25, and insert the following:

(D) PAYMENT OF INCOME TAXES.—

(i) IN GENERAL.—Not later than the date on which an alien's status is adjusted under this subsection, the alien shall establish the payment of all applicable Federal income tax liability by establishing that—

(I) no such tax liability exists;

(II) all outstanding liabilities have been paid; or

(III) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

(ii) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of clause (i), the term ''applicable Federal income tax liability'' means liability for Federal income taxes owed for any year during the period of employment required under paragraph (1)(A) for which the statutory period for assessment of any deficiency for such taxes has not expired.

(iii) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this subparagraph.

SA 3288. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 340, between lines 5 and 6, insert the following:

''(k) DEADLINE FOR APPLICATION.—

''(1) SCHEDULE TO ACCEPT APPLICATIONS.—Not later than 90 days after the date of the enactment of the Comprehensive Immigration Reform Act of 2006, the Secretary of Homeland Security shall begin accepting and processing applications for conditional nonimmigrant work authorization and status under this section.

''(2) SCHEDULE FOR SUBMISSION OF APPLICATIONS.—The Secretary may not grant conditional nonimmigrant work authorization and status under this section to an alien unless the alien submits an application for such authorization and status during the 180-day period beginning on the date the Secretary begins accepting applications under paragraph (1).

''(l) AUTHORITY TO REMOVE.—Notwithstanding any other provision of law, an alien who is not lawfully present in the United States who does not submit an application for conditional nonimmigrant work authorization and status during the period described in subsection (k)(2) shall be subject to immediate removal from the United States.''.

SA 3289. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 333, line 5, strike ''a $1,000 fine.'' and insert ''a fine, as follows:

(i) For an alien submitting such application during the 60-day period beginning on the date the Secretary begins accepting such applications, the alien shall pay a fine of $1000.

(ii) For an alien submitting such application during the 30-day period beginning on the date the period described in clause (i) ends, the alien shall pay a fine of $2000.

(iii) For an alien submitting such application during the 30-day period beginning on the date the period described in clause (ii) ends, the alien shall pay a fine of $3000.

(iv) For an alien submitting such application during the 30-day period beginning on the date the period described in clause (iii) ends, the alien shall pay a fine of $4000.

(v) For an alien submitting such application after the date the period described in clause (iv) ends, the alien shall pay a fine of $5000.

SA 3290. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 32, between lines 5 and 6, insert the following:

(b) MOBILE IDENTIFICATION SYSTEM.—

(1) REQUIREMENT FOR SYSTEMS.—Not later than October 1, 2007, the Secretary shall deploy wireless, hand-held biometric identification devices, interfaced with United States Government immigration databases, at all United States ports of entry and along the international land borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $10,000,000 for fiscal year 2007 to carry out this subsection.

(3) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriations in paragraph (2) shall remain available until expended.

SA 3291. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ESTABLISHMENT OF A NATIONAL PUBLIC ACHIEVEMENT PILOT PROGRAM FOR NEW IMMIGRANTS AND CROSS-CULTURAL UNDERSTANDING.

(a) FINDINGS.—Congress finds that—

(1) it is desirable to educate new immigrants about American civic rights and duties;

(2) fostering civic dialogue between new immigrants and American citizens will help to bring new immigrants into the fabric of the communities in which they live;

(3) for over 15 years, the Public Achievement program at the University of Minnesota has given people the opportunity to be producers and creators of their communities;

(4) through that program, participants have learned basic methods for becoming civically engaged citizens;

(5) the Public Achievement program was created in 1990 as a partnership between the city of St. Paul, Minnesota and the Center for Democracy and Citizenship at the Humphrey Institute of Public Affairs;

(6) as of the date of enactment of this Act, public achievement programs have been established in the States of Minnesota, New York, Colorado, Florida, New Hampshire, Wisconsin, California, and Missouri;

(7) internationally, the Public Achievement program (and similar programs) are active in Northern Ireland, Turkey, Palestine, Israel, Poland, Moldova, Ukraine, Romania, Bulgaria, Serbia, Macedonia, Albania, Kosovo, and Scotland;

(8) the Public Achievement program has been recognized nationally as a promising model of youth civic engagement by the National Commission on Civic Renewal and in the Civic Mission of Schools report by the Carnegie Corporation of New York and the Center for Information and Research on Civic Learning and Engagement (CIRCLE);

(9) the Public Achievement program model of civic engagement can serve as a valuable model for educating new immigrants about their civic rights and duties;

(10) working alongside American-born citizens to practice the skills of citizenship, new immigrants involved in public achievement programs will begin to understand and embrace American civic values;

(11) through public achievement programs, American citizens will put their values into action and gain understanding of and appreciation for new cultures; and

(12) through public work and reflection, immigrants and American citizens will form ideas about freedom, democracy, citizenship, and other ideals that are at the core of American society.

(b) ESTABLISHMENT.—The Director of the Bureau of Citizenship and Immigration Services shall establish a National Public Achievement Pilot Program for new immigrants and cross-cultural understanding that is carried out at elementary, middle, and high schools in the United States for the purposes described in subsection (c).

(c) PURPOSES.—The purposes of the National Public Achievement Pilot Program for new immigrants and cross-cultural understanding shall be—

(1) to develop civic skills and engage immigrants and American citizens in creative opportunities for enhancing public life;

(2) to promote sustained productive efforts between people of different backgrounds, views, and interests;

(3) to educate new immigrant groups regarding methods to become involved in local and national civics, while teaching others about the culture of such groups; and

(4) to enable American citizens and immigrants to work with civic, educational, community-based, and faith-based organizations dedicated to creating a broad culture of citizenship, civic renewal, and intercultural understanding.

SA 3292. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. _____. ACCESS FOR SHORT-TERM STUDY.

(a) REDUCED FEE FOR SHORT-TERM STUDY.—

(1) IN GENERAL.—Section 641(e)(4)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(e)(4)(A)) is amended by striking the second sentence and inserting ''Except as provided in subsection (g)(2), the fee imposed on any individual may not exceed $100, except that in the case of an alien admitted under subparagraph (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) as an au pair, camp counselor, or participant in a summer work travel program, the fee shall not exceed $35 and that in the case of an alien admitted under subparagraph (F) of such section 101(a)(15) for a program that will not exceed 90 days, the fee shall not exceed $35.''.

(2) TECHNICAL AMENDMENTS.—Such section 641(e)(4)(A) is further amended—

(A) in the first sentence, by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(B) in the third sentence, by striking ''Attorney General's'' and inserting ''Secretary's''.

(b) RECREATIONAL COURSES.—Notwithstanding any other provision of law, not later than 60 days after the date of enactment of this Act, the Secretary of State shall issue appropriate guidance to consular officers in order to give appropriate discretion, according to criteria developed at each post and approved by the Secretary of State, so that a course of a duration no more than 1 semester (or its equivalent), and not awarding certification, license or degree, is considered recreational in nature for purposes of determining appropriateness for visitor status.

(c) LANGUAGE TRAINING PROGRAMS.—

(1) REQUIREMENT FOR ACCREDITATION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''a language'' and inserting ''an accredited language''.

(2) REQUIREMENT FOR REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall issue regulations to carry out the amendment made by paragraph (1). Such regulations shall—

(A) except as provided in subparagraphs (C) and (D), require that an accredited language training program described in section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) be accredited by an accrediting agency recognized by the Secretary of Education;

(B) require that if such an accredited language training program provides intensive language training, the head of such program provide the Secretary with documentation regarding the specific subject matter for which the program is accredited;

(C) permit an alien admitted as a nonimmigrant under such section 101(a)(15)(F)(i) to participate in a language training program that is not accredited as described in subparagraph (A) during the 2-year period beginning on the date of the enactment of this Act; and

(D) permit a language training program established after the date of the enactment of this Act and that is not accredited as described in subparagraph (A) to qualify as an accredited language training program under such section 101(a)(15)(F)(i) during the 2-year period beginning on the date such language training program is established.

SA 3293. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENHANCED PENALTIES FOR SLAVERY.

Chapter 77 of title 18, United States Code, is amended—

(1) in section 1581(a), by striking ''or if'' and inserting ''the defendant shall be fined under this title, punished by death or a term of imprisonment of not less than 10 years and not more than life, or both. If'';

(2) in section 1583, by striking ''or if'' and inserting ''the defendant shall be fined under this title, punished by death or a term of imprisonment of not less than 10 years and not more than life, or both. If'';

(3) in section 1584, by striking ''or if'' and inserting ''the defendant shall be fined under this title, punished by death or a term of imprisonment of not less than 10 years and not more than life, or both. If'';

(4) in section 1589, by striking ''or if'' and inserting ''the defendant shall be fined under this title, punished by death or a term of imprisonment of not less than 10 years and not more than life, or both. If'';

(5) in section 1590, by striking ''or if'' and inserting ''the defendant shall be fined under this title, punished by death or a term of imprisonment of not less than 10 years and not more than life, or both. If''; and

(6) in section 1591(b)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2) (as redesignated by subparagraph (A)) the following:

''(1) if the offense resulted in the death of the victim, a fine under this title, death or imprisonment for not less than 30 years and not more than life, or both;''.

SA 3294. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON PAYMENT OF SOCIAL SECURITY BENEFITS BASED ON QUARTERS OF COVERAGE EARNED BY AN INDIVIDUAL WHO IS NOT A UNITED STATES CITIZEN OR NATIONAL WHILE THAT INIDIVIDUAL IS NOT AUTHORIZED TO WORK IN THE UNITED STATES.

(a) IN GENERAL.—Section 213(a)(2)(B)(i) of the Social Security Act (42 U.S.C. 413(a)(2)(B)(i)) is amended—

(1) by striking ''and no quarter'' and inserting '', no quarter''; and

(2) by inserting before the semicolon the following: '', and no quarter any part of which includes wages paid to an individual or self-employment income earned by an individual while the individual was not assigned a social security account number consistent with the requirements of subclause (I) or (III) of section 205(c)(2)(B)(i) or was not described in section 214(c)(2) shall be a quarter of coverage''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications for benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) filed on or after the date of enactment of this Act.

SA 3295. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $500,000,000 for each of the fiscal years 2007 through 2011 to reimburse States that use the National Guard to secure their borders, provided that not more than $100,000,000 may be paid to any one State in a fiscal year. Not less than 20% of the money appropriated in any given year shall be available to states along the Northern border of the United States.

SA 3296. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SUFFIEIENCY OF REVENUE FOR ENFORCEMENT.

Notwithstanding any other provision of law, any fee required to be paid pursuant to this Act or an amendment made by this Act, shall be deposited in a special account in the Treasury to be available to the Secretary to implement the provisions of this Act without further appropriations and shall remain available until expended.

SA 3297. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—BORDER HEALTH SECURITY

SEC. ___01. SHORT TITLE.

This Act may be cited as the ''Border Health Security Act of 2006''.

SEC. ___02. DEFINITIONS.

In this title:

(1) BORDER AREA.—The term ''border area'' has the meaning given the term ''United States-Mexico Border Area'' in section 8 of the United States-Mexico Border Health Commission Act (22 U.S.C. 290n–6).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. ___03. BORDER BIOTERRORISM PREPAREDNESS GRANTS.

(a) ELIGIBLE ENTITY DEFINED.—In this section, the term ''eligible entity'' means a State, local government, tribal government, or public health entity.

(b) AUTHORIZATION.—From funds appropriated under subsection (e), the Secretary shall award grants to eligible entities for bioterrorism preparedness in the border area.

(c) APPLICATION.—An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) USES OF FUNDS.—An eligible entity that receives a grant under subsection (b) shall use the grant funds to—

(1) develop and implement bioterror preparedness plans and readiness assessments and purchase items necessary for such plans;

(2) coordinate bioterrorism and emergency preparedness planning in the region;

(3) improve infrastructure, including syndrome surveillance and laboratory capacity;

(4) create a health alert network, including risk communication and information dissemination;

(5) educate and train clinicians, epidemiologists, laboratories, and emergency personnel; and

(6) carry out such other activities identified by the Secretary, the United States-Mexico Border Health Commission, State and local public health offices, and border health offices.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.

SEC. ___04. BORDER HEALTH DEMONSTRATION PROJECTS.

(a) ELIGIBLE ENTITY DEFINED.—In this section, the term ''eligible entity'' means a State, public institution of higher education, local government, tribal government, nonprofit health organization, or community health center receiving assistance under section 330 of the Public Health Service Act (42 U.S.C. 254b), that is located in the border area.

(b) AUTHORIZATION.—From funds appropriated under subsection (f), the Secretary, acting through the United States members of the United States-Mexico Border Health Commission, shall award grants to eligible entities to fund demonstration projects to address priorities and recommendations to improve the health of border area residents that are established by—

(1) the United States members of the United States-Mexico Border Health Commission;

(2) the State border health offices; and

(3) the Secretary.

(c) APPLICATION.—An eligible entity that desires a grant under subsection (b) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) USE OF FUNDS.—An eligible entity that receives a grant under subsection (b) shall use the grant funds for—

(1) demonstration programs relating to—

(A) maternal and child health;

(B) primary care and preventative health;

(C) public health and public health infrastructure;

(D) health promotion;

(E) oral health;

(F) behavioral and mental health;

(G) substance abuse;

(H) health conditions that have a high prevalence in the border area;

(I) medical and health services research;

(J) workforce training and development;

(K) community health workers or promotoras;

(L) health care infrastructure problems in the border area (including planning and construction grants);

(M) health disparities in the border area;

(N) environmental health;

(O) health education; and

(P) outreach and enrollment services with respect to Federal programs (including programs authorized under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 and 1397aa)); and

(2) other demonstration programs determined appropriate by the Secretary.

(e) SUPPLEMENT, NOT SUPPLANT.—Amounts provided to an eligible entity awarded a grant under subsection (b) shall be used to supplement and not supplant other funds available to the eligible entity to carry out the activities described in subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each fiscal year.

SEC. ___05. PROVISION OF RECOMMEDATIONS AND ADVICE TO CONGRESS.

Section 5 of the United States-Mexico Border Health Commission Act (22 U.S.C. 290n-3) is amended by adding at the end the following:

''(d) PROVIDING ADVICE AND RECOMMENDATIONS TO CONGRESS.—A member of the Commission, or an individual who is on the staff of the Commission, may at any time provide advice or recommendations to Congress concering issues that are considered by the Commission. Such advice or recommendations may be provided whether or not a request for such is made by a member of Congress and regardless of whether the member or individual is authorized to provide such advice or recommendations by the Commission or any other Federal official.''.

SEC. ___06. BINATIONAL PUBLIC HEALTH INFRASTRUCTURE AND HEALTH INSURANCE.

(a) IN GENERAL.—The Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning binational public health infrastructure and health insurance efforts. In conducting such study, the Institute shall solicit input from border health experts and health insurance issuers.

(b) REPORT.—Not later than 1 year after the date on which the Secretary of Health and Human Services enters into the contract under subsection (a), the Institute of Medicine shall submit to the Secretary and the appropriate committees of Congress a report concerning the study conducted under such contract. Such report shall include the recommendations of the Institute on ways to expand or improve binational public health infrastructure and health insurance efforts.

SA 3298. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TEMPORARY ADMITTANCE OF MEXICAN NATIONALS WITH BORDER CROSSING CARDS.

The Secretary shall permit a national of Mexico, who enters the United States with a valid Border Crossing Card (as described in section 212.1(c)(1)(i) of title 8, Code of Federal Regulations, as in effect on the date of the enactment of this Act), and who is admitted to the United States at the Columbus, Santa Teresa, or Antelope Wells port of entry in New Mexico, to remain in New Mexico (within 75 miles of the international border between the United States and Mexico) for a period not to exceed 30 days.

SA 3299. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROTECTION OF THE INTEGRITY OF THE SOCIAL SECURITY SYSTEM.

(a) TRANSMITTAL AND APPROVAL OF TOTALIZATION AGREEMENTS.—

(1) IN GENERAL.—Section 233(e) of the Social Security Act (42 U.S.C. 433(e)) is amended to read as follows:

''(e)(1) Any agreement to establish a totalization arrangement which is entered into with another country under this section shall enter into force with respect to the United States if (and only if)—

''(A) the President, at least 90 calendar days before the date on which the President enters into the agreement, notifies each House of the Congress of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register,

''(B) the President transmits the text of such agreement to each House of the Congress as provided in paragraph (2), and

''(C) an approval resolution regarding such agreement has passed both Houses of the Congress and has been enacted into law.

''(2)(A) Whenever an agreement referred to in paragraph (1) is entered into, the President shall transmit to each House of the Congress a document setting forth the final legal text of such agreement and including a report by the President in support of such agreement. The President's report shall include the following:

''(i) an estimate by the Chief Actuary of the Social Security Administration of the effect of the agreement, in the short term and in the long term, on the receipts and disbursements under the social security system established by this title;

''(ii) a statement of any administrative action proposed to implement the agreement and how such action will change or affect existing law,

''(iii) a statement describing whether and how the agreement changes provisions of an agreement previously negotiated,

''(iv) a statement describing how and to what extent the agreement makes progress in achieving the purposes, policies, and objectives of this title,

''(v) an estimate of the number of individuals who will be affected by the agreement,

''(vi) an assessment of the integrity of the retirement data and records (including birth, death, and marriage records) of the other country that is the subject of the agreement, and

''(vii) an assessment of ability of such country to track and monitor recipients of benefits under such agreement.

''(B) If any separate agreement or other understanding with another country (whether oral or in writing) relating to an agreement to establish a totalization arrangement under this section is not disclosed to the Congress in the transmittal to the Congress under this paragraph of the agreement to establish a totalization arrangement, then such separate agreement or understanding shall not be considered to be part of the agreement approved by the Congress under this section and shall have no force and effect under United States law.

''(3) For purposes of this subsection, the term 'approval resolution' means a joint resolution, the matter after the resolving clause of which is as follows: 'That the proposed agreement entered into pursuant to section 233 of the Social Security Act between the United States and _____ establishing totalization arrangements between the social security system established by title II of such Act and the social security system of _____, transmitted to the Congress by the President on _____, is hereby approved.', the first two blanks therein being filled with the name of the country with which the United States entered into the agreement, and the third blank therein being filled with the date of the transmittal of the agreement to the Congress.

''(4) Whenever a document setting forth an agreement entered into under this section and the President's report in support of the agreement is transmitted to the Congress pursuant to paragraph (2), copies of such document shall be delivered to both Houses of Congress on the same day and shall be delivered to the Clerk of the House of Representatives if the House is not in session and to the Secretary of the Senate if the Senate is not in session.

''(5) On the day on which a document setting forth the agreement is transmitted to the House of Representatives and the Senate pursuant to paragraph (1), an approval resolution with respect to such agreement shall be introduced (by request) in the House by the majority leader of the House, for himself or herself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself or herself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such an agreement is transmitted, the approval resolution with respect to such agreement shall be introduced in that House, as provided in the proceeding sentence, on the first day thereafter on which that House is in session. The resolution introduced in the House of Representatives shall be referred to the Committee on Ways and Means and the resolution introduced in the Senate shall be referred to the Committee on Finance.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to agreements establishing totalization arrangements entered into under section 233 of the Social Security Act which are transmitted to the Congress on or after April 1, 2006.

(b) BIENNIAL GAO REPORT ON IMPACT TOTALIZATION AGREEMENTS.—Section 233(e) of the Social Security Act (42 U.S.C. 433(e)), as amended by subsection (a)(1), is amended by adding at the end the following new paragraph:

''(6) Not later than January 1, 2007, and biennially thereafter, the Comptroller General of the United States shall submit a report to Congress and the President with respect to each such agreement that has become effective that—

''(A) compares the estimates, statements, and assessments contained in the report submitted to Congress under paragraph (2) with respect to that agreement with the actual number of individuals affected by the agreement and the actual effect of the agreement on the estimated income and expenditures of the social security system established by this title; and

''(B) contains such recommendations for adjusting the methods used to make the estimates, statements, and assessments required for reports submitted under paragraph (2) as the Comptroller General determines necessary.''.

SA 3300. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 221 of the amendment, strike line 23 and all that follows through page 225, line 16 and insert the following:

SEC. 401. STUDY AND REPORT ON IMMIGRATION.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, titles IV, V, and VI shall not take effect until the date that is 30 days after the date that the report required by subsection (c)(3) is submitted to the appropriate congressional committees.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Appropriations, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

(c) STUDY AND REPORT.—

(1) STUDY.—The Secretary shall conduct a study of—

(A) the impacts to the infrastructure of the United States and quality of life of the people of the United States of—

(i) policies related to the admission of aliens to the United States and to changes in immigration status of aliens in the United States; and

(ii) the entry of aliens into the United States illegally; and

(B) the changes to such impacts that may result from any proposal to increase in the number of such admissions, changes in immigration status, or entries.

(2) CONSULTATION.—The Secretary shall consult with the Secretaries of Agriculture, Commerce, Education, Energy, Health and Human Services, Housing and Urban Development, the Interior, Justice, Labor, Transportation, and the Treasury and the Administrator of the Environmental Protection Agency in conducting the study required by paragraph (1).

(3) REPORT.—Not later than 150 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report, after the Comptroller General of the United States has reviewed such report, on the findings of the study required by paragraph (1). The report shall include the following:

(A) An estimate of the populations of legal and illegal immigrants in the United States as a percentage of the total population of the United States, and the manner in which the provisions of this Act and any amendments made by this Act may affect such percentage.

(B) The projected impact of legal and illegal immigration on the size of the total population of the United States during the 50-year period beginning on the date of enactment of this Act, including such impact to the regions of the United States that are likely to experience the largest increases in immigration and the manner in which the provisions of this Act and any amendments made by this Act may affect such impact.

(C) An assessment of the impacts of the admission of aliens to the United States, and the entry of aliens into the United States illegally, as of the date of enactment of this Act, and an assessment of the changes to such impacts that may result from the provisions of this Act and any amendments made by this Act that increase the number of such admissions, with respect to each of the following:

(i) The natural environment of the United States, including the consumption of nonrenewable resources, waste production and disposal, the emission of pollutants, and the loss of habitat and productive farmland, including an estimate of the public expenditures required to maintain standards in each such area, and the degree to which standards will deteriorate if such expenditures are not made.

(ii) The rates of employment and wages in the United States, particularly in industries that historically have employed large numbers of alien workers, and an estimate of the public costs associated with any decrease to such rates.

(iii) The need for additions and improvements to the transportation infrastructure of the United States, an estimate of the public expenditures required to meet such need,

and the impact on the mobility of people in the United States if such expenditures are not made.

(iv) The quality of education in the United States, including the ability to enroll in school, and to maintain class size, teacher-student ratios, and the quality of education in public schools, an estimate of the public expenditures required to maintain median standards in such areas, and the degree to which such standards will deteriorate if such expenditures are not made.

(v) The rates of homeownership, cost of housing, and the demand for low-income and subsidized housing in the United States, the public expenditures required to maintain median standards in such areas, and the degree to which such standards will deteriorate if such expenditures are not made.

(vi) The cost of health care and health insurance and the ability to access to quality health care in the United States, an estimate of the public expenditures required to maintain median standards in such areas, and the degree to which such standards will deteriorate if such expenditures are not made.

(vii) The effectiveness of the criminal justice system in the United States and an estimate of the public expenditures associated with the criminal justice system.

(D) The comments of the Comptroller General of the United States.

SA 3301. Ms. CANTWELL (for herself, Mr. CRAPO, Mr. JEFFORDS, Mr. CRAIG, Mrs. MURRAY, Mr. BAUCUS, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NORTHERN BORDER PROSECUTION INITIATIVE.

(a) INITIATIVE REQUIRED.—

(1) IN GENERAL.—From amounts made available to carry out this section, the Attorney General, acting through the Director of the Bureau of Justice Assistance of the Office of Justice Programs, shall establish and carry out a program, to be known as the Northern Border Prosecution Initiative, to provide funds to reimburse eligible northern border entities for costs incurred by those entities for handling case dispositions of criminal cases that are federally initiated but federally declined-referred.

(2) RELATION WITH SOUTHWESTERN BORDER PROSECUTION INITIATIVE.—The program established in paragraph (1) shall—

(A) be modeled after the Southwestern Border Prosecution Initiative; and

(B) serve as a partner program to that initiative to reimburse local jurisdictions for processing Federal cases.

(b) PROVISION AND ALLOCATION OF FUNDS.—Funds provided under the program established in subsection (a) shall be—

(1) provided in the form of direct reimbursements; and

(2) allocated in a manner consistent with the manner under which funds are allocated under the Southwestern Border Prosecution Initiative.

(c) USE OF FUNDS.—Funds provided to an eligible northern border entity under this section may be used by the entity for any lawful purpose, including:

(1) Prosecution and related costs.

(2) Court costs.

(3) Costs of courtroom technology.

(4) Costs of constructing holding spaces.

(5) Costs of administrative staff.

(6) Costs of defense counsel for indigent defendants.

(7) Detention costs, including pre-trial and post-trial detention.

(d) DEFINITIONS.—In this section:

(1) CASE DISPOSITION.—The term ''case disposition''—

(A) for purposes of the Northern Border Prosecution Initiative, refers to the time between the arrest of a suspect and the resolution of the criminal charges through a county or State judicial or prosecutorial process; and

(B) does not include incarceration time for sentenced offenders, or time spent by prosecutors on judicial appeals.

(2) ELIGIBLE NORTHERN BORDER ENTITY.—The term ''eligible northern border entity'' means—

(A) the States of Alaska, Idaho, Maine, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Ohio, Pennsylvania, Vermont, Washington, and Wisconsin; or

(B) any unit of local government within a State referred to in subparagraph (A).

(3) FEDERALLY DECLINED-REFERRED.—The term ''federally declined-referred''—

(A) means, with respect to a criminal case, that a decision has been made in that case by a United States Attorney or a Federal law enforcement agency during a Federal investigation to no longer pursue Federal criminal charges against a defendant and to refer such investigation to a State or local jurisdiction for possible prosecution; and

(B) includes a decision made on an individualized case-by-case basis as well as a decision made pursuant to a general policy or practice or pursuant to prosecutorial discretion.

(4) FEDERALLY INITIATED.—The term ''federally initiated'' means, with respect to a criminal case, that the case results from a criminal investigation or an arrest involving Federal law enforcement authorities for a potential violation of Federal criminal law, including investigations resulting from multi-jurisdictional task forces.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $28,000,000 for fiscal year 2006 and such sums as may be necessary for fiscal years thereafter.

SA 3302. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 286, between lines 21 and 22, insert the following new section:

SEC. 412. GLOBAL HEALTHCARE COOPERATION.

(a) GLOBAL HEALTHCARE COOPERATION.—Title III (8 U.S.C. 1401 et seq.) is amended by inserting after section 317 the following:

''SEC. 317A. TEMPORARY ABSENCE OF ALIENS PROVIDING HEALTHCARE IN DEVELOPING COUNTRIES.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary of Homeland Security shall allow an eligible alien to reside in a candidate country during the period the eligible alien is working as a health care worker in a candidate country and the eligible alien and the spouse or child of the eligible alien who are absent from the United States during the period the eligible alien is working as a health care worker in a candidate country, shall be considered, during such period—

''(1) to be physically present and residing in the United States for purposes of naturalization under section 316(a); and

''(2) to meet the continuous residency requirements under section 316(b).

''(b) DEFINITIONS.—In this section:

''(1) CANDIDATE COUNTRY.—The term 'candidate country' means a country that the Secretary of State determines is—

''(A) eligible for assistance from the International Development Association, in which the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for the fiscal year involved, as defined by the International Bank for Reconstruction and Development;

''(B) classified as a lower middle income country in the then most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development and having an income greater than the historical ceiling for International Development Association eligibility for the fiscal year involved; or

''(C) qualifies to be a candidate country due to special circumstances, including natural disasters or public health emergencies.

''(2) ELIGIBLE ALIEN.—The term 'eligible alien' means an alien who—

''(A) has been lawfully admitted to the United States for permanent residence;

''(B) is a health care worker; and

''(C) demonstrates an ability and willingness to reside in certain candidate countries and work as a health care professional.

''(c) FAMILY MEMBERS.—Notwithstanding any other provision of this Act, an eligible alien and the spouse or child of an eligible alien may—

''(1) reside outside the United States during the time the eligible alien is working as a health care professional in a candidate country; and

''(2) reenter the United States.

''(d) DURATION.—

''(1) IN GENERAL.—Except as provided under paragraph (2), an eligible alien may work in a candidate country as described in subsection (a) for a period of not more than 24 months.

''(2) EXTENSION OF TIME.—The Secretary of Homeland Security may extend the 24-month period referred to in paragraph (1) if the Secretary determines that—

''(A) the extension is in the national interest of the United States; or

''(B) other extraordinary circumstances warrant the extension.

''(e) CONSULTATION WITH THE SECRETARY OF STATE.—The Secretary of Homeland Security shall consult with the Secretary of State in carrying out this subsection.

''(f) PUBLICATION.—The Secretary of State shall publish—

''(1) not later than 6 months after the date of the enactment of the Comprehensive Immigration Reform Act of 2006, and annually thereafter, a list of candidate countries; and

''(2) an amendment to such list at any time to include any country that qualifies as a candidate country due to special circumstances under subsection (b)(1)(C).''.

(b) TABLE OF CONTENTS.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 317 the following:

''Sec. 317A. Temporary absence of persons participating in the Global Healthcare Cooperation Program.''.

(c) RULEMAKING.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out this section and the amendments made by this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

the Bureau of Citizenship and Immigration Services for each of the fiscal years 2007 and 2008, such sums as may be necessary to carry out this section and the amendments made by this section.

SEC. 413. ATTESTATION BY HEALTH CARE WORKERS.

Section 212(a)(5) (8 U.S.C. 1182(a)(5)) is amended by adding at the end the following new subparagraph:

''(E) HEALTH CARE WORKERS WITH OTHER OBLIGATIONS.—

''(i) IN GENERAL.—An alien who seeks to enter the United States for the purpose of performing labor as a health care worker, including a physician, is inadmissible unless the alien submits to the Secretary of Homeland Security or the Secretary of State, as appropriate, an attestation that the alien is not seeking to enter the United States for such purpose during any period that the alien is obligated to perform labor as a health care worker in another country, such as an obligation undertaken in a contract of service agreed to as part of the alien's education or training.

''(ii) WAIVER.—The Secretary of Homeland Security may waive a finding of inadmissibility under clause (i) if the Secretary determines that an obligation under clause (i) was incurred involuntarily, under coercion, or in other extraordinary circumstances.''.

SA 3303. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 99, strike lines 12 through 16 and insert the following:

''(4) ATTEMPT.—Whoever attempts to commit

SA 3304. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 273, strike lines 14 through 17 and insert the following:

(1) in subparagraph (A)(ix) (as added by section 508(c)(1)(B)(ii)), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(C) under section 101(a)(15)(H)(ii)(a) may not exceed 90,000; and

''(D) under section 101(a)(15)(H)(ii)(c)

SA 3305. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 99, strike lines 12 through 15 and insert the following:

''(4) DURATION OF OFFENSE.—

''(A) IN GENERAL.—An offense under this subsection continues until the alien is discovered within the United States by an immigration officer.

''(B) APPLICABILITY.—Subparagraph (A) shall apply only to offenses that occur after the date of enactment of this Act.

SA 3306. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 287 of the amendment, strike line 6 and all that follows through page 294, line 4.

SA 3307. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) SUPPORT FOR BORDER SECURITY NEEDS.—

(1) IN GENERAL.—To gain operational control over the international land borders of the United States and to prevent the entry of terrorists, unlawful aliens, narcotics, and other contraband into the United States, the Secretary, in cooperation with the Secretary of the Interior, shall provide—

(A) increased Customs and Border Protection personnel to secure Federal land and units of the National Park System along the international land borders of the United States;

(B) Federal land resource training for Customs and Border Protection agents dedicated to Federal land; and

(C) Unmanned Aerial Vehicles, aerial assets, Remote Video Surveillance camera systems, and sensors on land under the jurisdiction of the Department of the Interior that is directly adjacent to the international land border of the United States, with priority given to units of the National Park System.

(2) COORDINATION.—In providing training for Customs and Border Protection agents under paragraph (1)(B), the Secretary shall coordinate with the Secretary of the Interior to ensure that the training is appropriate to the mission of the National Park Service or the relevant agency of the Department of the Interior to minimize the adverse impact on natural and cultural resources from border protection activities.

(b) INVENTORY OF COSTS AND ACTIVITIES.—The Secretary of the Interior shall develop and submit to the Secretary an inventory of costs incurred by the National Park Service relating to illegal border activity, including the cost of equipment, training, recurring maintenance, construction of facilities, restoration of natural and cultural resources, recapitalization of facilities, and operations.

(c) RECOMMENDATIONS.—The Secretary shall—

(1) develop joint recommendations with the National Park Service for an appropriate cost recovery mechanism relating to items identified in subsection (b); and

(2) not later than March 31, 2007, submit to the appropriate congressional committees (as defined in section 2 of the Homeland Security Act of 2002 (6 U.S. C. 101)), including the Subcommittee on National Parks of the Senate and the Subcommittee on National Parks, Recreation and Public Lands of the House of Representatives, the recommendations developed under paragraph (1).

(d) BORDER PROTECTION STRATEGY.—The Secretary and the Secretary of the Interior shall jointly develop a border protection strategy that supports the border security needs of the United States in the manner that best protects—

(1) units of the National Park System;

(2) land under the jurisdiction of the United States Fish and Wildlife Service; and

(3) other relevant land under the jurisdiction of the Department of the Interior.

SA 3308. Mr. CORNYN (for himself, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

On page 6, strike line 9 and all that follows through page 221, line 18 and insert the following:

SA 3309. Mr. CORNYN (for himself, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 333, strike line 13 and all that follows through page 335, line 11, and insert the following:

''(g) TREATMENT OF APPLICATNS DURING REMOVAL PROCEEDINGS.—Notwithstanding any provision of this Act, an alien who is in removal proceedings shall have an opportunity to apply for a grant of status under this title unless a final administrative determination has been made.

SA 3310. Mr. CORNYN (for himself, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 337, strike line 19 and all that follows through page 338, line 22.

SA 3311. Mr. KYL (for himself, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 276, strike line 4 and all that follows through page 277, line 21, and insert the following:

''(n) Notwithstanding any other provision of this Act, an alien having nonimmigrant status described in section 101(a)(15)(H)(ii)(c) is ineligible for and may not apply for adjustment of status under this section on the basis of such status.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, April 5, 2006, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct an oversight hearing on the Problem of Methamphetamine in Indian Country.

Those wishing additional information may contact the Indian Affairs Committee.

AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 4, 2006, at 10 a.m., to conduct a hearing on ''A Current Assessment of Money Laundering and Terrorist Financing Threats and Countermeasures.''

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 4, 2006, at 3 p.m., to conduct a hearing on ''Reform of FHA's Title I Manufactured Housing Loan Programs.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, April 4, 2006, at 10 a.m. on TSA.

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

COMMITTEE ON FINANCE

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, April 4, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Preparing Your Taxes: How Costly Is It?''.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALLARD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 4, 2006, at 2:30 p.m. to hold a closed hearing.

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

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND TERRORISM

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on International Operations and Terrorism be authorized to meet during the session of the Senate on Tuesday, April 4, 2006, at 10 a.m., hold a closed briefing on Counterterrorism Priorities.

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

SUBCOMMITTEE ON PERSONNEL

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on Personnel be authorized to meet during the session of the Senate on April 4, 2006, at 2:30 p.m., in open session to continue to received testimony on health benefits and programs in review of the Defense authorized request for fiscal year 2007.

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

SUBCOMITTEE ON SEAPOWER

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on Seapower be authorized to meet during the session of the Senate on April 4, 2006, at 3:30 p.m., in open session to received testimony on the posture of the U.S. transportation command in review of the Defense authorization request for fiscal year 2007 and future years defense program.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate on April 4, 2006, at 10 a.m., in open session to receive testimony on missile defense programs in review of the Defense authorization request for fiscal year 2007.

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, on behalf of Senator BAUCUS, I ask unanimous consent that the following list of fellows and interns with the Finance Committee staff be allowed on the Senate floor for the duration of debate on the immigration reform bill: Lesley Meeker, Britt Sandler, Lauren Shields, Laura Kellams, and Deidra Henry-Spires.

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

MEASURE PLACED ON CALENDAR—S. 598

Mr. BENNETT. Mr. President, I ask unanimous consent that calendar No. 374, S. 598, now be referred to the Banking Committee and then immediately discharged and placed on the calendar.

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

PROMOTING FREEDOM OF RELIGION IN AFGHANISTAN

Mr. BENNETT. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 421, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 421) calling on the government of Afghanistan to uphold freedom of religion and urging the Government of the United States to promote religious freedom in Afghanistan.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, in the past week, the world has witnessed the arrest, the imprisonment, the threatened execution, and eventually the release of a man in Afghanistan named Abdul Rahman. His so-called crime? Apostasy. He was threatened with capital punishment because 16 years ago, while working on a humanitarian mission in Pakistan, he converted to Christianity.

Abdul Rahman has thankfully been released, and charges against him have been dropped. However, religious freedom remains in jeopardy in Afghanistan as do those who might choose to practice it.

I have great respect for President Karzai and the state he is trying to build. I respect the right of Afghanistan to its own laws and legal system.

But it will be a great tragedy if the overthrow of the Taliban government results in its replacement by a state that professes democracy but falls so far short of such an essential democratic standard: the freedom of belief.

We have over 22,000 troops in Afghanistan. Two hundred and eighty-two Americans have given their lives in that country since Operation Enduring Freedom began.

Freedom must, by definition, include freedom of religion,

It is our responsibility to make that utterly clear. As President Bush has stated, ''We expect [the government of Afghanistan] to honor the universal principle of freedom. It is deeply troubling that a country we helped liberate would hold a person to account because they chose a particular religion over another.''

The United States Commission on International Religious Freedom raised concerns during the drafting of Afghanistan's constitution that it opened the door for cases such as this. Those concerns extend to both members of religious minorities and to members of the country's majority Muslim community who might dare to express an interpretation of Islam that differs from the prevailing orthodoxy. Sadly, these apprehensions have been borne out.

The State Department's International Religious Freedom Report for 2005 noted that conversion from Islam is ''in theory'' punishable by death in Afghanistan. Although charges against Mr. Rahman were fortunately dropped, clearly such a punishment is more than simply theoretical.

Afghanistan is a party to the International Covenant on Civil and Political Rights, which reads in part, ''Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.''

Today, I am introducing a resolution calling on the Government of Afghanistan to live up to the principles it has endorsed in that covenant. This resolution also urges the Government of Afghanistan to consider the importance

of religious freedom for the broader relationship between our two countries, and it expresses the sense of Congress that the President and his representatives should raise these human rights issues both publicly and privately.

In 1864, Abraham Lincoln wrote a grieving mother who had lost 5 sons in a single day in battle. He sought to offer her consolation for ''so costly a sacrifice upon the altar of freedom.'' Two hundred and eighty-two Americans have made that sacrifice in Afghanistan. Countless Afghans died in the struggle against Soviet invaders and others in resistance against the brutal regime of the Taliban. It is my fervent hope that Afghanistan lives up to the promise of its own pledge to uphold human rights: freedom of worship must be part of any true enduring freedom.

Mr. BENNETT. 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, and that any statements relating thereto be printed in the RECORD as if read.

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

The resolution (S. Res. 421) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 421

Whereas under the Taliban Government of Afghanistan, individuals convicted of promoting faiths other than Islam, or expressing interpretations of Islam differing from the prevailing orthodoxy, could be imprisoned and those converting from Islam could be tortured and publicly executed;

Whereas the United States has more than 22,000 members of the Armed Forces stationed in Afghanistan and whereas 282 members of the Armed Forces have given their lives in Afghanistan since Operation Enduring Freedom began in that country;

Whereas Abdul Rahman, a citizen of Afghanistan, was arrested and accused of apostasy for converting to Christianity 16 years ago and threatened with execution;

Whereas the prosecutor in this case, Abdul Wasi, stated in court that Abdul Rahman ''is known as a microbe in society, and he should be cut off and removed from the rest of Muslim society and should be killed.'';

Whereas, while it was a welcome development that charges against Abdul Rahman were dropped, he was forced to seek asylum in Italy;

Whereas, despite his release, religious freedom and those who would practice it in Afghanistan remain in jeopardy;

Whereas religious freedom is a fundamental principle of democracy;

Whereas the Constitution of Afghanistan does not fully guarantee freedom of thought, conscience, religion, or belief;

Whereas, on several occasions throughout Afghanistan's constitution drafting process, the United States Commission on International Religious Freedom raised concerns that the constitution's ambiguity on issues of conversion and religious expression could lead to unjust criminal accusations against Muslims and non-Muslims alike;

Whereas charges of blasphemy since 2002 have justified those concerns;

Whereas the International Religious Freedom Report 2005 published by the Department of State does not list Afghanistan among those countries cited for ''State Hostility Toward Minority or Nonapproved Religions'', ''State Neglect of Societal Discrimination or Abuses Against Religious Groups'', or ''Discriminatory Legislation or Policies Prejudicial to Certain Religions'' and notes that ''[t]he new Constitution provides for freedom of religion, and the Government generally respected this right in practice'';

Whereas the International Religious Freedom Report 2005 states that conversion from Islam is ''in theory – punishable by death'' in Afghanistan;

Whereas the case of Abdul Rahman, other instances of religious persecution or discrimination against minorities, and ambiguities within the Constitution of Afghanistan appear to warrant closer scrutiny in the International Religious Freedom Report 2006; and

Whereas Afghanistan is a party to the International Covenant on Civil and Political Rights, which reads in part, ''Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.'': Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes freedom of religion as a central tenet of democracy;

(B) respects the right of the people of Afghanistan to self-government, while strongly urging the Government of Afghanistan to respect all universally recognized human rights;

(C) condemns the arrest of Abdul Rahman and other instances of religious persecution in Afghanistan;

(D) commends the dropping of charges against Abdul Rahman; and

(E) strongly urges the Government of Afghanistan to consider the importance of religious freedom for the broader relationship between the United States and Afghanistan; and

(2) it is the sense of the Senate that the President and the President's representatives should—

(A) in both public and private fora, raise concerns at the highest levels with the Government of Afghanistan regarding the violations of internationally recognized human rights, including the right to freedom of religion or belief, in Afghanistan; and

(B) ensure that the International Religious Freedom Report 2006 for Afghanistan fully addresses the issue of religious persecution in that country, including the arrest of Abdul Rahman.

NATIONAL AND GLOBAL YOUTH SERVICE DAY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 422, 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. 422) designating April 21, 2006, as National and Global Youth Service Day, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, I rise to support a resolution designating April 21, 2006, as National and Global Youth Service Day. This resolution recognizes and commends the significant community service efforts that youth are making in communities across the country and around the world on April 21 and every day. This resolution also encourages the citizens of the United States to acknowledge and support these volunteer efforts.

National and Global Youth Service Day is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year. On this day, youth from across the United States and the world will carry out community service projects in areas ranging from hunger to literacy to the environment. Through this service, many will embark on a lifelong path of service and civic engagement in more than 100 countries around the world.

In Alaska, the following groups will engage youth in community service activities in observance of National and Global Youth Service Day:

One, Anchorage's Promise, which works to mobilize all sectors of the community to build the character and competence of Anchorage's children and youth by fulfilling Five Promises: Caring Adults, Safe Places, Healthy Start, Equitable Education for Marketable Skills, and Opportunities to Serve, is sponsoring the annual Kids' Day event. Over 20 interactive exhibits will be staffed by youth, including booths where young people can see how easily an egg cracks without wearing a seatbelt, discover why bike helmets are important, and see just how clean their hands really are.

Two, eighth graders from the Neon Team at Goldenview Middle School in Anchorage are creating colorful cards with spring-themed haiku poems. At least 120 students will donate cards to social service agencies, hospitals, and community support organizations throughout Anchorage. The purpose of this project is to spread Springtime cheer to those in the Anchorage community who may not otherwise experience a joyful Spring.

Three, members of Alaska Youth for Environmental Action, a statewide youth organization associated with the National Wildlife Federation, are developing a project to inform and involve youth in the use of energy efficient light bulbs. Young people throughout the State will petition their local communities for support and will encourage the use of energy efficient light bulbs.

Many similar and wonderful activities will be taking place all across the Nation.

I thank my colleagues—Senators AKAKA, ALLEN, BAUCUS, BAYH, BOXER, BUNNING, BURR, CANTWELL, CLINTON, COCHRAN, COLEMAN, COLLINS, CORNYN, CRAIG, DODD, DOLE, DOMENICI, DORGAN, DURBIN, FEINGOLD, FEINSTEIN, HAGEL, ISAKSON, JOHNSON, KENNEDY, KERRY, LANDRIEU, LAUTENBERG, LEVIN, LIEBERMAN, LOTT, MARTINEZ, MENENDEZ, MIKULSKI, MURRAY, NELSON of Florida, NELSON of Nebraska, SALAZAR, SANTORUM, SNOWE, SPECTER, STABENOW, and STEVENS—for standing with me as original cosponsors of this worthwhile legislation, which will ensure that youth across the country and the world know that all of their hard work is greatly appreciated.

Mr. BENNETT. 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. 422) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 422

Whereas National and Global Youth Service Day is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year;

Whereas the goals of National and Global Youth Service Day are to—

(1) mobilize the youth of the United States to identify and address the needs of their communities through service and service-learning;

(2) encourage young citizens to embark on a lifelong path of service and civic engagement; and

(3) educate the public, the media, and policymakers about contributions made by young people as community leaders throughout the year;

Whereas National and Global Youth Service Day, a program of Youth Service America, is the largest service event in the world and is being observed for the 18th consecutive year in 2006;

Whereas young people in the United States and in many other countries are volunteering more than any other generation in history;

Whereas the children and youth of the United States not only represent the future of the Nation, but also are leaders and assets today;

Whereas the children and youth of the United States should be valued for the idealism, energy, creativity, and unique perspective that they use when addressing challenges found in their communities;

Whereas a fundamental and conclusive correlation exists between youth service, lifelong adult volunteering, and philanthropy;

Whereas through community service, young people of all ages and backgrounds build character and learn valuable skills sought by employers, including time management, decision-making, teamwork, needs-assessment, and leadership;

Whereas service-learning, an innovative teaching method that combines community service with curriculum-based learning, increases student achievement while strengthening civic responsibility;

Whereas several private foundations and corporations in the United States support service-learning because they understand that educated, civically-engaged communities tend to be economically prosperous and good places to do business;

Whereas sustained investments by the Federal Government, business partners, schools, and communities fuel the positive, long-term cultural change that will make service and service-learning a common expectation and a common experience for all young people;

Whereas National and Global Youth Service Day, with the support of 51 lead agencies, hundreds of grant winners, and thousands of local partners, engages millions of young people worldwide;

Whereas National and Global Youth Service Day will involve 38 international organizations and 110 national partners, including 8 Federal agencies and 6 organizations that offer grants to support National and Global Youth Service Day;

Whereas National Youth Service Day has inspired Global Youth Service Day, which occurs concurrently in more than 100 countries and is now in its 7th year; and

Whereas both young people and their communities will benefit greatly from expanded opportunities to engage the youth of the United States in meaningful volunteer service and service-learning: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of United States youth and encourages the cultivation of a common civic bond between young people dedicated to serving their neighbors, their communities, and the Nation;

(2) designates April 21, 2006, as ''National and Global Youth Service Day''; and

(3) calls on the citizens of the United States to—

(A) observe the day by encouraging and engaging youth to participate in civic and community service projects;

(B) recognize the volunteer efforts of the young people of the United States throughout the year; and

(C) support the volunteer efforts of young people and engage them in meaningful decision-making opportunities today as an investment for the future of the United States.

NATIONAL CUSHING'S SYNDROME AWARENESS DAY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 423, 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. 423) designating April 8, 2006 as National Cushing's Syndrome Awareness Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. INHOFE. Mr. President, I rise today along with my colleague, TOM COBURN, to proudly support a resolution designating April 8, 2006, as National Cushing's Syndrome Awareness Day. I have long been dedicated to quality health care and therefore seek to raise awareness of this debilitating disorder that affects an estimated 10 to 15 people per million.

My desire to see my Oklahoma constituents and all Americans receive the best possible health care is evidenced by my involvement in various health related issues. I have always been a champion of rural health care providers. In 1997, I was one of the few Republicans to vote against the Balanced Budget Act because of its lack of support for rural hospitals. At that time, I made a commitment to not allow our rural hospitals to be closed and am pleased we finally addressed that important issue in the Medicare Modernization Act of 2003 by providing great benefits for rural health care providers as well as a voluntary prescription drug benefit to seniors. In 2003, I also cosponsored the Health Care Access and Rural Equity Act, to protect and preserve access of Medicare beneficiaries to health care in rural regions.

I am a strong advocate of medical liability reform and am an original cosponsor of S. 11, the Patients First Act, to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs. There are solutions to alleviate the burden placed on physicians and patients by excessive medical malpractice lawsuits, and I am committed to this vital reform.

I have also worked with officials from the Center for Medicare and Medicaid Services to expand access to life-saving implantable cardiac defibrillators. I supported legislation to increase the supply of pancreatic islet cells for research and co-sponsored a bill to take the abortion pill RU–486 off the market in the United States.

I also introduced S. 96, the Flu Vaccine Incentive Act, to help prevent any future shortages in flu vaccines. My bill removes suffocating price controls from government purchasing of the flu vaccine while encouraging more companies to enter the market. Also, my bill frees American companies to enter the flu vaccine industry by giving them an investment tax credit towards the construction of flu vaccine production facilities.

Additionally, I have consistently cosponsored yearly resolutions designating a day in October as National Mammography Day and a week in August as National Health Center Week to raise awareness regarding both these issues.

As the Federal Government invests in improving hospitals and healthcare initiatives, I have fought hard to ensure that Oklahoma gets its fair share. Specifically, over the past 3 years, I have helped to secure $5.2 million in funding for the Oklahoma Medical Research Foundation, the Oklahoma State Department of Health planning initiative for a rural telemedicine system, the INTEGRIS Healthcare System, the University of Oklahoma Health Sciences Center, the Oklahoma Center for the Advancement of Science and Technology, St. Anthony's Heart Hospital, the Hillcrest Healthcare System, and the Morton Health Center.

I rise before the Senate to seek your help in raising awareness of Cushing's Syndrome, which is an endocrine or hormonal disorder caused by prolonged exposure of the body's tissue to high levels of the hormone cortisol. Though it can lead to death, Cushing's Syndrome often goes undiagnosed or misdiagnosed because the initial symptoms are shared with a number of milder ailments. These symptoms include, but are not limited to, abnormal weight gain, skin changes, fatigue, diabetes, high blood pressure, depression and osteoporosis.

Cushing's Syndrome can take a variety of forms. Normally, the hypothalamus, a part of the brain which is about the size of a small sugar cube, stimulates the pituitary gland, the adrenal glands, and then the kidneys which release cortisol into the bloodstream. High levels of cortisol can result from overproducing cortisol

or from taking glucocorticoid hormones, which are routinely prescribed for asthma, rheumatoid arthritis, lupus, and other inflammatory diseases.

Doctors can detect Cushing's Syndrome through a series of tests, often using x rays to examine adrenal or pituitary glands to locate tumors. However, since awareness of the syndrome is low, doctors do not always run these tests, and patients do not know to ask for them. Therefore, treatment often comes later than it should for victims of Cushing's Syndrome. Potential treatments for Cushing's Syndrome include surgery, radiation, chemotherapy, cortisol-inhibiting drugs, or reducing the dosage of glucocorticoid hormones.

The need for heightened awareness of Cushing's Syndrome was brought to my attention by constituents who suffer from this dangerous disease. For the sake of these individuals and for the benefit of sufferers in your own State and around the Nation, I ask my colleagues to join me in this effort to raise awareness of Cushing's Syndrome.

Mr. BENNETT. 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. 423) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 423

Whereas Cushing's Syndrome annually affects an estimated 10 to 15 people per million, most of whom are currently between the ages of 20 and 50;

Whereas Cushing's Syndrome is an endocrine or hormonal disorder caused by prolonged exposure of the body's tissue to high levels of the hormone cortisol;

Whereas exposure to cortisol can occur by overproduction in the body or by taking glucocorticoid hormones, which are routinely prescribed for asthma, rheumatoid arthritis, lupus, or as an immunosuppressant following transplantation;

Whereas the syndrome may also result from pituitary adenomas, ectopic ACTH syndrome, adrenal tumors, and Familial Cushing's Syndrome;

Whereas Cushing's Syndrome can cause abnormal weight gain, skin changes, and fatigue and ultimately lead to diabetes, high blood pressure, depression, osteoporosis, and death;

Whereas Cushing's Syndrome is diagnosed through a series of tests, often requiring x-ray examinations of adrenal or pituitary glands to locate tumors;

Whereas many people who suffer from Cushing's Syndrome are misdiagnosed or go undiagnosed for years because many of the symptoms are mirrored in milder diseases, thereby delaying important treatment options;

Whereas treatments for Cushing's Syndrome include surgery, radiation, chemotherapy, cortisol-inhibiting drugs, and reducing the dosage of glucocorticoid hormones;

Whereas Cushing's Syndrome was discovered by Dr. Harvey Williams Cushing, who was born on April 8th, 1869;

Whereas the Dr. Harvey Cushing stamp was part of the United States Postal Service's ''Great American'' series, initiated in 1980 to recognize individuals for making significant contributions to the heritage and culture of the United States;

Whereas President Ronald Reagan spoke on April 8, 1987, in the Rose Garden at a White House ceremony to unveil the commemorative stamp honoring Dr. Harvey Cushing;

Whereas following the ceremony, President Reagan hosted a reception in the State Dining Room for Mrs. John Hay Whitney, Dr. Cushing's daughter, and representatives of the American Association of Neurological Surgeons; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of Cushing's Syndrome; Now, therefore, be it

Resolved, That the Senate—

(1) designates April 8, 2006, as ''National Cushing's Syndrome Awareness Day'';

(2) recognizes that all Americans should become more informed and aware of Cushing's Syndrome;

(3) calls upon the people of the United States to observe the date with appropriate ceremonies and activities; and

(4) directs the Secretary of the Senate to transmit a copy of this resolution to the Cushing's Understanding, Support & Help Organization.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 109–9

Mr. BENNETT. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty, transmitted to the Senate on April 4, 2006, by the President of the United States:

Investment Treaty with Uruguay (Treaty Document No. 109–9).

I further ask unanimous consent that the treaty be considered as having been read the first time, that it be referred with accompanying papers to the Committee on Foreign Relations in order to be printed, and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the United States and the Oriental Republic of Uruguay Concerning the Encouragement and Reciprocal Protection of Investment, with Annexes and Protocol, signed at Mar del Plata, Argentina, on November 4, 2005. I transmit also, for the information of the Senate, the report prepared by the Department of State with respect to the Treaty.

The Treaty is the first bilateral investment treaty (BIT) concluded since 1999 and the first negotiated on the basis of a new U.S. model BIT text, which was completed in 2004. The new model text draws on long-standing U.S. BIT principles, our experience with Chapter 11 of the North American Free Trade Agreement (NAFTA), and the executive branch's collaboration with the Congress in developing negotiating objectives on foreign investment for U.S. free trade agreements. The Treaty will establish investment protections that will create more favorable conditions for U.S. investment in Uruguay and assist Uruguay in its efforts to further develop its economy.

The Treaty is fully consistent with U.S. policy towards international and domestic investment. A specific tenet of U.S. investment policy, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive national treatment and most-favored-nation treatment. Under this Treaty, the Parties also agree to customary international law standards for expropriation and for the minimum standard of treatment. The Treaty includes detailed provisions regarding the computation and payment of prompt, adequate, and effective compensation for expropriation; free transfer of funds related to investment; freedom of investment from specified performance requirements; and the opportunity of investors to choose to resolve disputes with a host government through international arbitration. The Treaty also includes extensive transparency obligations with respect to national laws and regulations, and commitments to transparency and public participation in dispute settlement. The Parties also recognize that it is inappropriate to encourage investment by weakening or reducing the protections afforded in domestic environmental and labor laws.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 4, 2006*.

HONORING FORMER PRESIDENT DWIGHT D. EISENHOWER

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 386, S.J. Res. 28.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 28) approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BENNETT. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The joint resolution (S.J. Res. 28) was ordered to be engrossed for a third

reading, was read the third time and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 28

Whereas section 8908(b)(1) of title 40, United States Code provides that the location of a commemorative work in the area described as Area I shall be deemed authorized only if approved by law not later than 150 days after notification to Congress and others that the commemorative work may be located in Area I;

Whereas section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note) authorizes the Dwight D. Eisenhower Memorial Commission to establish a memorial on Federal land in the District of Columbia to honor Dwight D. Eisenhower; and

Whereas the Secretary of the Interior has notified Congress of her determination that the memorial should be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of the commemorative work to honor Dwight D. Eisenhower, authorized by section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note), within Area I as depicted on the map referred to in section 8908(a) of title 40, United States Code, is approved.

NEGRO LEAGUES BASEBALL MUSEUM

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 387, S. Con. Res. 60.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 60) designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum.

There being no objection, the Senate proceeded to consider of the concurrent resolution which was reported from the Committee on Energy and Natural resources with amendments.

[Strike the part shown in black brackets and insert the part shown in italic.]

S. CON. RES. 60

Whereas the Negro Leagues Baseball Museum in Kansas City, Missouri, was founded in 1990, in honor of those individuals who played in the Negro Baseball Leagues as a result of segregation in America;

Whereas the Negro Leagues Baseball Museum is the only public museum in the Nation that exists for the exclusive purpose of interpreting the experiences of the players in the Negro Leagues from 1920 through 1970;

Whereas the Negro Leagues Baseball Museum project began in the 1980s, through a large scale, grass roots, civic and fundraising effort by citizens and baseball fans in the Kansas City metropolitan area;

Whereas the first Negro Leagues Baseball Museum was located at 1615 East 18th Street in the historic ''18th and Vine District'', which was designated by the city of Kansas City, Missouri, in [1988, as] *1988, as* historic in nature and the birthplace of the Negro Leagues;

Whereas the current Negro Leagues Baseball Museum was opened at 1616 East 18th Street in 1997, with a dramatic expansion of core exhibition and gallery space and over 10,000 square feet of new interpretive and educational exhibits;

Whereas the Negro Leagues Baseball Museum continues to receive strong support from the residents of the Kansas City metropolitan area and annually entertains over 60,000 visitors from all 50 States, and numerous foreign countries;

Whereas there remains a need to preserve the evidence of honor, courage, sacrifice, and triumph in the face of segregation of those African Americans who played in the Negro Leagues;

Whereas the Negro Leagues Baseball Museum seeks to educate a diverse audience through its comprehensive collection of historical materials, important artifacts, and oral histories of the participants in the Negro Leagues and the impact that segregation played in the lives of these individuals and their fans; and

Whereas a great opportunity exists to use the invaluable resources of the Negro Leagues Baseball Museum to teach the Nation's school children, through on-site visits, traveling exhibits, classroom curriculum, distance learning, and other educational initiatives: Now, therefore, be it

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

(1) designates the Negro Leagues Baseball Museum in Kansas City, Missouri, including the museums future and expanded exhibits, collections library, archives, artifacts and education programs as ''America's National Negro Leagues Baseball Museum'';

[(2) supports the Negro Leagues Baseball Museum in their efforts to recognize and preserve the]

(2) supports the efforts of the Negro Leagues Baseball Museum to recognize and preserve the history of the Negro Leagues and the impact of segregation on our Nation;

(3) recognizes that the continued collection, preservation, and interpretation of the historical objects and other historical materials held by the Negro Leagues Baseball Museum enhances our knowledge and understanding of the experience of African Americans during legal segregation;

(4) commends the ongoing development and visibility of the ''Power Alley'' educational outreach program for teachers and students throughout the Nation sponsored by the Negro Leagues Baseball Museum;

(5) asks all Americans to join in celebrating the Negro Leagues Baseball Museum and its mission of preserving and interpreting the legacy of the Negro Leagues; and

(6) encourages present and future generations to understand the sensitive issues surrounding the Negro Leagues, how they helped shape our Nation and Major League Baseball, and how the sacrifices made by Negro League players helped make baseball America's national pastime.

Mr. BENNETT. I ask unanimous consent that the committee-reported amendment be agreed to, the concurrent resolution as amended be agreed to, the amendment to the preamble be agreed to, the preamble as amended be agreed to, the motions to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

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

The committee amendment was agreed to.

The concurrent resolution (S. Con. Res. 60), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The concurrent resolution, as amended, with its preamble, as amended, reads as follows:

S. CON. RES. 60

Whereas the Negro Leagues Baseball Museum in Kansas City, Missouri, was founded in 1990, in honor of those individuals who played in the Negro Baseball Leagues as a result of segregation in America;

Whereas the Negro Leagues Baseball Museum is the only public museum in the Nation that exists for the exclusive purpose of interpreting the experiences of the players in the Negro Leagues from 1920 through 1970;

Whereas the Negro Leagues Baseball Museum project began in the 1980s, through a large scale, grass roots, civic and fundraising effort by citizens and baseball fans in the Kansas City metropolitan area;

Whereas the first Negro Leagues Baseball Museum was located at 1615 East 18th Street in the historic ''18th and Vine District'', which was designated by the city of Kansas City, Missouri, in 1988 as historic in nature and the birthplace of the Negro Leagues;

Whereas the current Negro Leagues Baseball Museum was opened at 1616 East 18th Street in 1997, with a dramatic expansion of core exhibition and gallery space and over 10,000 square feet of new interpretive and educational exhibits;

Whereas the Negro Leagues Baseball Museum continues to receive strong support from the residents of the Kansas City metropolitan area and annually entertains over 60,000 visitors from all 50 States, and numerous foreign countries;

Whereas there remains a need to preserve the evidence of honor, courage, sacrifice, and triumph in the face of segregation of those African Americans who played in the Negro Leagues;

Whereas the Negro Leagues Baseball Museum seeks to educate a diverse audience through its comprehensive collection of historical materials, important artifacts, and oral histories of the participants in the Negro Leagues and the impact that segregation played in the lives of these individuals and their fans; and

Whereas a great opportunity exists to use the invaluable resources of the Negro Leagues Baseball Museum to teach the Nation's school children, through on-site visits, traveling exhibits, classroom curriculum, distance learning, and other educational initiatives: Now, therefore, be it

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

(1) designates the Negro Leagues Baseball Museum in Kansas City, Missouri, including the museums future and expanded exhibits, collections library, archives, artifacts and education programs as ''America's National Negro Leagues Baseball Museum'';

(2) supports the efforts of the Negro Leagues Baseball Museum to recognize and preserve the history of the Negro Leagues and the impact of segregation on our Nation;

(3) recognizes that the continued collection, preservation, and interpretation of the historical objects and other historical materials held by the Negro Leagues Baseball Museum enhances our knowledge and understanding of the experience of African Americans during legal segregation;

(4) commends the ongoing development and visibility of the ''Power Alley'' educational outreach program for teachers and students throughout the Nation sponsored by the Negro Leagues Baseball Museum;

(5) asks all Americans to join in celebrating the Negro Leagues Baseball Museum

and its mission of preserving and interpreting the legacy of the Negro Leagues; and

(6) encourages present and future generations to understand the sensitive issues surrounding the Negro Leagues, how they helped shape our Nation and Major League Baseball, and how the sacrifices made by Negro League players helped make baseball America's national pastime.

ORDERS FOR WEDNESDAY, APRIL 5, 2006

Mr. BENNETT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, April 5; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and that the Senate then resume consideration of S. 2454, the border control bill.

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

PROGRAM

Mr. BENNETT. Tomorrow, the Senate will continue to debate the border control bill. Based on the comments by the bill managers earlier today, we are hopeful that we will be considering and voting on amendments tomorrow morning and throughout the day, starting with the four pending amendments that have been waiting in the queue for several days. There was a cloture motion filed by the minority leader. Rule XXII requires that all first-degree amendments to the substitute now be filed at the desk by 1 p.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNETT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:29 p.m., adjourned until Wednesday, April 5, 2006, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, April 4, 2006:

THE JUDICIARY

MICHAEL A. CHAGARES, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

EXTENSIONS OF REMARKS

MILK REGULATORY EQUITY ACT OF 2005

SPEECH OF

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2006

Mr. NUNES. Mr. Speaker, I rise today in support of the Milk Regulatory Equity Act, S. 2120. This important legislation was first introduced in 2003 and has been subjected to extensive review both inside and outside of Congress. I am satisfied that every effort has been made to craft a measure that is fair and have personally participated in efforts over the past three years to make certain that this legislation does exactly what we say it will do. We have worked collaboratively with every corner of the U.S. dairy industry and have formed a coalition that is unprecedented in this sector of the economy. Indeed, processors and dairy farmers from throughout the country, each with significantly varying local and regional interests, have come together to share with us the urgent need to address this issue. I am pleased that we are responding and would like to thank Chairman GOODLATTE and Ranking Member PETERSON and their staff for their hard work.

S. 2120 is about fairness, Mr. Speaker. The bill responds to fundamental questions of regulatory equity that only Congress can address. The questions are simple. Should producer-handlers in Arizona be exempted from our Nation's regulatory system with no regard for their impact on our system of pooling and pricing, as established by Congress? Should producer-handlers be permitted to continue to operate free of regulation, while collecting Federal subsidies and benefiting from Farm Bill programs? Should a State regulatory system, such as California, be subjected to unregulated shipments of dairy from States participating in the Federal milk marking orders? Clearly, and with a strong bipartisan statement, Congress must say no. We must support passage of S. 2120.

Mr. Speaker, I understand that anyone in business who has found a lucrative regulatory loophole would be inclined to fight for it. However, we in Congress need to look at the bigger picture. Those special interests that have resisted this legislation are doing so because they are gaming the system. They owe their success to the very program they claim to loath. Their ability to operate under preferential treatment in a highly regulated industry, while taking government subsidies, is not free market capitalism.

It may be asked, "How are we achieving fairness in this bill?" Mr. Speaker, we have worked diligently to find a solution that recognizes the realities of our dairy programs today. In Arizona, we establish a three million pound per month cap on producer-handlers. This will allow small mom and pop businesses to operate as they have since the 1930s. However, it will regulate large dairy operations that have been found to have an impact on our system of pooling and pricing. We also address those handlers that are escaping regulation by means of locating their facilities in federally regulated regions, while doing business exclusively in State regulated regions. This activity seriously undermines both the Federal and State regulatory systems, by diverting revenue away from the pool and disadvantaging regulated businesses.

Mr. Speaker, State and Federal milk marketing orders have existed side-by-side since Congress first enacted the Federal milk marketing orders in the 1930s. They promote a stable and affordable fluid milk supply and were intended to regulate the industry equitably. However, the discovery of an intra-order loophole has encouraged the growth of unregulated handlers in the marketplace. We need our Federal and State regulatory systems to interact in a seamless way, so that farmers and processors are not disadvantaged or discriminated against by our laws. Under S. 2120, Congress will allow the regulation of processors exploiting the intra-order loophole. They will be regulated based on the rules of the Federal milk marketing order where their plant is physically located. This won't place them at a disadvantage, it will restore equity to our dairy program.

Mr. Speaker, we have 70 years of history reflecting Congressional intent for unregulated handlers to become regulated when they begin to have an impact on the regulated market.

It has been suggested by opponents that S. 2120 "targets" an individual or individuals. Nothing could be further from the truth. We are merely closing regulatory loopholes that can be exploited by anyone. We are thus dealing with a general situation as stated by the Gentleman from Virginia and Chairman of the Agriculture Committee.

Congress has been advised by the Department of Agriculture that there may be and indeed likely is, at least one other business entity that going forward could, based upon present business practices, find itself subject to these provisions. And that is the point. The loopholes that presently exist can be exploited by anyone. By closing the loopholes, we address the situations at hand and prevent their use by those who could (and likely would) exploit these loopholes in the future.

It must also be emphasized that the provisions of S. 2120 are entirely consistent with the legislative history dealing with producer-handlers and the need to monitor their potential negative impact on fair competition in the markets in which they operate.

When the predecessor to the Agricultural Marketing Agreement Act (the Agricultural Adjustment Act) was passed in 1935, a Manager of the bill on the House floor stated that the United States Department of Agriculture had the power and the duty to regulate producers who were also handlers when they were large enough to disrupt the competitiveness of the market in which they operated.

Then, in 1965, after losing three lawsuits in which they made the same arguments they make against S. 2120, producer-handlers sought an amendment on the House floor to the 1965 Farm Bill which would have granted them a limited regulatory exemption from the Agricultural Marketing Agreement Act. That amendment was defeated. The Managers' Report explicitly states that producer-handlers who are large enough to disrupt the markets in which they operate can be regulated.

Mr. Speaker, as I have said before, the Milk Regulatory Equity act is about fairness. It's about equitable application of our laws. The hard working dairy farmers in Arizona have witnessed a steady decline in their pool since unregulated handlers began to flourish. They deserve to be treated fairly by their government and should never be placed in a situation where government regulations unintentionally disadvantage them in the marketplace. Regulated processors in Arizona are no less efficient or innovative than their unregulated competitors. They are simply unable to compete with businesses that don't have to play by the rules. This situation is wrong and must be resolved by Congress.

Without changes to the law to close existing loopholes, California dairy farmers are equally disadvantaged and so are our State's processors. When unregulated milk is shipped into the California marketplace from the Federal milk marketing orders, the impact is not just felt on dairy farms and in processing plants but in the homes of the families whose livelihoods depend on this industry.

Mr. Speaker, it is highly offensive to me that California's losses, including dairy industry jobs, are not based on our competition's superior product quality or innovative practices. These losses are because loopholes in Federal law are allowing unregulated handlers to game the system. Let me be clear: unregulated handlers are not promoting market competition. They are driving out competition. They owe their success to the dairy programs and to the advantage they have found in loopholes. Some of them collect large subsidies from the Federal Government, take full advantage of Farm Bill programs and then demand to be treated differently than the rest of the dairy industry.

No Mr. Speaker, we cannot allow this to continue. This issue is all about fairness. It's about resolving the current practice of unequal application of the law. I hear about the challenges my dairy farmers face every time I go home and I know first hand how frustrated and disappointed farmers and processors are with the current situation. They are looking to us to close these loopholes and restore free market principles and fair regulation to the dairy industry.

Congress must pass this legislation today and I ask for your support.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TRIBUTE TO U.S. MARINES ON IWO JIMA

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. CASE. Mr. Speaker, I rise today to honor the courage of the first United States Marines to scale the summit of Mt. Suribachi on Iwo Jima.

Iwo Jima is a small rocky island only two miles wide and four miles long located approximately 650 miles south of Tokyo, Japan. It is a volcanic island, much like the islands of my home state of Hawaii. A place where cool Pacific breezes rush over soft beaches and birds sing songs learned during lonely flights across the wide ocean.

For a brief moment in time, the Island of Iwo Jima became the central battleground between the Empire of Japan and the Allied Forces during those terrible and dark days of World War II. The Allied Forces were determined to take the island in preparation for a final attack on Japan, and the Japanese were unbendable in their desire to defend Iwo Jima and to prevent the Allies from moving any closer to the main islands of Japan.

On February 19, 1945, approximately 70,000 American and other Allied Forces and 22,000 Japanese soldiers locked themselves in a horrific battle that would begin the final phase of the War in the Pacific. Entrenched in a series of interlocking caves, blockhouses, and pillboxes, the Japanese fought with determination to defend their island. Debarking off a naval armada of more than 450 ships, the Allies, led by the United States, brought the full weight of their highly trained and battle-tested troops to bear with the determined goal of taking the rocky island no matter what the cost. The battle for Iwo Jima would be one of the fiercest conflicts of the Second World War. Almost 7,000 Americans were killed in action. More than 20,000 Americans were wounded. Of the 22,000 Japanese defenders, only 1,083 survived.

On February 23, 1945, the fifth day of the battle, Marines from the 5th Division were ordered to ascend the slopes of Mt. Suribachi, the main peak controlling the island. Four Marine squads worked their way up the mountain and, at 10:30 a.m., the officer in charge, 1st Lieutenant Harold G. Schrier, along with the platoon leader, Sergeant Ernest Thomas, and Sergeant Henry Hansen, Corporal Charles W. Lindberg, Radioman, Private First Class Raymond E. Jacobs, Private James R. Michels, Private Philip L. Ward, and Corpsman, PhMac John H. Bradley, raised the American flag over Mt. Suribachi.

Today, when our Nation remembers the brave U.S. Marines of Iwo Jima, we often visualize the commanding bronze statue resting on the banks of the Potomac River. Most Americans do not realize that this memorial actually depicts the second, much larger flag that was raised on Mt. Suribachi, signaling the courage and determination of the United States to all on Iwo Jima and at sea.

In my home state of Hawaii, the Iwo Jima United States Memorial Association is working to raise the funds necessary to build a memorial to recognize the American Marines who raised the first American flag on Mt. Suribachi. I applaud their efforts, and hope that every citizen across the nation will support those groups dedicated to recognizing the courage of American Marines everywhere.

IN HONOR OF NORMAN C. SPECTOR

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. LYNCH. Mr. Speaker, I rise today to commend Mr. Norman C. Spector of Stoughton, MA for his outstanding contributions to the New England Sinai Hospital. A graduate of Harvard Law School, Mr. Spector began his career as a law clerk in the firm of Burns & Levinson. Throughout the years, he has risen in his profession to become co-chairman of the Business Law Section and the Finance Group.

Mr. Spector has acted both as a lawyer and board member during his involvement with the New England Sinai Hospital. Shortly after being hired by Burns & Levinson, he was assigned to work on the bylaws of the hospital. In 1981 he became a board member, and, in 1985, Mr. Spector represented New England Sinai Hospital in the landmark right-to-die case of Paul Brophy.

In 1993, Mr. Spector became Chairman of the Sinai Board of Directors. His intense interest in the welfare of the Hospital, his outstanding leadership abilities, as well as his keen understanding of the changing, challenging and sometimes chaotic issues surrounding healthcare led him to administer the Board successfully until 1999 when he stepped down as chairman.

When he is not practicing law or volunteering for health-care related non-profit organizations, Mr. Spector is a dedicated family man. Mr. Spector lives with his wife, Joyce, in Beverly, MA. He is the proud father of two daughters, Sharon and Joanne, and the equally enthused grandfather of one grandson.

Mr. Speaker, it is my honor to join with Mr. Spector's family, friends, and colleagues in honoring him for the important work he has done over the years for the New England Sinai Hospital. I urge my colleagues to congratulate him for a lifetime of distinguished achievement and to thank him for the important service he has provided to his community, his family and the New England Sinai Hospital.

THE DARFUR PEACE AND ACCOUNTABILITY ACT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. HIGGINS. Mr. Speaker, this week the House will vote on the Darfur Peace and Accountability Act, legislation that could play a major role in ending the ongoing genocide in Darfur.

For the past 2 years, the international community has remained paralyzed as Sudan's state-sponsored brutality has claimed the lives of an estimated 400,000 Darfurians, and as millions more Darfurians have been forced from their homes. Those who are displaced struggle to feed their families; an estimated 3.5 million are starving. And as the displaced women of Darfur go about their daily lives, they live in fear of rape, beating, or murder at the hands of Janjaweed militias.

Despite worldwide efforts to provide financial and humanitarian support, the lack of cooperation from the Sudanese Government has rendered the African Union powerless to stop the violence and hunger. With each day that passes, the Sudanese Government continues to commit atrocities against their own people with impunity.

Though the situation in Darfur is dire, it is not too late to save hundreds of thousands of lives. This week, Congress can take a major step in ending the slaughter and brutality in Darfur by passing the Darfur Peace and Accountability Act. This legislation would authorize the administration to revitalize the African Union peacekeeping effort by giving them the tools they need to put a stop to the chaos and violence in the region. The legislation would also take a critical step by authorizing the administration to impose political and economic consequences on the Government of Sudan for the crimes they are committing against the people of Darfur. For too long we have sat and watched as innocent men, women, and children have been killed, and forced from their homes. We cannot sit idly by any longer, we must act.

In calling attention to the crisis in Darfur, and through their support of the Darfur Peace and Accountability Act, the Jewish community continues to lead the way in defending victims of the worst forms of social and political injustice around the world. As a cosponsor of the Darfur Peace and Accountability Act, I will proudly stand with the Jewish community when I vote for this important legislation.

The Jewish community's leadership on this issue has brought it national and international attention. And as we approach the Jewish holiday of Pesach—Passover—and the celebration of the Jewish Exodus from Egypt and redemption from slavery, the Jewish community should be proud that it has given a voice to an afflicted group of men and women in a far away place at a time when few others have taken notice.

NATIONAL PUBLIC HEALTH WEEK

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. HONDA. Mr. Speaker, I rise today in honor of National Public Health Week. I want to thank the American Public Health Association and its 200 plus partner organizers and sponsors, who have organized events around the Nation to raise awareness of the need to improve public health. Since 1995, National, State and local public health professionals highlight an important public health issue every April, to raise awareness about leading health problems affecting our nation. This year, the theme of National Public Health Week focuses on what is called the ''built environment,'' and building healthy communities to protect and enhance our children's life.

The built environment potentially creates enhancements or challenges for our kids. The built environment is any infrastructure with

which children come in contact on a daily basis including homes, schools, parks, roads, walkways and businesses. Enhancements to the built environment include access to primary health care services, regular physical activity, safe places to play and safe routes to walk or bike to school, smoke-free communities and homes, and toxin-free schools. Health challenges include decreased access to medical and preventive health services, quality of and access to schools and housing, economic opportunities, social capital, air and water quality and opportunities for physical activity.

As Chair of the Congressional Asian Pacific American Caucus, CAPAC, I am particularly concerned about how the built environment affects communities of color, native communities, and linguistically isolated communities. Members of these communities are more likely to live, work, and play in environments which have detrimental health effects, often vastly disproportionate to their percentage of the population. For example, asthma is one of the major causes of illness and disability in the U.S. Although asthma is only slightly more prevalent among minority children than among whites, it accounts for three times the number of deaths. Low socioeconomic status, exposure to urban environmental contaminants, and lack of access to medical care contribute to the increase of deaths in minority communities. African Americans living in low-income neighborhoods have particularly high rates of asthma, as do Native Hawaiians living in Hawaii.

America must invest more resources and be more creative in order to eliminate racial and ethnic health disparities. We need to provide access to health care for the 45 million uninsured, more than half of whom are racial and ethnic minorities; we need to provide linguistically and culturally competent services; we need to increase rather than decrease funding for Title VII health professions training programs, especially those that will train minority providers; and we need to stop gutting the health care safety net.

Neighborhoods and communities across the U.S. are segregated by race and socioeconomic status, which exacerbates the underlying social and economic inequities that perpetuate health inequities. Without significant investment in the built environment for minority children in underserved communities, these health inequities will continue.

I am pleased to see that the American Public Health Association—the leading public health organization in the U.S.—has been able to disseminate the message about the interconnectedness between health and the built environment, and hope that this reality is integrated into the public health debate. I look forward to working with all those involved with National Public Health Week to ensure policies to promote children's health.

TRIBUTE TO DR. MARTIN LUTHER KING

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. VISCLOSKY. Mr. Speaker, I rise today to honor Dr. Martin Luther King, Jr., on the tragic anniversary of his assassination. In the 38 years since his untimely death, Dr. King and his work for civil rights has remained an inspiration to thos committed to liberty and freedom throughout the world.

While today marks a sad day in American history, it is my hope that as a nation, we will continue to reflect on the actions and accomplishments of Dr. King. It is my hope that we will celebrate his life and learn from his legacy.

Dr. Martin Luther King, Jr. was born on January 15, 1929. He received a Bachelor of Arts from Morehouse College in 1948, a Bachelor of Divinity degree in 1951, and a Ph.D. in Systematic Theology from Boston University. Throughout his education, Dr. King was involved in civil rights, and in 1955, he led the historic Montgomery Bus Boycott that began after Rosa Parks refused to give up her seat to a white man. After the Montgomery Bus Boycott launched a national civil rights campaign, Dr. Martin Luther King, Jr. helped form the Southern Christian Leadership Conference (SCLC) in 1957. Dr. King led the SCLC as it promoted, organized, and conducted nonviolent protests in the name of fairness and equality.

The nonviolent manner in which Dr. King fought for fundamental freedoms such as the right to vote and desegregation has had a lasting impact on this country. Perhaps the greatest example of Dr. King's leadership and impact on this country is his ''I Have a Dream'' speech, which he gave in front of the Lincoln Memorial during the March on Washington in 1963, where he talked about his four children living in a nation where they would not be judged by the color of their skin, but by the content of their character.

In 1968 Dr. King set out for Memphis to support a sanitation strike that called for higher wages and better treatment. Days later, on April 4, 1968, Dr. Martin Luther King, Jr. was assassinated.

After his death, the country mourned the loss of our greatest modern-day civil rights pioneer. To this day, Dr. King's work, message, and legacy remain imprinted on the minds of those who carry on his noble cause.

Mr. Speaker, today may be the anniversary of the death of one of our Nation's greatest citizens, but I also hope it is day on which we can reflect on the positive changes that were set in motion due to Dr. King's work. Dr. Martin Luther King Jr. raised the consciousness of America; he made our nation re-examine our commitment to freedom and liberty, and he did so with a message of peace and non-violence. I speak for all Americans today as we honor a great man.

TRIBUTE TO MIAMI NORLAND HIGH SCHOOL VIKINGS BOYS BASKETBALL TEAM: STATE CHAMPIONS

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. MEEK of Florida. Mr. Speaker, today I rise to pay tribute to the Miami Norland Vikings, the 2006 6–A High School Boys Basketball Champions of Florida.

On March 4, 2006 this team proved its mettle, resilience and fighting spirit by upending the state's NO.1–Ranked team, Winter Park High School, in a thrilling 55–48 championship game. Several lead changes marked the game, which may well be remembered as one of the most exciting contests ever in a 6–A high school basketball competition.

Winning a State Championship in a state as large as Florida is a tremendous achievement, and I commend Miami Norland's great Principal, Ms. Gale Cunningham, Assistant Principal for Athletics Stephon Cone, Athletic Director Ira Fluitt, Athletic Trainer Pete Martz and Business Manager Carlos Ochoa for the fine work they've done. Miami Norland is a special school; this first-ever state basketball championship has made it even more so.

I also want to congratulate the school's basketball coach, Mr. Lawton Williams III. His work ethic, discipline and dedication to hard work and fair play paved the way for accomplishment both in the classroom and on the court.

Known for his no-nonsense approach and forthright guidance and counseling, Coach Williams has surrounded himself with an excellent staff composed of assistant coaches Cleveland Roberts III, Victor Vassell, Charles Harris III, Chris Jarrett and scorer Gail Thomas. Their knowledge, experience and sensitivity to the many and varied nuances of sporting activities befitting the school ambiance superbly complement and supplement the learning needs of the school's champion student-athletes: Albert Abrahams, Anthony Berkley, Darius Bodden, Amir Celestine, Timothy Cornelius, Johnny Fernandez, Andre Jackson, Jerry Jones, Calvin Joy, Zachery Peacock, Denzel Rankin, Robert Rowe, Nicholas Taylor and Andre Woods.

The coaching staff's approach to educating and motivating the members of Florida's 6–A Championship Team emphasized utmost personal responsibility toward the achievement of a common goal. Their dedication to teamwork and group achievement above individual glory or personal records has gained the respect and admiration of the parents and guardians of Miami Norland's student population.

Miami Norland's achievement this year demonstrates once again that athletic achievement and academic excellence are always within reach of those willing to dare the impossible through hard work and discipline.

I join our entire community in congratulating the Vikings for their achievement, as well as honoring the hard work and sacrifices of the parents, teachers, administrators, students and supporters that comprise the soul and spirit of the school family.

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

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes:

Ms. SCHAKOWSKY. Mr. Chairman, I rise in opposition to the FY06 Emergency Supplemental Appropriations bill because it is long overdue that we end the failed policy in Iraq.

I voted against giving the President the authority to go to war against Iraq in October 2002, and I have opposed supplemental funding that would extend the conflict ever since. I ask my colleagues to recall the comments of Defense Secretary Donald Rumsfeld who said in January 2003 that the war would cost ''something under $50 billion.'' Unfortunately, since that time we have appropriated more than $250 billion in supplemental funding alone. And a new study by Columbia University economist Joseph E. Stiglitz, who won the Nobel Prize in economics in 2001, and Harvard lecturer Linda Bilmes concludes that the total costs of the Iraq war could top the $2 trillion mark.

Secretary Rumsfeld also told us in February 2003 that ''it is unknowable how long that [Iraq] conflict will last. It could last six days, six weeks. I doubt six months.'' On May 1st, 2003, President Bush stood on the deck of the USS *Abraham Lincoln* and declared Mission Accomplished. And on May 30th, 2005, Vice President CHENEY declared that ''I think they're in the last throes, if you will, of the insurgency.'' However, this week we are celebrating the 3 year anniversary of the war, 2176 brave men and women in uniform have died in Iraq since the President declared Mission Accomplished, and it has become clear that the Iraqi civil war that many of us feared would occur has begun.

Although there is an attempt by the Bush administration to convince the American people that our military is helping to quell the sectarian violence, recent events have proven the administration wrong. Our occupation of Iraq has isolated us from a large segment of the international community, and has prevented us from capturing or killing Osama Bin Laden and other Al-Qaeda leaders. The war has also distracted us from two of the most critical issues in the region—the development of nuclear weapons in Iran and the Israeli/Palestinian peace process. In addition, the war has diverted attention and resources from critical homeland security needs. A continued United States presence in Iraq will do nothing but exacerbate these problems.

It is for our brave troops, and for the security of the international community that I cannot vote to continue the war in Iraq. Like everyone, I want to avoid a radical and unstable Iraq in the future. However, I believe that the ongoing presence of the U.S. military in Iraq is putting those brave troops at risk and creating a situation where the majority of Iraqis support U.S. withdrawal.

I know that the Republican supplemental appropriations request will pass the House of Representatives. Our troops will not be stranded in the field. None of us would allow that to occur. And I know that this supplemental will also contain money for important issues such as Katrina relief, the Low-Income Home Energy Assistance Program (LIHEAP), and assistance to Darfur and Liberia, which I strongly support funding. However, Iraq war funding makes up approximately 80 percent of this supplemental. The Republican majority has employed a cynical tactic to attach worthy causes onto an Iraq war funding bill in an attempt to force members of Congress who oppose the war into voting for it. Also, crafting an ''emergency'' supplemental for a war that is three years old is simply another example of the majority's poor leadership in this Congress.

I would like to encourage all my colleagues to join me in cosponsoring two bills, which if passed together, add up to a sensible policy that would provide our troops with the resources they need to complete a safe and honorable redeployment from their current combat areas.

The first is H.J. Res. 73, known as the Murtha Resolution, which calls for the immediate redeployment of U.S. forces in Iraq, the creation of a quick-reaction and over-the-horizon presence of U.S. Marines in the region, and the pursuit of stability in Iraq through diplomacy. This resolution would allow the U.S. footprint to be minimized on the ground in Iraq, while still providing a military presence that can assist Iraqis in securing their nation. I support this resolution precisely because I want to help our troops who are in harm's way.

The second bill, H.R. 4232, the End the War in Iraq Act introduced by Representative JAMES MCGOVERN, would prohibit funds from being appropriated to deploy, or continue to deploy, U.S. Armed Forces to Iraq. Exceptions to this rule would be made if the funds are being used to provide for the safe and orderly redeployment of U.S. Armed Forces from Iraq, to ensure the security of Iraq and its transition to democratic rule by carrying out consultations with the Government of Iraq, other foreign governments and international organizations, or by providing financial assistance or equipment to Iraqi security forces and international forces in Iraq. In addition H.R. 4232 would permit the use of funds to carry out social and economic reconstruction activities. Simply because we must reposition our armed forces, does not mean we can abandon our obligation to the Iraqi people to help them create a positive future for themselves and future generations.

I am pleased that my colleagues accepted the Lee/Schakowsky/Allen/Hinchey Amendment which would prohibit permanent military bases from being constructed in Iraq. I will work to make sure this amendment is accepted by the Senate. However, I cannot vote today to continue this misguided war in Iraq. My no vote is an expression for my desire to support our troops and to begin to restore the credibility of America in the eyes of the international community.

HONORING VIVIAN TESSIERI

HON. SHERWOOD BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. BOEHLERT. Mr. Speaker, I rise, belatedly, to recognize the work of our long-time legislative clerk, Vivian Tessieri, who retired from Government service in February. While Vivian officially left her position a couple of months ago, in one sense this is not belated recognition because Vivian continues to be a resource to her successor as clerk and to everyone on our staff. Indeed, given how central Vivian was to all of our activities for so long, it could not be otherwise.

Vivian joined the Science Committee 29 years ago, in 1977, and served under 7 chairmen in a variety of capacities, becoming legislative clerk in 1991. Now to those who do not understand the inner workings of the Congress, the term ''legislative clerk'' cannot begin to capture the significance of that position. The legislative clerk is responsible for a whole range of activities that must be accomplished with timeliness and precision to enable legislation to move forward. The clerk is also the committee recordkeeper, the historical memory of the institution. And finally, the clerk is a public face of the committee, undertaking such tasks as calling the roll at markups and ensuring that votes are recorded properly.

In all her roles—ranging from the invisible to the highly visible—Vivian was a model public servant. She undertook her responsibilities with care and enthusiasm; one could always assume that anything Vivian had to do would be done with the utmost attention to detail. In fact, Vivian was so proficient that it was only when she was getting ready to depart that we fully appreciated everything she had been doing. So many things just appeared to happen ''automatically'' as we moved legislation. But what ''automatically'' turned out to mean was that Vivian had taken care of matters before anyone else had even thought about them. The list of tasks she prepared for her successor, which she compiled with her usual attention to detail, was a lengthy and mindboggling assortment of activities.

But Vivian was valued for more than her extraordinary competence and professionalism. Everyone on the committee enjoyed working with Vivian because she is a delightful person. She is unfailingly pleasant and thoughtful and warm and considerate—a colleague that anyone would be lucky to have, especially during moments of stress.

The committee members and staff had several opportunities to express these sentiments collectively and individually to Vivian before her departure. But I believe it is important that we enshrine these thoughts in the RECORD and that we make sure that the public is aware that it is served by dedicated professionals like Vivian Tessieri.

The committee misses Vivian, but we know she is enjoying her new life. And we continue to benefit from her services, not only because we still call on her for help, but because we rely daily on all the documents she prepared and on all the records she oversaw throughout her many years on the committee. And we all continue to strive to match her dedication and disposition as we carry on without her.

TRIBUTE TO VOLUNTEERS TO ORPHANS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to bring before this Congress the following outstanding people who have voluntarily served orphans, public school children, college students, juvenile delinquents, and needy families under the official invitation and authority of government agencies in Russia, Mongolia, Romania, Mexico, Australia, New Zealand, Taiwan, South Korea, Singapore, Indonesia, Malaysia, Philippines and China. The excellent character demonstrated

by these people, as well as their commitment to the principles upon which our Nation was founded, have not only attracted the attention of leaders, parents, the media, and students, but it has also brought honor to the United States of America and to the Lord Jesus Christ whom they serve.

Aguilar, Dominique, (CA); Allison, Caleb, (OK); Allison, Rachel, (CT); Anders, Erin, (MI); Atkinson, Bobby, (NC); Atkinson, Rachael, (NC); Baggot, Jessica, (CA); Bair, Aileen, (IL); Bair, Robert, (IL); Baker, Aaron, (LA); Baker, Christa, (LA); Baptista, Elizabeth, (NC); Bartlow, Jeremy, (TX); Bartlow, Joel, (TX); Bavido, Bonnie, (OK); Bavido, Samuel, (OK); Becker, Jeremy, (MS); Becker, Jordan, (MS); Beekman, Valerie, (NC); Beeman, Jedidiah, (TX); Behrens, Katherine, (MI).

Beiler, Phoebe, (PA); Beiler, Timothy, (PA); Bell, Amy, (TX); Bell, Elaine, (TX); Bell, Mike, (TX); Bender, Anthony, (CA); Bender, Steven, (CA); Benz, Kendra, (IN); Bonstrom, Peter, (IA); Bourne, Daniel, (PA); Bousfield, Leah, (CA); Bowman, Bethany, (MI); Bowman, Diane, (MI); Bowman, Joshua, (MI); Bowman, Luke, (MI); Bowman, Philip, (MI); Bowman, Samuel, (MI); Boyd, Hannah, (TX); Brachey, Danielle, (CA); Brink, Garret, (VA); Brizendine, Christy, (WA).

Brook, Darcy, (VA); Brown, Jimmy, (NY); Brown, Sarah, (NY); Brown, Tim, (NY); Brown, Zach, (NY); Brubaker, David, (PA); Brubaker, Emily, (PA); Brubaker, Jeni, (PA); Brubaker, Leon, (PA); Brubaker, Luke, (PA); Brubaker, Mary, (PA); Brubaker, Nathan, (PA); Bruccoleri, Berea, (CT); Buckner, Dawn, (AR); Bullinger, Jonathan, (MI); Bunche, Cydni, (TX); Bushatz, Callie, (OH); Bushatz, Sandy, (OH); Canova, Ashley, (LA); Canterbury, Debbie, (GA); Cantrell, Bernadine, (GA).

Cantrell, Wes, (GA); Carnley, David, (FL); Casy, Jonathan, (TX); Cavanaugh, Daniel, (KY); Cavanaugh, Micah, (KY); Chao, Angel, (NJ); Chen, Anna, (NY); Chen, Dr. Stephen, (NY); Chen, Faith, (NY); Chen, Grace, (NY); Chen, Karen, (NY); Chen, Timothy, (NY); Chism, Curtis, (CA); Chu, Evelyn, (IN); Chu, Everett, (IN); Clark, Amy, (LA); Clarke, Ryan, (GA); Coggin, Hope, (VA); Colbert, Nicole, (IL); Conner, Kathleen, (NC); Cook, Kristi, (SC).

Cooper, Jennifer, (TX); Cope, Frances, (SC); Copu, Carmen, (IL); Copu, Joy, (IL); Copu, Paul, (IL); Copu, Paula, (IL); Copu, Peter, (IL); Copu, Rebecca, (IL); Copu, Stefana, (IL); Copu, Valen, (IL); Copu, Victor, (IL); Copu, William, (IL); Culbertson, Amanda, (GA); Dauer, Cooper, (CA); Dauer, Marie, (CA); Dauer, Monte, (CA); Davidson, Rebekah, (FL); Davis, Andrew, (CA); Davis, Dan, (CA); Davis, Kelsey, (VA); Davis, Rosemary, (CA); DeBoer, Rachel, (IL); DeBoer, Stephen, (IL); DeLuca, Lydia, (TX); DeLuca, Sarah, (TX); Dettwyler, Brad, (OR); Dettwyler, Krista, (OR); DeVall, Adrian, (FL); Dickey, Allison, (CA): Dickson, Christina, (WA).

Dixon, Eunice, (GA); Doeding, Kristen, (OH); Dosh, Jonatha, (OH); Durocher, Susan, (MN); Dutzmann, Gabrielle, (CO); Eddy, Elisabeth, (FL); Elam, Timothy, (TX); Emhof, Arwyn, (FL); Emhof, Jaryn, (FL); Emhof, Rynell, (FL); Engle, Gracia, (IN); Erickson, Janice, (MN); Estes, Autumn, (FL); Estes, Curtis, (FL); Estes, Daniel, (FL); Estes, Mildred, (FL); Fear, Andrew, (FL); Fear, Mary, (FL); Feig, Joel, (WI); Felber, Blake, (IL); Felber, Britton, (IL); Felber, Shane, (IL); Fernandez, David, (CA); Fernandez, Jonathan, (CA); Fleagle, Joy, (OH); Forman, Amanda, (FL); Forman, Timothy, (FL); Fowler, Bob, (IL); Fox, Elizabeth, (CA); Fox, Ruth, (CA).

Furrow, Chjristina, (WA); Garber, Michele, (PA); Garner, Lisa, (TX); Gay, Carissa, (OR); George, Theresa, (NC); Gibson, Blake, (TN); Gibson, Carter, (TN); Gilbert, Justin, (SC); Gillard, Crystal, (NC); Gilley, Rebekak, (NC); Gillson, Elise, (MN); Gillson, Kathy, (MN); Gillson, Kennan, (MN); Gillson, Kirsten, (MN); Gillson, Lauren, (MN); Gillson, Micale, (MN); Gillson, Roger, (MN); Gillson, Rowan, (MN); Gillson, Toria, (MN); Givens, Joel, (OR); Glasgow, Kirsten, (OH); Glasgow, Liesl, (OH); Goff, Sarah, (NC); Goodwin, Joshua, (CT); Gothard, Dr. William, (IL); Graves Jessica, (FL); Greenlaw, Robert, (OK); Grier, Anna, (GA); Grindall, Rachel, (WA); Gruenwald, Miriam, (TX).

Hardison, Terri, (CA): Hartstrom, Mellisa, (CA); Hartzler, Sabrina, (PA); Haugaard, Daniel, (SD); Havlik, Grace, (MN); Hawkins, Anna, (WI); Hendon, Caleb, (AL); Hesterberg, Shalimar, (TX); Hicks, Susanna, (FL); Hiebsch, Chase, (KS); Hinton, Laura, (VA); Hodgdon, Loriann, (CA); Hodge, Hannah, (FL); Hogan, Chris, (IL); Hollingshead, Justin, (CA); Hooley, Arlan, (IN); Hope, Jon-Eric, (AR); Huang, Minna, (CA); Hubbard, Whitney, (AR); Hullinger, Jennifer, (IL); Hulsey, Sarah, (TX); Hutson, Karin, (MO); Ingebretson, Bethany, (MN); Ivey, Kayla, (LA); Jacob, Benjamin, (VA); Jacobson, Elizabeth, (MN); Jefferies, Megan, (MI); Jerrigan, Ginger, (FL); Johnson, Alanna, (MI); Johnson, Amanda, (WI).

Johnson, Elizabeth, (MO); Johnson, James, (MI); Johnson, Juliana, (PA); Jones, Priscilla, (VA); Jones, Sadie, (IN); Jorgensen, Andrew, (PA); Jorgensen, Rachel, (PA); Justice, Micah, (VA); Kallberg, Naomi, (IL); Keller, Daniel, (FL); Kelley, Katherine, (LA); Kilby, Alison, (KY); Kilby, Elisa, (KY); King, Micah, (ND); Klopfenstein, Carissa, (IL); Knight, Adrielle, (CO); Konen, Lindsay, (WI); Krauter, Jocelyn, (PA); LaFaurie, Marjorie, (NY); Lanog, Ryan, (IL); Lee, Carline, (GA); Lee, Elijah, (MN); Lee, Hannah, (CA); Lee, Jason, (MN); Lee, Josiah, (MN); Lee, Phoebe, (CA); Lee, Rachel, (MN); Lee, Rayah, (MN); Leigh, Daniel, (MS); Leigh, Mark, (MS).

Leigh, Sarah Catherine, (MS); Levendusky, Angie, (OK); Levendusky, Dr. Tim, (OK); Lewis, Mai Cha, (WI); Loera, Sabree, (OK); Long, Elizabeth, (TX); Long, Mary Sarah, (TX); Lyons, Benjamin, (CA); Maduzia, James, (CA); Mai, Heather, (OK); Martin, Joe, (PA); Martin, Maria, (PA); Martin, Rebekah, (PA); Martin, Sherolyn, (OR); Mast, Caleb, (FL); Matchak, Jacob, (CA); Matchak, Joel, (CA); Matchak, Sarah, (CA); Mattix, George, (IL); Mazur, Isaac, (TX); McCloy, Jennifer, (TX); McCurdy, Terry, (IL); McDonald, Caleb, (TX); McDonald, Meagen, (TX); McEndarfer, Benjamin, (OK); McGarty, Laura, (NC); McMillan, Jill, (IN); Mendenhall, Breanna, (MN); Mendenhall, Douglas, (MN); Mendenhall, Jeanie, (MN).

Mendenhall, Kerry, (MN); Mendenhall, Philip, (MN); Meuser, Shari, (ID); Meyer, Jennifer, (OH); Miller, Heidi, (IL); Miller, John, (OK); Miller, Joseph, (TX); Miller, Kate, (TX); Millings, Elizabeth, (NY); Millings, Rachael, (NY); Moll, James, (PA); Monday, Justin, (CA); Moody, Christina, (CA); Mueller, Valerie, (IL); Munger, Jonathan, (WY); Myrick, Rebekah, (AL); Nance, Dana, (AR); Napoli, Elizabeth, (LA); Nelson, Stephen, (TX); Ness, Sarah, (WA); Neu, Daniel, (KS); Neu, Nicole, (WI); Nisly, Katrina, (CAN); Norvell, Robert, (AR); Novotny, Gina, (TX); Nutz, Hannah, (VA); Pallock, Melissa, (IL); Panlilio, Rae Rae, (GA); Payne, Ashia, (MD); Payne, Nikolai, (IA).

Peek, Andrew, (AL); Peek, Katherine, (AL); Pell, Elizabeth, (NC); Pell, Katy, (NC); Perkins, Catherine, (LA); Perkins, Sarah, (LA); Pettman, Evelyn, (VA); Pettman, Timothy, (VA); Phariss, Erik, (TX); Phariss, Ken, (TX); Phariss, Sacha, (TX); Phariss, Susana, (TX); Pittman, Shepherd, (FL); Plaiasu, Ana-Maria, (CA); Plattner, Tessa, (AZ); Pleckham, Elizabeth, (IL); Pleckham, Katherine, (IL); Polson, Holly, (TX); Poteet, Trey, (TX); Prentice, Valeria, (OK); Protz, Annie, (CA); Quann, Jenna, (VA); Quann, Lindsey, (VA); Ramsey, Jeffrey, (OH); Ramsey, Lauren, (OH); Randall, Erin, (TX); Reed, Bethany, (ME); Reinagel, Rebekah, (CA); Richmond, Kristen, (OH); Ritchie, Nathan, (IN).

Robertson, Adam, (AL); Robertson, Alan, (AL); Robertson, Amy, (AL); Robertson, Andrew, (AL); Robertson, Anthony, (AL); Robertson, Ashley, (AL); Robertson, Autumn, (AL); Robertson, Avery, (AL); Robertson, Linda, (AL); Robertson, Michael, (AL); Rodriguez, Cristina, (MEX); Rodriguez, Joshua, (MEX); Rodriguez, Vanessa, (MEX); Roseberry, David, (CA); Roseberry, Elizabeth, (CA); Ross, Charles, (GA); Ross, Mary, (GA); Ross, Melinda, (MI); Ross, Rebecca, (GA); Rost, Linden, (IN); Rupp, Philip, (OH); Sachse, Jennifer, (MO); Sanborn, Diane, (FL); Sanborn, Kyla, (FL); Sanders, Charity, (AL); Scarborough, Amy, (TX); Schrader, Marcus, (MO); Schuurmans, Melissa, (SD); Sellin, Dexter, (KS); Shaffer, Kristin, (TX).

Sheppard, Carol, (SC); Sherrer, Katherine, (NC); Sickler, Stephen, (PA); Simpson, Nichole, (OH); Smillie, John, (IN); Smith, Rachel, (TX); Snyder, Benjamin, (MA); Sodergren, Abbey, (MN); Sodergren, Kirk, (MN); Staddon, Donald, (WV); Stallings, Preston, (CO); Stearn, Elizabeth, (IL); Stevic, Beth, (VA); Stewart, Andrew, (OH); Stewart, Lucas, (OH); Stewart, Matt, (OH); Stewart, Melissa, (MN); Stewart, Samuel, (OH); Stewart, Timothy, (OH); Storm, Emily, (IL); Straub, Nathan, (WA); Strickler, Virginia, (WA); Stutzman, Julie, (OH); Sullivan, Andrei, (NC); Sullivan, John David, (NC); Sullivan, Roslyn, (NC); Sullivan, Sarah, (NC); Sullivan, Tom, (NC); Swarr, LaVerne, (WI); Swicegood, Rebekah, (AR).

Swicegood, Vicky, (AR); Taylor, Kaitlyn, (CA); Taylor, Kirstyn, (CA); Taylor, Luisa, (CA); Taylor, Michael, (CA); Taylor, Shannon, (CA); Thar, Amanda, (MI); Thomas, Jessica, (WA); Thomas, Whitney, (AL); Thompson, Eddie, (FL); Tillotson, Vanessa, (NE); Trutza, Eunice, (IL); Trutza, Ruth, (IL); Tucker, Charlotte, (LA); Tucker, David, (LA); Tucker, Rebecca, (LA); Tucker, Robert, (LA); Tucker, Stephen, (LA); Tures, Teresa, (AR); Tyrrell, Abigail, (FL); Tyrrell, Elizabeth, (FL); Tyrrell, Joanna, (FL); Van Eerden, Sara, (WI); Van Til, Hilko, (FL); Vanderhorst, Daniel, (KS); VanGilst, Elyssa, (CA); VanRy, Chrystal, (WA); VanRy, Sheralee, (WA); Vest, Amy, (MN); Vest, Jeffrey, (MN).

Visser, Ronald, (IN); Wagley, Christine, (LA); Waller, Adam, (WI); Waller, Brian, (WI); Waller, David, (WI); Waller, Derrick, (WI); Waller, Eric, (AL); Waller, Isaac, (WI); Waller, Lydia, (WI); Waller, Matthew, (WI); Waller, Rachelle, (WI); Waller, Rebecca, (WI); Waller, Samuel, (WI); Waller, Sarah, (WI); Waller, Sue, (WI); Warner, Andrew, (TN); Warner, Elizabeth, (TN); Warren, Laura, (FL); Watkins, Elizabeth, (CA); Welborn, Kristina, (FL); Welfel, Amanda, (TX); Wenstrom, Angela, (FL); Wenstrom, Brittany, (FL); Wenstrom, Chris, (FL); Wenstrom, Heather, (FL); Wenstrom, James, (FL); Wenstrom, Kimberly, (FL); Wenstrom, Matthew, (FL); Wenstrom, Michelle, (FL); Westfahl, Ruthie, (WY).

Westfahl, Stephanie, (WY); White, Erica, (MD); Whitman, Joel, (OH); Whitten, John, (IN); Whitten, Josiah, (IN); Williams, Burton, (CT); Williams, Holly, (CA); Williams, Jamie, (IN); Williams, Susan, (CT); Wine, Christina, (VA); Winkler, Matthew, (TX); Winkler, Rebecca, (NY); Wolfley, Audra, (OK); Wood, Julie, (WA); Wright, Hunter, (TN); Wright, Sharon, (TN); Yates, Jared, (FL); Yates, Kyle, (FL); Yip, Leslie, (CA); Yoder, Byron, (PA); Yoder, Douglas, (PA); Yoder, Heidi, (CAN); Yoder, Shelly, (CAN).

TRIBUTE TO MR. TONY ''FISH'' AGUIRRE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. CLEAVER. Mr. Speaker, I rise today to pay tribute to Mr. Tony ''Fish'' Aguirre, a remarkable and compassionate leader whose legacy has touched so many Kansas Citians. Mr. Aguirre entered our world on February 8, 1929, and passed on March 19, 2006. His passing is a deep loss felt by his family, the Westside community, the greater Kansas City area, and most assuredly, the thousands of lives he touched through his 50-plus years of service to Kansas City's youth.

Tony was blessed with natural athletic ability and became a talented all-around athlete in his youth, almost being drafted to play professional baseball and being offered a college basketball scholarship. At the age of 17, his God-given talent led to his calling of coaching the boys and girls from his neighborhood, the Westside. Tony went on to graduate from Redemptorist High School in 1949 and later married his wife, Joan. Tony credited his wife with encouraging him to return to athletics at the Guadalupe Center after graduating from high school. From that point forward, Tony Aguirre and Guadalupe Center athletics would become synonymous and well-known throughout Kansas City.

From the age of 17 until his death, Tony coached kids year-round in basketball, baseball, softball, and football for the Guadalupe Center. Tony was more than just a coach to the Westside youth; he was a friend, mentor, father figure, and counselor to at least three generations of ball players. Tony was at the forefront of youth development, before youth development became a key program term. His cheers and support came hand in hand with the patience and kindness Tony shared with ''his kids.'' Tony went that extra mile, whether it was keeping the Sacred Heart gym open late for basketball practice, or marking the park fields for baseball, softball, or football, Tony did everything possible to help ''his kids'' be competitive and proud of themselves. Tony impacted the lives of many, and his influence was far reaching, both inside and outside the Latino community. Tony will long be remembered for his kind smile and words of encouragement he shared with everyone.

In 1988, the Guadalupe Center established the Tony Aguirre High School Scholarship Award to help deserving students from the Hispanic community attend private or parochial high school in Mr. Aguirre's honor. In 2000, the city of Kansas City, MO, honored Tony's contributions by naming the newly constructed Westside Community Center after him. Never seeking accolades, Tony received numerous awards throughout his life for his service, coaching, and dedication to youth.

Mr. Speaker, please join me in expressing our heartfelt sympathy to his wife, Joan Aguirre, his children, Sandy, Steve, Arlynne, Kathy and Amy, his 19 grandchildren, 1 great-grandchild, and his many relatives and friends. I urge my colleagues to please join me in conveying our gratitude to his family for sharing this great man with us, and to accept our condolences for their tremendous loss. He was an inspiration to us all.

COMMENDING THE NORTH TEXAS FIREFIGHTERS FOR SERVICE DURING THE PANHANDLE FIRES

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. BURGESS. Mr. Speaker, I rise today to commend those North Texas firefighters who risked their very lives to protect so many others from the Panhandle fires that have plagued the west Texas region.

North Texas has seen its fair share of wildfires this year. Always showing their bravery and professionalism, local firefighters have fought back these deadly fires and now, as the call was heeded for assistance to our fellow Texans. Our firefighters selflessly gathered to take swift action in fighting the fires in the west. With adversity clearly in sight, these firefighters went far beyond their call of duty and exemplified the very definition of courage.

The combined efforts of the North Texas fire, rescue and emergency services helped to end the deadly wildfires before they threatened even more homes and families. I am pleased to commend the following departments for their services: Lewisville Fire Department, Lake Cities Fire Department, Little Elm Fire Department, Denton Fire Department, Flower Mound Fire Department, Coppell Fire Department, Carrollton Fire Department, Denton County Fire Marshals Office, Denton County Emergency Services, North Tarrant County Volunteer Fire Department, Hurst Fire Department, and Forrest Hill Fire Department.

It brings me great pride to commend the firefighters of these areas for their care and dedication. May they be an example to us all.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965:

Ms. SCHAKOWSKY. Mr. Chairman, as a former teacher, mother, and grandmother, I rise in opposition to H.R. 609, the so-called College Access and Opportunity Act. H.R. 609 represents a major missed opportunity to make college more affordable and accessible, to boost America's economic competitiveness, and to invest in America's future.

The Republican majority is bringing this bill to the floor just 2 months after they passed the Budget Reconciliation Act, which slashed federal student aid programs by $12 billion. H.R. 609 does nothing to reverse this raid on student aid, nor does it do anything to make college loans more affordable. In fact, this bill freezes the authorized level of the maximum Pell grant scholarship. If this bill is passed, Pell grants would be frozen at just $200 above the current level until 2013. This would mean less money to help students go to school.

With millions of American families struggling to pay for college, it is critical that Congress act to make college more affordable. I would like to share with my colleagues part of a letter that a constituent from Des Plaines, Illinois, recently wrote to me:

> My son who is out of college for 2 years, makes about $30,000. His major was public relations, but could not get a job in that field since he had no experience. So he finally got a job in sales. Since he went to school in Iowa, we consolidated his loans with an Iowa firm. His loans were over $100,000. His monthly payment was about $500 [in addition] he has the federal loans [amounting to] over $100. As of Feb. 6th he will pay over $700 a month for his private loan plus his federal loans which will bring him over $850 a month. This is for the next 20 years . . . I would like for someone to tell me how does the government expect kids to be able to make a life for themselves when the interest rates keep going up on school loans? Why can't students have a lower fixed rate?
>
> I also understand that when kids get out of college you are figuring that you will be making enough money to pay their loans. But what about the kids that aren't engineers, doctors, or lawyers? What about those average kids who go to college because they know in order to get a job these days you need that degree but do not make large salaries and barely make enough money to live. My kids are used to hard work, for example, working two jobs. I guess I figured that once you have that degree, it would be a little easier to get a job. Obviously, that is not the case.

This is just one of thousands of such stories. The members of the majority must be hearing them too. However, H.R. 609 contains little assistance for the millions of low- and middle-income families who continue to struggle to pay for college. Instead the majority chose to make tax breaks for the wealthy a priority over helping the next generation of Americans go to college.

That is why I encourage all of my colleagues to support the Democratic alternative. The Democratic alternative would cut in half the student loan interest rate for borrowers who are most in need. The substitute also establishes a new Predominantly Black Serving Institution program, a new graduate Hispanic Serving Institution program and Minority Teaching Centers for Excellence to increase the number of highly qualified teachers, including minority teachers. The substitute provides for year-round Pell grants. It establishes a minimum grant of $500,000 for tribal colleges. It repeals the single lender rule, which requires student borrowers to consolidate their loans with their existing lender. Under the substitute, the borrower could choose which lender he or she wishes to use to consolidate loans.

At a time when the United States needs to invest in innovation and education in order to compete in the 21st century, H.R. 609 leads us in the wrong direction. It will force many students to forgo college altogether. For many students, financial barriers are the principal factor that determines whether they will successfully complete college or not. American students need and deserve more affordable college opportunities, not additional barriers to achievement and opportunity. I literally shake my head in wonder at these counterproductive cuts. We should be increasing opportunities for Americans to further their education. The Republican majority has instead given us a shameful sham of a bill.

I urge all of my colleagues to adopt the Democratic alternative and to oppose H.R.

609, the "Republican Missed College Opportunities" bill.

TRIBUTE TO THE RIGHT REVEREND MONSIGNOR SYLVESTER HLADKY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RYAN of Ohio. Mr. Speaker, I rise today to pay homage to the Right Reverend Monsignor Sylvester Hladky, a humble lifelong servant of the Catholic Byzantine Church, pastor of Saints Peter and Paul Byzantine Catholic Church, and permanent papal prelate.

Born in 1909 in Brooklyn, NY, Sylvester Hladky knew very early that a life of service was for him. After serving his country for 3 years in the United States Navy, the Monsignor was ordained from Saint Joseph Seminary in Edmonton, AB, Canada in 1936. As a young priest, then-Father Hladky spent his time working in Ukrainian mission churches at Fisher Branch, Poplar Fields, and the Indian reservation areas of Manitoba. Following these assignments, Father Hladky was then assigned to mission churches throughout Ontario, to include Welland, Grimsby, Saint Catharaines, Brantford, Kitchener, Thorold, and Niagara Falls. After serving in the Byzantine Ruthenian Eparchy of Pittsburgh, Father Hladky was made the pastor of Saints Peter and Paul Byzantine Catholic Church in Struthers, OH.

Father Hladky came to Warren, OH, in August 1945, where he was the pastor of Saints Peter and Paul Byzantine Catholic Church on School Street. The parish grew from 30 to 300 families. After leading a building fund campaign, the parishioners purchased property for the construction of a new church and rectory. On Christmas Day 1950, Father Hladky celebrated the first divine liturgy in the new church.

The father dreamt of a parish school where students would receive an academic education, as well as a spiritual one in the Byzantine tradition, and, in 1954, purchased a home to be used as a convent by the Benedictine Sisters who arrived from Lisle, IL, to teach. Construction of a school began, and in 1957, Saints Peter and Paul School opened with 10 classrooms and an auditorium, later adding 16 more classrooms for high school classes.

In 1961, on the 25th anniversary of Father Hladky entering the priesthood, he was appointed dean of the Youngstown Deanery. By 1965, he was named a monsignor, and later, in 1975, he was made a right reverend monsignor. Pope John Paul II named him a permanent papal prelate.

From 1968 to 1996, Monsignor Hladky also served as president of the Greek Catholic Union Tribunal. The monsignor and his parish were instrumental in helping the Benedictine Sisters of the Byzantine Rite to establish an independent monastery in Warren. In 1990, the parish erected a 46-apartment residence near the church for elderly parishioners.

After a short illness, the monsignor passed away on March 7, 2006, at Saint Joseph Health Center in Warren, OH.

In the book of Matthew, chapter 16, verse 18, the Lord said to his disciple, Simon, "and I tell you that you are Peter, and on this rock I will build my church, and the gates of Hell shall not overcome it." Just as Simon was the rock upon which the Christian faith grew and flourished, so was Monsignor Hladky the ever-present and ever-faithful rock upon which our homes, communities, and families grew and also flourished. Mahoning Valley citizens of all faiths pray for Monsignor Hladky and his parish, because this faithful and dutiful servant of God was truly a blessing and we are grateful to have had him touch our valley so.

COMMEMORATING TONY CRAVER FOR HIS OUTSTANDING CONTRIBUTION AS MENDOCINO COUNTY SHERIFF

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Tony Craver on the occasion of his retirement as Sheriff and for his 34 years of outstanding service to the Mendocino County Sheriff's Department.

Tony Craver's accomplishments range from developing outreach programs for needle exchange and related disease prevention to improving criminal justice policies in conjunction with local tribes, the Attorney General's Office of Native American Affairs and the Bureau of Indian Affairs.

Sheriff Craver served on the California State Sheriff's Association's committee on Native American affairs. He worked closely with local tribal leaders to help establish tribal police programs and improve tribal criminal justice programs.

Working with patients, care givers, the medical community, and other local authorities, Sheriff Craver established mutually agreeable guidelines and created a departmental statement of policy six years before the state legislature passed a bill on medical marijuana. He developed the first practical and reasonable method of accommodating medical marijuana consumers and providers with minimal police intervention by establishing a photo ID card system with verification capabilities in the State of California.

Sheriff Craver served on the Evaluation and Advisory panel of the Disease Prevention Demonstration Project established by the State of California Department of Health Services Office on AIDS.

In 2005, the California Rifle and Pistol Association named Sheriff Craver as Outstanding Peace Officer of the Year.

In addition to his official duties, Tony Craver was a director of the Fort Bragg Kiwanis Club, and a member of the Mendocino Masonic Lodge, the Pomo Shrine Club, Fort Bragg Shrine Club, Ukiah Gun Club, and the Redwood Practical Shooters.

Born in Sonoma County, Sheriff Craver served until his honorable discharge in both the United States Marine Corps and in the U.S. Army Reserves. He has an Associate of Arts degree in Administration of Justice from Mendocino Community College and a Lifetime Vocational Teaching Credential.

Beloved and respected by the community and his fellow deputies, Sheriff Craver looks forward to retirement and spending more time with his wife Joanne, his four children and four grandchildren. He plans to enjoy the great outdoors and get back into fishing and competitive shooting.

Mr. Speaker and colleagues, Tony Craver earned the admiration and respect of his peers and left a positive legacy from his years in the Mendocino County Sheriff's Department. For these reasons, it is appropriate that we honor his 34 years of commitment and service to law enforcement and public service.

TRIBUTE TO EGIDIANA MACCIONI

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mrs. MALONEY. Mr. Speaker, it is with great pleasure that I congratulate Egidiana Maccioni on receiving the 2006 President's Medal from Marymount Manhattan College.

In her family's restaurants, Le Cirque and Osterio de Circo, Mrs. Maccioni has worked tirelessly as a chef and hostess, making special memories of great food and lively conversation for a diverse community of New Yorkers. A woman who has quietly pursued her goals as a wife, mother, and businesswoman, Mrs. Maccioni truly embodies the spirit of New York City and is more than worthy of this recognition.

In presenting Egidiana Maccioni with the President's Medal, Marymount Manhattan College continues a long tradition of honoring individuals who have distinguished themselves through service to their professions and communities. I congratulate Mrs. Maccioni on this prestigious honor, the latest among her noteworthy achievements.

IN RECOGNITION OF THE LAS VEGAS WINGS CHAPTER OF THE DISTINGUISHED FLYING CROSS SOCIETY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the contributions of a special group of American heroes, those that have received the Distinguished Flying Cross. I honor them today for their service and dedication to our great Nation.

The Distinguished Flying Cross was authorized by an Act of Congress on July 2, 1926 and is awarded to any officer or enlisted member of the Armed Forces who has distinguished themselves during combat in support of operations by "heroism or extraordinary achievement while participating in an aerial flight."

Since its creation the Distinguished Flying Cross has been awarded to some of America's greatest aviators and serves as a reminder of their heroic actions. This prestigious medal was first awarded to Charles A. Lindbergh, of the U.S. Army Corps Reserve, for his solo flight of 3,600 miles across the Atlantic in 1927. The first Distinguished Flying Cross to be awarded to a Naval Aviator was awarded to Richard E. Byrd, of the U.S. Navy

Air Corps, for his flight to the North Pole. The contributions of these great aviators and those that followed are honored by this prestigious award.

In 1994 the Distinguished Flying Cross Society was formed as a nonprofit organization whose members have been awarded the Distinguished Flying Cross. The Society has established scholarships and benefits for organizations and individuals throughout the Nation that are seeking to make advances in aviation.

In February of this year the Distinguished Flying Cross Society officially recognized a new chapter, the Las Vegas Wings Chapter in Southern Nevada. The great State of Nevada is home to more than 260,000 veterans many of which have been awarded the Distinguished Flying Cross. As a member of Congress and a Nevadan, I would like to extend a heartfelt welcome, to the Las Vegas Wings Chapter, of the Distinguished Flying Cross Society.

Mr. Speaker, it is with great pride and heartfelt gratitude that I salute these great American heroes and the Las Vegas Wings Chapter of the Distinguished Flying Cross Society.

A TRIBUTE TO DR. WALTER RODNEY—REMEMBERING A TRUE CARIBBEAN INTELLECTUAL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RANGEL. Mr. Speaker, I rise today to pay tribute to the legacy and memory of Dr. Walter Rodney, an eloquent teacher, writer, scholar and political activist who left this world much to soon at the young age of 38 years and to enter into the RECORD an essay written in the New York CaribNews by Michael D. Roberts entitled "Celebrating the 64th Birthday of Dr. Walter Rodney—Remembering A True Caribbean Intellectual—From Humble Beginnings to International Stature."

Dr. Walter Rodney was born in Guyana on March 23, 1942, and at an early age, excelled academically. After graduating from the University of the West Indies, he enrolled at the London University and at the age of 24, was awarded a Ph.D.

Walter Rodney an avid political activist was involved in the Guyanese labor movement and headed up the Working People's Alliance. His political views were strongly influenced by the Black Power and Black Consciousness Movements in the U.S. and Caribbean, respectively. Of particular scholarly interest to Rodney was the economic history of Guyana, and the legacy of slavery and colonialism in Africa. He inaugurated extensive research into the history of economic exploitation in Africa. He traveled and studied with teaching assignments in Tanzania and Guinea, Africans in Guyana trace their roots to Guinea.

The results of his travels and research were three remarkable books: A History of the Upper Guinea Coast, 1545–1800, How Europe Underdeveloped Africa, and Groundings with My Brothers. How Europe Underdeveloped Africa offered a Marxist analysis of the impact of colonialism and capitalism in under developing Africa and, consequently, the African world.

Though he traveled extensively throughout the world, Dr. Rodney's base of operations from 1974 until is death was in Guyana. He continued to lecture and organize the people of his homeland. He joined the Working People's Alliance, WPC, of Guyana which later became an independent Marxist political party in 1979.

There is so much more to say about the life and legacy of Walter Rodney. He was a profound intellectual and worldly scholar who had so much left to share with the world when he was silenced by death. Sadly, Walter Rodney was killed by a car bomb in Guyana on June 13, 1980. His murder remains unsolved.

Walter Rodney was a true Caribbean Intellectual whose reach was boundless. I shudder to think of the difference he would have made in the world had he lived. On this anniversary of his birthday I honor his memory.

CELEBRATING THE 64TH BIRTHDAY OF DR. WALTER RODNEY: REMEMBERING A TRUE CARIBBEAN INTELLECTUAL

(An Essay By Michael D. Roberts)

My first encounter with Dr. Walter Rodney was in 1979 when he came to Grenada during the very early days of the Grenada Revolution since he was literally barred from entering Guyana his country of birth. A slim, unassuming man Walter Rodney was unpretentious and looked almost nerdish with heavy horned-rimmed glasses. He sported a large "Afro" hairstyle and was the first person I met who wore African clothes. During that year and up to April 1980 whenever he was in Grenada I would spend time with him since his remarkable brain and sheer brilliance was fascinating to me. Walter had the gift of simplifying many complex things and he would ask a question and then based on my response would open up an entire period of conversation based on analysis, discussion, point and counter-point. He was an excellent teacher, an adept debater and skilled analyst.

Had he not been murdered he would have been 64 years old today and one could only wonder what this true Caribbean intellectual would have accomplished. Walter Rodney was born on March 23, 1942, and was murdered in Georgetown, Guyana, on June 12, 1980, ironically not far from Bent Street where his parents lived and where he grew up as a child.

He attended Guyana primary school and from the start was an extremely gifted student. To many who knew him it was clear that he was unique. He first won a scholarship to Queens College in Guyana and then another one to further his studies at the University of the West Indies in Jamaica. He graduated with first-class honors in History and again won an open scholarship to the School of Oriental and African Studies in London. Walter graduated from that institution with a doctorate at the tender age of 24 years.

Never losing his working class roots Walter Rodney soon embraced the principles of Marxism. It is this Marxist methodology that would be used to write his thesis that was published as a piercing analytical work "A History of the Upper Guinea Coast 1545–1800" and "How Europe Under-Developed Africa" considered today one of the most important books on British colonialism and its effects on the African continent and Third World development and underdevelopment as a whole.

After graduation Walter left for Tanzania to take up a teaching position and then came back to Jamaica in 1968 to teach at the University of the West Indies. It was while there that he started to study the Rastafarian socio-historical phenomenon and wrote a book that is today considered one of the definitive works on the movement called "Groundings with My Brothers." This book is a collection of talks that he gave in Jamaica and highlighted Walter's admiration for the working class and his ability to connect with those that society deemed unimportant and non-conformist.

I remember one incident in Grenada that would help to further explain his life-long fascination and respect for the grassroots people among whom he was most comfortable and at home. In the end it would be this ability to connect with people and to make a lasting impression on them that would be feared and hated by his political enemies and which would lead to his assassination. The Governments in Guyana and the Caribbean did not only fear Walter Rodney's amazing intellect but his easy, sincerity that made people gravitate to him.

One day we were driving on the Eastern coast of Grenada heading for the country's second largest town, Grenville. We stopped at a village named Birchgrove for a while and I left to see a friend at the Police station. Walter had two bodyguards with him and a few minutes later they came to me worried sick that he was nowhere to be found and maybe he'd given them the slip.

I then led a search for Walter in the shops and parlors in the village since Walter was fond of going to where ordinary people congregated to speak to them and ask questions so he could learn more about them. By then I was used to his ways. But search as we may we could not find him. Then I heard loud laughter coming from the Birchgrove River and decided to check it out.

There sitting comfortably on a river stone and surrounded by about 20 women, some bare-chested, some in the river washing, was Walter Rodney. When we arrived on the scene he flashed his usual sly grin and continued speaking with the washers—all wives of farmers and children of working people.

We spent more than an hour listening to Walter exchange conversation with whom Granada's deceased Prime Minister Maurice Bishop used to call "the salt of the earth."

That was Walter he'd take a complex topic as economics and tailor it to suit the washers and presented it in words that they understood. He interjected humor and practical day-to-day experiences that they related to in an effective methodology for educating "his people" as he called them.

In Guyana there has been the problem that historically the working class has always been divided mainly because of the manipulation of the planter class. The Indians were introduced into the society specifically to counter and break the development of the Black working class movement that arose in opposition to conditions after the end of slavery.

So it is not simply as though Africans and Indians co-existed without any relation one to the other. Economic competition between Africans and Indians was deliberately created within the construct of the old capitalist order.

In 1974 Walter Rodney decided to return to Guyana and take up an appointment at the University of Guyana. Of course, the Forbes Burnham government promptly scuttled his appointment as Professor of History. That same year he joined the Working people's Alliance that became a political party in July of 1979—five months after the Grenada Revolution of March 13, 1979. That same month he was arrested, along with seven other people, for allegedly burning down Government offices. It would be this incident that would propel him to the top of Guyanese politics and ultimately seal his fate. From that time on Walter's life was on the line as threats, harassment and intimidation continued from the Burnham regime that became more and more obsessed with a man that Guyanese across the board saw as the replacement to Linden Forbes Burnham.

Under these oppressive conditions the Burnham Government reacted more and more with violence to a restless population now growing fed up with the paramount leader's shenanigans and political grandstanding. Walter was unapologetic about his political work and saw it as rendering a service to the people of Guyana. He was well aware that the Burnham regime was out to get him since President Burnham had allegedly told him to make his will.

Certainly among progressive circles in the Caribbean Walter was told that he should not go to Guyana since his life would be in real danger and that the Government would stop at nothing to destroy him.

But Walter accepted this as part of the price that he was willing to pay for the liberation of the people of Guyana.

On the evening of June 13, 1980 Walter Rodney was assassinated by a bomb placed in a walkie-talkie and detonated remotely. He left behind his wife, Patricia and three children. The Caribbean and Africa lost a gifted intellectual and a skilled political leader.

RECOGNIZING JUDGE RICHARD A. BENNETT OF NAPA, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor Judge Richard A. Bennett as he retires after serving 20 years on the courts of Napa County, California.

Judge Bennett's extraordinary judicial leadership both on and off the bench not only improved the lives of thousands of Napa Valley residents and families, it saved many of them. Whether it was in small claims, family court, felony trials or his landmark efforts within Napa's Adult Drug Court, he had a gift of focusing on the human element that connects all of us. No one understood better than Judge Bennett the forces that can break families and communities apart as well as the common bonds that can be used to repair both.

It was this understanding of how important our bonds are to each other and to our community that enabled Judge Bennett to amass a remarkable record of reaching far more agreements than impasses in his court. And Mr. Speaker, it is this understanding that is unfortunately all too rare on our national stage today.

At a time when our political discourse has devolved to a level of partisan stagnation, our national leaders can learn a great deal from Judge Bennett and the community he has so proudly and effectively served over these past 20 years. He has built a foundation of cooperation, integrity and compassion that will continue to benefit many generations of Napa Valley residents long after his robe is retired.

Richard Bennett was born in Virginia and moved to my hometown of St. Helena at age 14 with his parents Larry and Doda. A graduate of the distinguished University of California Hastings College of Law, he practiced family law before being appointed to the Napa County Municipal Court by Governor George Deukmejian in 1985. He later became the first Presiding Judge of the Consolidated Municipal and Superior Courts for Napa County in 1993.

Mr. Speaker and colleagues, because of the many contributions Judge Bennett has made to our community and nation, it is fitting and appropriate that we honor him today as he retires from the Superior Court of Napa County and extend our best wishes to him and his family. Though he may be leaving the bench, I am confident that he will continue to provide leadership in Napa County for many years to come.

HONORING 65 YEARS OF AMERICAN BALLET THEATRE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mrs. MALONEY. Mr. Speaker, last week, I introduced a bipartisan resolution, along with my dear friends and colleagues, Representatives TOM REYNOLDS, CHRISTOPHER SHAYS, and LOUISE SLAUGHTER, to recognize the cultural and educational contributions of American Ballet Theatre throughout its 65 years of service as "America's National Ballet Company."

Sixty-five years ago, American Ballet Theatre was formed to fulfill two essential missions: Become one of the world's great ballet companies and bring classical dance to communities who typically are not able to experience world-class ballet.

Now, 65 years later, ABT has brought world-class dance to America and American dance to the world, including performances in 126 cities throughout all 50 states and 42 countries, often as representatives of the State Department.

Dwight D. Eisenhower recognized the important role of American Ballet Theatre over 40 years ago, stating that ABT brings "some measure of understanding of America's cultural environment and inspiration" to audiences through the medium of ballet.

ABT's mission extends beyond the pursuit of artistic greatness. ABT's extensive educational outreach programs include the award-winning Make a Ballet program, which inspires and empowers at-risk students by guiding them through the entire process of staging their own ballet. From choreography, costumes and performance to lighting, marketing and concessions, Make a Ballet has served students in the New York City region for over a decade; now, ABT is bringing Make a Ballet on tour to communities like Washington, DC, Los Angeles, Chicago and Cleveland.

For 65 years, American Ballet Theatre has entertained, inspired and educated thousands and thousands of people across the country and the world. I am proud to represent this important institution and thank my colleagues for joining me in celebrating the past 65 years with ABT. We all look forward to the next 65 years.

IN REMEMBRANCE OF GERARD FRANCIS SCHIAPPA

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the memory of Gerard Francis Schiappa, director of federal relations for Turner Construction and former administrative assistant to Congressman Louis C. Wyman, who died of cancer March 17, in his home in Potomac Falls. Gerry was 67 years old.

Gerry, who had a 50-year career in government affairs, also was special counsel to former Secretary of the Navy J. William Middendorf II from 1975 to 1976 during the Ford Administration. He began his career as an elevator operator and mailroom clerk in the U.S. House of Representatives. After serving in the Army, Mr. Schiappa returned to the House, where he served on the staffs of Representatives Arch A. Moore (R–W.Va.), Joe Skubitz (R–Kan.), William C. Cramer (R–Fla.) and finally Louis C. Wyman (R–N.H.).

As Congressman Wyman's Chief of Staff, Gerry had a reputation on Capitol Hill as a brilliant political tactician who knew how to get things done. His counsel to Congressman Wyman, who served on the House Subcommittee on Defense Appropriations, helped save the Portsmouth Naval Shipyard from closure in the early 1970s. He served as a principal coordinator for Congressman Wyman's U.S. Senate campaign against John Durkin, a Democrat, in a 1975 runoff election, which is known as the closest Senate race in U.S. history.

Gerry left public service in 1978 to join the Panax Corp. as its Vice President of Public Affairs. He founded a lobbying firm, the Capital Group, in 1981 and served as its president and chief executive until 1996. In 1997, he became managing partner of Middendorf & Associates.

Gerry was born the third of 10 children in Scranton, Pa. He grew up in Mount Rainier, graduated from Northwestern High School in Hyattsville and attended Capitol Page School in Washington. He also attended Emerson Preparatory School and the University of Maryland.

He served on the executive finance committee of the 1981 and 1985 Presidential Inaugural Committees, and President Ronald Reagan's 1981 Presidential Transition Office for Intelligence Operations. He also served on the boards of numerous organizations, including the Educational Film Center and Prevision Corp. He was also a member of the Washington Performing Arts Society, ALS Association of Washington, Great Falls Citizens Association, Defense Forum Foundation and the Reagan Alumni Association.

Of all his accomplishments, Gerry was most proud of being a mentor to countless young men and women eager to begin their professional careers. John Dean, former White House counsel, wrote in his autobiography that Gerry helped him get his first job in government. Gerry is survived by his wife of 41 years, Jane Thompson Schiappa of Potomac Falls; two children, Brien Schiappa-Dunn and John Schiappa, both of Potomac Falls; a brother; eight sisters; and one granddaughter.

Mr. Speaker, I am honored to recognize Gerard Schiappa on the floor of the House today.

FEBRUARY 2006 NATIONAL PRAYER BREAKFAST WITH REMARKS FROM BONO

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD the very profound speech giving by Bono, the world-renowned musician and noted humanitarian, during the February 2006 National Prayer Breakfast.

As the lead singer and lyricist for the Irish rock band U2, Paul Hewson, better known as Bono, rose to fame as a socially-conscious songwriter who through song has taken many people on spiritual journeys while opening their eyes to the plight of the underprivileged and in some instances inspired people to change.

Beyond U2, Bono has extended himself to other projects and causes, and has emerged over the years to be a social activist, having rallied numerous actors, artists, socialites and activists on behalf of the world's poor, particularly those afflicted with the HIV virus in Africa and elsewhere throughout the world. While his international celebrity status has placed him in a position to relax and enjoy fame and wealth, he selflessly dedicates his time to improving our world as a tireless advocate for the less fortunate.

Bono has committed himself to continuing to address issues critical to future generations. He faces global crises with conviction and the hope that others will see the pain and suffering in the world and come together in unity to make the World a better place for all mankind.

Mr. Speaker: I humbly submit the remarks made by Bono as he addressed an audience that included the President of the United States, the First Lady, King Abdullah of Jordan, members of Congress and other guests during National Prayer Breakfast held in Washington, D.C. in February 2006.

BONO'S REMARKS TO THE NATIONAL PRAYER BREAKFAST, FEBRUARY 2, 2006

INTRODUCTION OF BONO BY SENATOR NORM COLEMAN

In my day, I have introduced the President, I once introduced Dr. Billy Graham, but as a former roadie for 60 rock bands, 10 years after, this ranks right up there as one of the high points of my introducing career. Mark [Senator Mark Pryor, Democrat/Arkansas] and I were joking, ''This kind of makes us the rhetorical warm-up act for U2.''

Our message today comes from a person who has gotten the attention of the world, by walking with God, talking about things that matter, letting his light shine. He's an extraordinary musician, charismatic leader, and unabashedly, uniquely himself. We have an expression that a celebrity is a person who is famous for being famous. But our speaker this morning is known around the world as a person of conscience, a person of influence, but most of all, a person of faith. His organization is called DATA—Debt, AIDS, Trade in Africa. They are working to bring people, organizations, leaders and politicians together to make a unified effort to change the future of Africa. On your tables are these white wristbands which are appropriately printed with the word ''ONE.'' He's come to challenge us to reach across the boundaries, to care for the poor and to walk the talk of our faith. Ladies and gentlemen: Bono.

[applause]

BONO'S ADDRESS

Thank you very much.

Thank you, Mr. President, First Lady, King Abdullah of Jordan, Norm [Senator Coleman], distinguished guests . . .

Please join me in praying that I don't say something we all regret.

[laughter]

That was for the FCC.

If you're wondering what I'm doing here, at a prayer breakfast, well, so am I. I'm certainly not here as a man of the cloth, unless that cloth is leather.

[laughter]

I'm certainly not here because I'm a rock star. Which leaves only one possible explanation: I've got a messianic complex.

[laughter]

It's true. [For] anyone who knows me, it's hardly a revelation.

Well, I'm the first to admit that there's something *unnatural* . . . something even *unseemly* . . . about rock stars mounting the pulpit and preaching at presidents, then disappearing to their villas in the South of France. Talk about a fish out of water. It was weird enough to have Jesse Helms come to a rock show . . . this is *really* weird.

[laughter]

Now, one of the things I love about this country is the separation of church and state. Although I have to say: in inviting me here, both church and state have been separated from something else completely: their mind. [Looks over at President Bush, who is seated to his right] Mr. President, are you sure about this?

[laughter]

It's very humbling, and I will try to keep my homily brief. But be warned—I am Irish.

[laughter]

I'd like to talk about the laws of man, here in this city where those laws are written. And I'd like to talk about higher laws. It would be great to assume that one serves the other; that the laws of man serve these higher laws . . . but of course, they don't always. And I presume that, in a way, is why you're all here.

I presume the reason for this gathering is that all of us are here—Muslims, Jews, Christians—are all searching our souls for how to better serve our family, our community, our nation, our God . . . And some of us are not very good examples, despite what Norm says. I am certainly searching. And that, I suppose, is what led me here.

Yes, it is odd, having a rock star at the breakfast—but maybe it's odder for me than for you. Because you see, I have avoided religious people most of my life. Maybe it's something to do with having a father who was a Protestant and a mother who was Catholic in a country where the line between the two was, quite literally, often a battle line. Where the line between church and state was . . . at the very least, a little blurry, and hard to see.

I remember how my mother would bring us to chapel on Sundays . . . and my father used to wait outside. One of the things that I picked up from my father and my mother was the sense that religion often gets in the way of God.

For me, at least, it got in the way. Seeing what religious people, in the name of God, did to my native land . . . and even in this country, seeing God's second-hand car salesmen on their TV cable channels, offering indulgences for cash . . . in fact, all over the world, seeing the self-righteousness roll down like a mighty stream from certain corners of the religious establishment . . .

I must confess, I changed the channel. I wanted my MTV.

So, even though I was a believer—and perhaps *because* I was a believer—I was cynical . . . not about God, but about God's politics. There you are, Jim [Wallis, author of the book *God's Politics*].

In 1997, a couple of eccentric, septuagenarian Christians—British, as it happens—went and ruined my shtick—my reproachfulness. They did it by describing the Millennium, the year 2000, as a Jubilee year, described this year as an opportunity to cancel the chronic debts of the world's poorest people. They had the audacity to renew the Lord's call—and were joined by Pope John Paul II, who, from an Irish half-Catholic's point of view, may have had a more direct line to the Almighty. But they got together to declare the year of Jubilee.

So . . . Jubilee. Why 'Jubilee'?

What was this year of Jubilee, this year of our Lord's favor?

I'd always read the Scriptures, actually, even the obscure stuff. There it was in Leviticus 25:35 . . . ''If your brother becomes poor,'' the Scriptures say, ''and cannot maintain himself . . . you shall maintain him . . . You shall not lend him your money at interest, not give him your food for profit.''

This is such an important idea, Jubilee, that this is how Jesus begins his ministry. Jesus is a young man, he's met with the rabbis, he's impressed everybody, people are talking. The elders say, he's a clever guy, this Jesus, but, you know, he hasn't done much public speaking.

When he does, his first words are from Isaiah: ''The Spirit of the Lord is upon me,'' he says, ''because He has anointed me to preach the good news to the poor.'' And Jesus proclaims the year of the Lord's favor, the year of Jubilee. I think that's Luke 4 [Luke 4:18].

What he was really talking about was an era of grace—we're still in it.

So fast-forward 2,000 years. That same thought, grace, is now incarnate—in a movement of all kinds of people. It wasn't a blessme club . . . it wasn't a holy huddle. These religious guys were willing to get out on the streets, get their boots dirty, wave the placards, follow their convictions with actions . . . making it really hard for people like me to keep our distance. Ruining my shtick. I almost started to like these church people.

But then, my cynicism got another helping hand.

It was what Colin Powell, a five-star general, called the greatest W.M.D. of them all: a tiny little virus called A.I.D.S. And the religious community, in large part, missed it. And the one's that didn't miss it could only see it as divine retribution for bad behavior. Even on children . . . Even if the fastest growing group of HIV infections were married, faithful women.

Ah, there they go . . . [lightly but firmly pounding on podium] ''Judgmentalism is back,'' I thought to myself.

But in truth, I was wrong again. The church was slow but the church got busy on this the leprosy of our age. Love was on the move. Mercy was on the move. God was on the move. Moving people of all kinds to work with others they had never met, never would have cared to meet . . . We had conservative church groups hanging out with spokesmen from the gay community, all singing off the same hymn sheet on AIDS . . . See, miracles do happen. We had hip-hop stars and country stars . . . This is what happens when God gets on the move: crazy, crazy stuff happens. Popes were seen wearing sunglasses! Jesse Helms had a ghetto blaster now! Evidence of the Spirit moving. It was really . . . it was breathtaking. It literally stopped the world in its tracks.

When churches started demonstrating on debt, governments listened—and acted. When

churches starting organizing, petitioning, and even—that most unholy of acts today, God forbid, lobbying . . . on AIDS and global health, governments listened—and acted. I'm here today in all humility to say: you changed minds; you changed policy; and you changed the world. So, thank you.

[applause]

Check Judaism. Check Islam. Check pretty much anyone. I mean, God may well be with us in our mansions on the hill . . . I hope so. He may well be with us in all manner of controversial stuff . . . maybe, maybe not . . . But the one thing we can all agree, all faiths, all ideologies, is that God is with the vulnerable and the poor. God is in the slums, in the cardboard boxes where the poor play house . . . God is in the silence of a mother who has infected her child with a virus that will end both their lives . . . God is in the cries heard under the rubble of war . . . God is in the debris of wasted opportunity and lives, and God is with us if we are with them.

[applause]

''If you remove the yolk from your midst, the pointing of the finger and the speaking wickedness, and if you give yourself to the hungry and satisfy the desire of the afflicted, then your light will rise in darkness and your gloom with become like midday and the Lord will continually guide you and satisfy your desire even in scorched places.''

It's not a coincidence that in the Scriptures, poverty is mentioned more than 2,100 times. It's not an accident. That's a lot of air time. You know, the only time Jesus Christ is judgmental is on the subject of the poor. 'As you have done it unto the least of these my brethren, you have done it unto me.' I believe that's Matthew 25:40. [Quick glance at President Bush]—see, I've been doing my homework.

[laughter]

As I say, good news to the poor.

Here's some good news—[looks at President Bush]—for you, Mr. President. After 9–11 we were told America would have no time for the World's poor. We were told America would be taken up with its own problems of safety. And it's true these are dangerous times, but America has not drawn the blinds and double-locked the doors.

In fact, you have doubled aid to Africa. You have tripled funding for global health. And Mr. President, your emergency plan for AIDS relief and support of the Global Fund—you and Congress—have put 700,000 people onto life-saving anti-retroviral drugs and provided 8 million bed nets to protect children from malaria.

[applause]

Outstanding human achievements. Counterintuitive, I think you'll admit. But Historic. You should be very, very proud.

But here's the bad news. [looks at President Bush] There is so much more to do. There is a gigantic chasm between the scale of the emergency and the scale of the response.

And finally . . . getting to higher levels, higher callings, this is not about charity in the end, is it? It's about justice . . . the good news yet to come. I just want to repeat that: This is not about charity, it's about justice.

And that's too bad. Because we're good at charity. Americans, Irish people, are good at charity. We like to give, and we give a lot, even those who can't afford it. But justice is a higher standard. Africa makes a fool of our idea of justice; it makes a farce of our idea of equality. It mocks our pieties, it doubts our concern, it questions our commitment.

6,500 Africans are still dying every day of a preventable, treatable disease, for lack of drugs we can buy at any drug store. This is not about charity, this is about justice and equality.

Because there's no way we can look at what's happening in Africa and, if we're honest, conclude that deep down, we would let it happen anywhere else. If we really accepted that Africans are equal to us. I say that humbled-[looks over at Senator Barack Obama, Democrat/Illinois, who is seated to his left]—in the company of a man with an African father.

Look at what happened in South East Asia with the tsunami. 150,000 lives lost to the greatest misnomer of all misnomers, ''Mother Nature.'' Well, in Africa, 150,000 lives are lost every month. A tsunami every month. And it's a completely avoidable catastrophe.

It's annoying but justice and equality are mates. Aren't they? Justice always wants to hang out with equality. And equality is a real pain in the ass . . . Seriously. I mean, you think of these Jewish sheep-herders going to meet with the Pharaoh, mud on their shoes, and the Pharaoh goes, ''Equal?.. . Equal?'' And they say, ''Yeah, that's what it says here in the book here—'we're all made in the image of God,' sir.'' . . .

And eventually the Pharaoh says, ''Look, I can accept that. I can accept the Jews—but not the blacks . . . not the women . . . not the gays . . . not the Irish. No way.''

[laughter]

So on we go with the journey of equality. On we go in the pursuit of justice.

We hear that call in the ONE Campaign, a growing movement of more than two million Americans . . . five million by the next election, I can promise you . . . united in the belief that where you live should no longer determine whether you live.

We hear that call even more powerfully today, when we mourn the loss of Coretta Scott King—mother of a movement for equality, one that changed the world but is only really getting started. Because these issues are as alive as they ever were; they just change shape and they cross the seas.

Preventing the poorest of the poor from selling their products while we sing the virtues of the free market . . . That's not charity; that's a justice issue. Holding children to ransom for the debts of their grandparents . . . That's not charity; that's a justice issue. Withholding life-saving medicines out of deference to the Office of Patents . . . Well, that's not charity; to me, that's a justice issue.

And while the law is what we say it is, God is not silent on the subject. That's why I say there is the law of the land . . . and then there's a higher standard. And we can hire experts to write them so they benefit us—these laws—so that they say it's OK to protect our agriculture but it's not OK for African farmers to protect their agriculture to earn a living.

As the laws of man are written, that's what they say. But God will not accept that. Mine won't. Will yours?

[pause]

I close this morning on . . . very thin ice, probably.

This is a dangerous idea I've put on the table: my God vs. your God, their God vs. our God . . . vs. no God. It's very easy, in these times, to see religion as a force for division rather than unity.

And this is a town—Washington—that knows something of division. But the reason I'm here, and the reason I keep coming back to Washington, is because this is a town that is proving it can come together on behalf of what the Scriptures call the least of these. . . . It's not a Republican idea. It's not a Democratic idea. It's not even, with all due respect, an American idea. Nor is it unique to any one faith.

''Do unto others as you would have them do to you.'' [Luke 6:30] Jesus says that.

''Righteousness is this: that one should . . . give away wealth out of love for Him to the near of kin and the orphans and the needy and the wayfarer and the beggars and for the emancipation of the captives.'' The Koran says that [2.177].

Thus sayeth the Lord: ''Bring the homeless poor into the house, when you see the naked, cover him, then your light will break out like the dawn and your recovery will speedily spring forth, then your Lord will be your rear guard.'' The Jewish Scripture says that. It's Isaiah 58 [verses 7–8] again.

It's a very powerful incentive: ''The Lord will watch your back.'' Sounds like a good deal to me, especially right now. . . .

[laughter]

Right? ''The Lord will watch your back.'' [looks over at President Bush] You like that? OK.

[applause]

A number of years ago, I met a wise man who changed my life. In countless ways, big and small, I was always seeking the Lord's blessing. I'd be saying, ''Look, I've got a new song—would you look after it?'' . . . ''I have a family, I'm going away on tour, please look after them.'' . . . ''I have this crazy idea—could I have a blessing on it?''

And this wise man asked me to stop. He said, ''Stop asking God to bless what you're doing. Get involved in what God is doing—because it's already blessed.''

[applause]

Well, let's get involved in what God is doing. God, as I said, is always with the poor. That's what God's doing. That's what he's calling us to do.

I was amazed when I first got to this country and I learned how much some churchgoers tithe. Up to ten percent of the family budget. I mean. . . . How does that compare the federal budget, the budget for the entire American family? How much of that goes to the poorest people in the world? Well, it's less than one percent of the federal budget.

Mr. President, Congress, people of faith, people of America: I want to suggest to you today that you see the flow of effective foreign assistance as tithing. . . . Which, to be truly meaningful, will mean an additional one percent of the federal budget tithed to the poor.

Now, what is that one percent that we're asking for in the ONE Campaign? It's not merely a number on a balance sheet or pulled out of the air. One percent is the girl in Africa who gets to go to school, thanks to you. One percent is the AIDS patient who gets her medicine, thanks to you. One percent is the African entrepreneur who can start a small family business, thanks to you. One percent is not redecorating presidential palaces. One percent must not be—or don't give it—money down a rat hole. This one percent is digging waterholes to provide clean water—[looks at Senator Bill Frist, Republican/Tennessee]—like I saw with Bill Frist there in. . . Uganda.

OK, that's what we're asking for.

[applause]

One percent is a new partnership with Africa, not paternalism towards Africa, a new partnership with Africa, where increased assistance flows toward improved governance and initiatives with proven track records and away from the boondoggles and white elephants that we've seen before.

America gives less than one percent now. We're asking for an extra one percent to change the world, to transform millions of lives—but not just that, and I say this to the military men now—not just transform hundreds of thousands, indeed millions of communities, but transform the way they see us, which might be smart in these dangerous times.

One percent as national security, one percent as in enlightened economic self interest, and a better safer world rolled into one. Sounds to me that in this town of deals and

compromises, one percent is the best bargain around.

Thank you very much.

[extensive applause as Bono shakes hands with President Bush and senators]

THE FOLLOWING EXCERPT FROM PRESIDENT BUSH'S SPEECH TOOK PLACE MOMENTS LATER. . .

PRESIDENT BUSH: You know, I was trying to figure out what to say about Bono. . .

[laughter]

BONO: Careful.

[laughter]

PRESIDENT BUSH: And a story jumped to mind about these really good Texas preachers. And he got going in a sermon and a fellow jumped up in the back and said, ''Use me, Lord, use me.'' And the preacher ignored him, and finished his sermon. Next Sunday he gets up, and cranking on another sermon. And the guy jumps up and says, ''Use me, Lord, use me.'' And after the service, he walked up to him and said, ''If you're serious, I'd like for you to paint the pews.'' Next Sunday, he's preaching, the guy stands up and says, ''Use me, Lord, use me, but only in an advisory capacity.''

[laughter]

So I've gotten to know Bono . . . He's a doer. The thing about this good citizen of the world is he's used his position to get things done. You're an amazing guy, Bono. God bless you.

[applause]

INTRODUCING THE TAXPAYER PRIVACY ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. STARK. Mr. Speaker, I am pleased to join my colleagues Mr. MCDERMOTT, Mr. INSLEE, and Ms. BEAN in introducing the Taxpayer Privacy Act of 2006. This bill protects the privacy of millions of Americans, ensuring that taxpayers who rely on paid preparers do not have their confidential and sensitive personal information disseminated, sold or sent overseas.

The IRS is currently considering a rule that would make it easier for tax preparers to disclose the private information contained in tax returns—including name, address, Social Security number, employer, income, and charitable donations. Currently, paid preparers can only use taxpayer information to generate business within their own affiliates. The new rule would allow preparers to obtain taxpayers' approval to disclose tax information to generate outside business.

Taxpayers should not be coerced into giving up their privacy rights just to file their taxes. Our bill protects taxpayers by requiring preparers to use information only to prepare taxes—and not for any other purpose.

Reports also suggest that Ernst and Young and other large tax preparation firms are sending tax returns overseas for processing. But the IRS has no control over tax information once it's been sent to India or another country. Even the best data security systems can't protect private taxpayer information from entrepreneurial foreign businesses than can make huge profits selling U.S. taxpayer information.

Our bill strictly prohibits domestic tax preparers from sending returns overseas for processing. Preparers found to have disclosed private information to a foreign entity would be assessed a $1000 fine and up to one year in jail for each wrongful disclosure. The bill does not prohibit a taxpayer from choosing to have their taxes done by a preparer based overseas, it merely protects them from having their taxes shipped to a foreign country when they believe the forms are being completed by their local preparer.

This legislation is a common sense solution that protects taxpayers without burdening tax preparers. I urge my colleagues on both sides of the aisle to stand up for taxpayer privacy and support this bill.

IN HONOR OF MAYOR KENNETH JOHNSON

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. BLUNT. Mr. Speaker, I rise today to honor Kenneth Johnson on his retirement from eight years of dedicated service as Mayor of Carthage, Missouri. Kenneth Johnson distinguished himself in Southwest Missouri by his commitment to improving the lives of the citizens in the City of Carthage.

Kenneth Johnson served in the Army of Occupation in Korea in 1946 and returned to duty as a reservist in 1950 where he attained the rank of Master Sergeant. He worked for the Missouri Department of Transportation for 42 years and retired in 1989 as a Senior Construction Inspector. After being elected to the Carthage City Council in 1990 and 1992, he was elected Mayor of Carthage in 1998 and became the first mayor in 60 years elected to a second 4-year term. Mayor Johnson's public service also included serving as President of the Park and Recreation Board from 1977 to 1983 and President of the Board of Public Works from 1983 to 1988.

I congratulate Mayor Johnson on his accomplishments during his tenure in public service and wish him the best in his retirement.

RECOGNIZING NANCY CAMPBELL ON RECEIVING CARE AWARD

HON. TOM OSBORNE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. OSBORNE. Mr. Speaker, I rise today to honor Nancy Campbell of Lincoln, Nebraska, on receiving the Commonwealth Academy Recognition for Educators (CARE) Award. The CARE award, presented by Commonwealth Academy in Alexandria, Virginia, honors educators who have made outstanding educational contributions in their communities.

This year, Nancy Campbell was selected as one of only a few educators nationwide to receive this award for her work at the Lancaster County Youth Service and Juvenile Detention Center in Lincoln, Nebraska. Formerly of Scottsbluff, Nebraska, Nancy Campbell has been teaching for 38 years, and she has spent the past four teaching reading, basic skills and positive action in the boy's maximum security area at the Youth Service Center.

Ms. Campbell received her B.S. in Education from Appalachian State University in Boone, North Carolina, and over her career she has taught at 12 schools in 9 States. Since one of her sons has Attention Deficit Disorder, she has a special understanding of students with learning challenges, serving as president of an Attention Deficit Disorder parents support group in Scottsbluff for 10 years.

Ms. Campbell lives in Lincoln, Nebraska, with her husband Dave. She has three sons, one of whom is adopted, and has also raised three foster children.

I ask my colleagues to join me in applauding Nancy Campbell and congratulating her on this distinguished achievement.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. COLE of Oklahoma. Mr. Speaker, on March 30, 2006 for rollcall vote No. 80, I was unavoidably detained. If I had been present, on rollcall vote No. 80, I would have voted ''no.''

INTRODUCTION OF RESOLUTION AUTHORIZING CREATION OF BUST HONORING LATE CHIEF JUSTICE WILLIAM H. REHNQUIST

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. POMBO. Mr. Speaker, I rise today to introduce a resolution memorializing and honoring the late Chief Justice of the Supreme Court of the United States, William H. Rehnquist.

The resolution authorizes and directs the Curator of the United States Supreme Court to create a marble bust of the late Chief Justice and have it placed in the Supreme Court building to honor his memory and legacy to the Court and the United States.

Mr. Speaker, Chief Justice Rehnquist was first confirmed to the U.S. Supreme Court in 1971 as the new Associate Justice replacing Justice John Marshall Harlan. He then served as Associate Justice until 1986 when President Reagan nominated and the Senate confirmed him as the new Chief Justice to replace Chief Justice Warren Burger. Mr. Rehnquist presided as Chief Justice from September 1986 until September 2005 for a total of 19 years, making him the fourth-longest-serving Chief Justice in the history of the Court.

Prior to joining the Court, Mr. Rehnquist served in World War II in the United States Army. After the war ended, he attended Stanford University on the G.I. bill where he received bachelor's and master's degrees in political science and then attended Harvard University where he received a master's degree in government. He later returned to Stanford University to attend law school along with future Associate Justice Sandra Day O'Connor. In 1951, Mr. Rehnquist went to Washington, D.C., and began what would be his long and successful career with the U.S. Supreme Court when he worked as a law clerk for Justice Robert Jackson during the Court's 1951–1952 term.

Mr. Speaker, Chief Justice William Rehnquist served the people of this country and the court he loved for 33 years. I believe that a bust in the Supreme Court is but a small token of our deep appreciation for his dedication to this country and the rule of law.

HONORING THE INTERNATIONAL PRESIDENT OF THE NORTH AMERICAN INTERFRATERNITY CONFERENCE, MR. JAMES R. ESTES

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. SESSIONS. Mr. Speaker, I rise today to recognize the work of an outstanding individual, Mr. James R. Estes of Columbia, Missouri as he concludes his second term as the volunteer International President of the North American Interfraternity Conference (NIC). Professionally, Jim is President of Gaslight Gundaker GMAC Real Estate, which is one of the nation's 500 largest real estate firms.

Jim Estes graduated from the University of Missouri, where he was initiated into the Kappa Alpha Order fraternity in 1960. Jim served his chapter as undergraduate president and was also a member of the University of Missouri football and baseball teams. He played in the 1961 Orange Bowl and was an All-Big 8 selection, while his work on the baseball team helped his Missouri Tigers earn three trips to the College World Series.

Jim Estes' commitment to the moral development of young men has extended to working with college fraternities, the organizations that build the character and leadership skills of tens of thousands of college men every year. Mr. Speaker, it is Jim's exceptional work for fraternity men nationwide that I rise to recognize today.

Jim Estes has had an exemplary record of service to Kappa Alpha Order fraternity and the interfraternal world. He served as a province Commander for the State of Missouri and was first elected to the Kappa Alpha Executive Council in 1995 and served as Vice President. In 1997, he was elected to the first of two terms as Knight Commander or National President of Kappa Alpha Order. He has also served as a member of the Kappa Alpha Order Educational Foundation, including two years of service as the Foundation's president.

Jim Estes has not been content to serve just his own brothers for he has had a larger mission of improving the collegiate experience of all men and women who join a college fraternity. For that reason, Jim Estes has served the interfraternal community as well, serving on the board of the North American Interfraternity Conference (NIC) for the past several years, including the past two years as the National President of the NIC. The NIC is the umbrella group for 66 national fraternities that have 350,000 undergraduate members and 4.2 million living alumni worldwide.

Mr. Speaker, it is hard to explain Jim Estes' contribution to the fraternity world without explaining what fraternity life is all about. Nine million Americans are proud fraternity and sorority alumni and their experiences in these organizations helped them become better students and better citizens of our great nation. While only three percent of the nation's population has been a member of a fraternity or sorority, these organizations are proven leadership laboratories for developing the next generation of American leaders. For proof, you need look no further than this Congress itself, where 155 current Members of the House of Representatives and the Senate are alumni of fraternities and sororities.

College fraternities and sororities are one of the most successful leadership development programs available to college students today, helping members graduate with the management and interpersonal skills needed to excel in today's society. These fraternities are the nation's largest networks of student volunteers, providing 10 million hours of service a year and preparing members for a lifetime of community involvement. Fraternity housing is the largest not-for-profit housing market outside of the host colleges and universities themselves. The 250,000 students living in fraternity housing today at 8,000 chapter houses nationwide have an unparalleled opportunity to live and work together on a daily basis with students from different cultures, religions and life experiences. Fraternities are now the largest, most visible, and most active values-based organizations on college campuses today. The men and women who are fraternity members today learn how to incorporate the principles and values of their organization into their daily lives to form the moral foundation for their future actions.

Jim Estes has served the NIC as President during challenging times and he has helped foster a number of national initiatives to improve the standards that fraternity men live up to in their daily lives on campus. He has continued the NICs fight for freedom of association on campus and he has continued to champion passage of the Collegiate Housing and Infrastructure Act, which today is sponsored by almost 100 of my colleagues in the House. If that bill becomes law, it will allow all student associations on college campuses to use a private market approach to upgrade and replace their facilities in the future, thus making it possible for these student groups to continue to thrive for decades to come.

Mr. Speaker, at the end of April, Mr. Marc Katz of Alpha Epsilon Pi Fraternity will be sworn in as the new National President of the North American Interfraternity Conference. I welcome Mr. Katz and look forward to the opportunity to work with him to improve the fraternal experience for today's college students. As I welcome Mr. Katz to his new position of responsibility, I ask this chamber to join me in recognizing Jim Estes for his outstanding decades of service to the college fraternity world. I know he will continue to be an active and visible part of the fraternity movement in the future, but now is the moment to thank Jim Estes for his dedication and service in leading the fraternal community to better days.

CONGRATULATING DR. JOHN RAY TAITANO ON THE OCCASION OF HIS RETIREMENT FROM THE GUAM ARMY NATIONAL GUARD, AND COMMEMORATING HIS ACCOMPLISHMENTS AND DEDICATION TO HIS COUNTRY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate my dear friend, Dr. John Ray Taitano on the occasion of his retirement from the Guam Army National Guard after twenty three years of service as a patriot and to express the gratitude and appreciation of the people of Guam and America for his accomplishments and his dedication to his country and the freedoms all Americans enjoy.

Dr. Taitano, even as he completed his college education at the University of Guam in 1968, was ever mindful of his duty to country, and continued his pursuit of a military career through the U.S. Army Engineer's Officer Candidate School at Fort Belvoir, VA, from where he was commissioned a Second Lieutenant and then soon after deployed to Viet Nam where he served from 1971 to 1972. After that deployment and service, Dr. Taitano pursued his lifelong desire to continue serving his people as a doctor of medicine through the University of Hawaii's School of Medicine from where he was the first Chamorro graduate. He soon after returned to Guam to establish, with three fellow Chamorro doctors, the Family Medical Clinic, which eventually became The Doctors' Clinic, one of Guam's premier private medical clinics serving over 15,000 island patients. Today, John Ray Taitano continues to serve The Doctors' Clinic as a staff physician, stockholder and member of its Board of Directors.

Despite his busy schedule at The Doctors' Clinic, Dr. John Ray Taitano continued to serve his community through the years in many ways. As President of the Guam Memorial Hospital Medical Staff and Chairman of the Hospital's Medical Executive Committee; as President of the Guam Medical Society; as President of the Government of Guam's Commission on Licensure; as President of the Guam Heart Association; and as his latest adventure; as President of the Guam Veterans' Advisory Council. But his love for his country, and the men and women who proudly wear its uniforms, continued to motivate him to even greater personal accomplishments.

In 1983, Dr. Taitano was commissioned as a Captain of the Guam Army National Guard and became its first, and only, State Surgeon. He served as the chief advisor to eight (8) Adjutant Generals on all command medical matters and has ensured that all 800 plus personnel are medically qualified for deployment worldwide. He became the Senior Medical Officer of the Command, a position and responsibility he has held since 1997.

In pursuit of the best health for the soldiers under his watch, Dr. Taitano championed elimination of smoking inside all buildings of the Guam National Guard and established the first unit physical training program for MEDCOM, in addition to and apart from the Command PT program.

While serving as the Senior Medical Officer of the Guam Guard, Colonel Taitano attended

the U.S. Army War College where he graduated in June 2001 with a Master of Strategic Studies. The War College has honed to an even keener edge, Colonel Taitano's strategic planning and leadership skills in preparation for assuming positions as a general officer.

Despite already serving his country in the Viet Nam Conflict, for which he received numerous awards and commendations, Dr. Taitano did not shy away from the call to again serve his country in battle. In 2005, Colonel Taitano again responded to the call of duty with service in Operation Iraqi Freedom, fighting alongside our country's soldiers and attending to their medical needs as a Medical Corp Officer with the 199th Troop Medical Clinic of the 256 Brigade Combat Team of the Louisiana Army National Guard. Upon his retirement, many of our island people will look on John Ray Taitano's distinguished career with justified pride. Many of those who call him DOCTOR will be relieved at his retirement from the Guard; and many in the Guard will be saddened that a fellow soldier who championed their health causes has chosen to retire. But in the minds of all of these will always abide that knowledge that John Ray Taitano will forever be an outstanding doctor of medicine and always an untiring and unwavering patriot, soldier and defender of the American way of life. May God Bless Dr. Taitano as we all wish him the best upon retirement with a heartfelt, Si Yu'os Ma'ase.

COMMEMORATING THE 125TH ANNIVERSARY OF THE MESSIAH FESTIVAL IN LINDSBORG, KANSAS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. MORAN of Kansas. Mr. Speaker, I rise today to recognize and commemorate the 125th Messiah Festival in Lindsborg, Kansas. This April, the community of Lindsborg will celebrate Holy Week by performing Handel's ''The Messiah.'' This musical interpretation of the Easter story has been enjoyed in Lindsborg since the late 1800s when local immigrant pioneers first gathered together to perform this historic piece.

Many pioneers settling in the Smoky Valley on the plains of Kansas journeyed far from their homes in Sweden. They sought a better way of life and the choice to practice a religion free from the will of Sweden's state church. These pioneers thrived in their newly adopted Kansas home. They adjusted to a new American way of life, but the citizens of Lindsborg never lost sight of the culture and values that formed their Swedish heritage.

One tradition that has sustained the life of this community through the years is the annual Messiah Festival. In 1881, Reverend Carl Swensson, the founder of Bethany College in Lindsborg, and his wife, Alma, organized the Bethany Oratorio Society in the parsonage of Bethany Lutheran Church. Alma taught the music and English words of ''The Messiah'' to 40 parishioners. After a winter and spring of instruction, Bethany Lutheran Church began a storied tradition as host to this community celebration marking Palm Sunday and Easter Sunday with beautiful music.

The enterprising spirit and strong Swedish heritage of the early pioneers who began the Messiah Festival has since led to great cultural and educational additions to the State of Kansas. As the Messiah Festival tradition has grown, so has the town of Lindsborg, and Bethany College. This liberal arts institution has expanded to offer baccalaureate degrees in over thirty fields to an enrollment of 600 full and part -time students from 19 states and 12 countries. The Lindsborg community continues to honor its foundation of cultural expression by hosting art and music festivals and offering unique arts, crafts and import gift shops.

It is with great pleasure that I represent this Kansas community in Congress. Lindsborg demonstrates how collaboration, a rich cultural heritage, and appreciation for beautiful music celebrating the Lord can create a tradition worthy of 125 years of repeating.

Mr. Speaker, I proudly ask you to join me in recognizing the Lindsborg community for their 125th Anniversary Messiah Festival and for their many contributions to the State of Kansas.

TRIBUTE TO JERRY HOFFMAN

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today to recognize a constituent of mine, Jerry Hoffman of West Point, Virginia, Born in Ironwood, Michigan, Jerry graduated from Michigan State University. In 1964, he entered the United States Air Force to serve his country. As a Special Agent with the Air Force Office of Special Investigations (APOSI), he was responsible for global counterintelligence operations. Upon retiring from the Air Force in 1984, Jerry continued to serve his country while working for the Central Intelligence Agency. In 1989, he cofounded the private security training company, International Training Inc. (ITI), in West Point, Virginia and served as its president and chief executive officer until 2001. At that time, Jerry was appointed as the president and chief executive officer of ArmorGroup North America, and in 2002 assumed this role at ArmorGroup International.

Jerry is married to Katharine Kropp and has two children, Scott, a Lieutenant Colonel in the United States Air Force, and Tabitha, who owns a Medical Transcription Business. Jerry and Katharine are very active in various charities and organizations throughout Virginia, most notably the American Cancer Society.

Jerry has co-authored two novels, receiving the Edgar Allan Poe special award by the Mystery Writers Association of America in addition to a special research award presented by the United States Air Force Command and Staff College for a study of worldwide international and transnational terrorist groups.

I wish to extend to Jerry Hoffman my sincerest congratulations on his retirement. Both in and out of uniform, he has made a significant contribution to our country, and I am pleased to recognize this special occasion.

TRIBUTE TO MICHAEL GOODMAN, CARE AWARD RECIPIENT

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor Michael Goodman, upon receiving the Commonwealth Academy Recognition for Educators (CARE) Award.

The CARE award honors outstanding educators who work to enhance the lives of their students. This year's honorees are recognized for their unrelenting work to enhance the lives of the students they serve. This award is presented by Commonwealth Academy, located in Alexandria, Virginia, and honors those committed to diverse learning throughout the nation. Michael Goodman, an Instructional Technology Coordinator at Kenmore Middle School in Arlington, Virginia, is honored for his work with assisting teachers and students with using technology to learn at Kenmore.

Mr. Goodman has been teaching for over ten years and has won numerous awards for his technology instruction. Because of his vision, many classrooms at Kenmore are ''technology rich''—meaning the teacher uses a SMART board and other equipment to tailor instruction to engage and challenge all students. Without Mr. Goodman's exceptional and effort, the teachers would not be able to use the technology to reach students. He has been involved in numerous technology activities and programs. As an organizer of ''An Adventure of the American Mind'' Library of Congress program at Kenmore, his enthusiasm helped to motivate 54 teachers from Kenmore to complete the entire workshop series last year, and resulted in Kenmore Middle School receiving $30,000 dollars in technical equipment from the program. Mr. Goodman says of his approach to teaching, ''My job as Instructional Technology Coordinator allows me to work with teachers and students bringing in the unique advantages that technology offers to create and simulate activities based on [multiple] intelligences.''

Mr. Goodman received his B.S. in Technology Education from Virginia Tech and his master's in Instructional Technology from Towson University. He and his wife, Dedra, have three young sons, Harrison, Xavier, and Remington.

I ask my colleagues to join me in applauding Michael Goodman and congratulating him on this distinguished achievement.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

SPEECH OF

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965:

Mr. POMEROY. Mr. Chairman, I rise to say that I will be voting against H.R. 609. In this age of rising global competitiveness, graduating from college has never been more important for America's students. However, as

the importance of obtaining higher education is rising, so is college tuition and the amount of debt that students must borrow to earn a college degree. Since 2002, the cost of college has increased over 40 percent, with North Dakota's largest schools increasing their tuition by double digits in the past two academic years. In addition, last year 9.7 million students received federal education loans, with the typical student borrowing $15,500 to finance a bachelor's degree.

In this climate, the bill before the House today does not adequately address the problem of college accessibility. First, the bill does not reverse the changes made in the budget reconciliation bill passed earlier this year, which included the largest cuts to the student aid program ever. The reconciliation bill increased interest rates for new loans to students and parents and imposed new consolidation fees on borrowers, making the repayment of loans more difficult. Second, although H.R. 609 does include some improvements to aid programs, these changes are not adequate to address the problems outlined above. For example, although H.R. 609 increases the maximum Pell grant award, the award was only increased $200—not enough to meet the increasing costs of college tuition. Unfortunately, H.R. 609 does not do enough for students and parents facing college costs and I am hopeful that this bill can be improved as it progresses through the legislative process.

RECOGNIZING DELL ROVANSEK AS THE RECIPIENT OF THE CARE AWARD

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor Dell Rovansek of Fairfax, Virginia, upon receiving the Commonwealth Academy Recognition for Educators (CARE) Award.

The CARE award presented by Commonwealth Academy of Alexandria, Virginia honors outstanding educators who work to enhance the lives of their students. This year's honorees are recognized for their unrelenting work to enhance the lives of the students they serve. Dell Rovansek, a second grade teacher at Bonnie Brae Elementary School in Fairfax, Virginia, is honored for her work in promoting academic achievement for all in the spirit of the No Child Left Behind Act.

Ms. Rovansek has been teaching for twenty-one years, and has extensive experience working with special needs students. She is originally from Wadley, Alabama, and received her B.S. in Education from Auburn University and her master's in Education from George Mason University.

Ms. Rovansek has been teaching in the Fairfax County Public Schools for the past fifteen years, and she calls teaching her "calling." She says, "I have the opportunity to directly impact children's lives, hopefully in a very positive way. Even at my level, early childhood education, I feel a great obligation to prepare children for future challenges, academic and social. I want children to walk into my classroom and feel safe and happy."

Ms. Rovansek has traveled extensively as the wife of an Army officer. She calls living in Hawaii and Korea "great adventures." She and her husband have a daughter, Kelly, and a son, Joey.

I ask my colleagues to join me in applauding Dell Rovansek and congratulating her on this distinguished achievement.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965:

Ms. EDDIE BERNICE JOHNSON of Texas. I would be remiss if I did not make clear to the Chairman and to the Ranking Democrat on the Committee my very real concern about the Committee's failure to address an obvious shortcoming in this bill resulting from the creation of the Academic Competitiveness Grants and the SMART Grants in the Omnibus Deficit Reduction Act of 2005 (P.L. 109–171). Namely, while we have offered low-income, language minority, and "first-generation" college students an attractive reward—significant grant aid to help pay for college—especially for those who major in the STEM areas and in foreign language—we have not provided a means for many of them to qualify for such grants.

Two things must be done to ensure that we build a pipeline for these students to qualify for these important new additions to our Federal Student Aid arsenal if we are to pave the way for access and educational opportunity for all of our students. First, we must help prepare low-income, language minority, and "first-generation" students to be successful in the eighteen core courses that the extent research tells us will help ensure academic success in college. Second, we must work to be sure that those courses—Algebra I and II, Plane Geometry, Biology, Chemistry and Physics, World History, Geography, Economics, Government, English, and Foreign Language—are all well-taught in every high school in America.

In many urban and rural high schools, academically rigorous college preparatory courses are simply not taught, and our students and the Nation suffer as a result. This week, the Center for Education Policy released the results of a recent survey under the No Child Left Behind Act. The Center for Education Policy survey not only found that teachers are "teaching to the test," but that non-reading and math course work is being short-changed or eliminated to ensure that poor performing students achieve the NCLB performance levels. This means that history and science are not being taught so kids can perform well on reading and math tests. Clearly this will achieve one goal, but it will sacrifice these students' future preparedness for post-secondary academic success.

We can do better and we must. I want to work with my colleague Representative FATTAH, with you Mr. Chairman and with my friend from California Mr. MILLER to fashion a solution that will work.

IN HONOR OF KATHLEEN'S KITCHEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Kathleen's Kitchen, located in the heart of Cleveland's Westside neighborhood, as they are closing their doors on April 1, following a twenty-four year run of great food, great service, laughter and lively conversation.

The restaurant, located in Kamm's Corners, is owned by sisters Kathleen Verrell, Cindi Condol and Micki Speck. The sisters took over the business when their mother, founder Kathleen Finnerty, passed away. Mrs. Finnerty opened Kathleen's Kitchen in 1982, and her kind heart and generous nature was continued on through her daughters, whose collective goodwill consistently extended out into the neighborhood, as they offered hot meals or coffee to those in need.

Kathleen's Kitchen's warm and inviting atmosphere evolved from a corner diner into a favorite gathering place for residents, families, business owners, and people in all lines of work, from plumbers to presidents. President Bill Clinton visited Kathleen's Kitchen several times during his presidency. Though customers came from differing backgrounds, everyone was connected by a common quest—a familiar place to relax, enjoy a great meal, connect with others and capture the viewpoints of the day's events.

Mr. Speaker and Colleagues, please join me in honor and gratitude of the owners, staff and customers of Kathleen's Kitchen, whose energy, warmth and friendship served as a daily reflection of real life in America. Although Kathleen's Kitchen will be missed by countless people, including myself, our wonderful time spent there will remain in our memories forever.

IN MEMORY OF GEORGE L. BROWN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RANGEL. Mr. Speaker, I rise to pay tribute to my dear friend and an exemplary American, George Brown, who passed away Friday, March 31, 2006. George made history in his lifetime, as a civil rights trailblazer and a political leader who made a career of serving his community and his country.

Born in Lawrence, Kansas on July 1, 1926, George excelled educationally, and in World War II served his country as a member of the famous Tuskegee Airmen. Following the war, he went off to college at a time when only the GI Bill made it possible for African Americans to do so in the face of racial discrimination and economic hardships. He graduated from the University of Kansas in 1950. In the 1960's, as a reporter for the Denver Post, he was part of that cadre of journalists who chronicled the heroic struggles of African Americans and their supporters in the civil rights movement. The tumult of that era helped forge his deep social consciousness.

George's entire career was devoted to public service. In the 1950's, he was named to head the Denver Housing Authority. In 1955, he was appointed to the Colorado House of Representatives, and later became the first African American elected to the Colorado State Senate. In 1974 he gained national attention when he was elected Lieutenant Governor of Colorado—the first African American so honored in U.S. history. As a major public figure, he became an influential spokesman for justice and equity in Colorado and beyond.

Following retirement from government George worked as a consultant in the private sector in Washington while remaining involved with public causes, including the Boys Choir of Harlem. Just two weeks before his passing, George co-chaired the National Black Peoples Unity Convention in Gary, Indiana, addressing economic strategies to empower African Americans.

With all of his professional success, George was first and foremost a family man. I remember his joy with the addition of each new grandchild to his family. He is survived by his wife, Modeen; two sisters, Harriet Baskerville and Laura Gilyard; nine children, Gail Chandler, Cindy Brown, Kim Brown, Laura Mitchell, Angela Ashley, Carolyn Smith, Sharolyn Williams, Nyra Crenshaw, and Ronald Crenshaw, as well as seven grandchildren and five great-grandchildren.

George was not only a great man, but a loyal friend who would always be there to lend a helping hand or to just listen. He was a source of inspiration to me and to everyone who knew him. May God bless him and his family.

TRIBUTE TO GREEK INDEPENDENCE DAY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in honor of Greek Independence Day. I am proud to represent Greek-town in Chicago and the many Greek-Americans that live on the near west side.

185 years ago, on March 25, 1821, Greece declared its independence from the Ottoman Empire. On that day, a great friendship was born between the two nations. Americans went to fight for Greece's independence and Americans and Greeks have fought side by side since that time. Over the past 185 years many Greeks have immigrated to the United States and a great number live in my district today.

Greece's location at the southern end of the Balkan Peninsula on the Mediterranean has positioned Greece at the crossroads of Europe, Asia, and Africa ensuring that it shares not only the cultural richness of that diverse region, but also some of the great troubles that have plagued that area.

Hopefully this Congress we can work together to ensure peace in the region, the sovereignty of Greece, and a strong and lasting friendship between the United States and Greece.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise today to address the need for high quality teachers in our Nation's schools. In many of our urban and rural school districts there continues to be a shortage of teachers who have a solid background in the subjects of math, science and foreign language. This shortage is resulting in sub-standard education for these students where in many cases college preparatory courses are not available in upper level math, calculus, physics, chemistry and biology. As a result many of these students will not complete high school or pursue a college education. Even if students go onto higher education, they face numerous obstacles completing their college coursework as they have not had the same college preparatory background as their counterparts. Providing high quality teachers in these critical subject areas is key in ending the achievement gap that exists throughout this country.

I fully support the ideas behind the Amendment offered by Ms. MCMORRIS, Mr. HOLT, and Mr. DREIER. For low-income urban and rural schools an Adjunct Teacher Corp. could offer a lifeline for these students. It is extremely unfortunate that there were not provisions within the amendment that would expand training requirements for these faculty members. We must ensure that our students not only have teachers with a strong background in their subject area, but also have the proper training to convey that knowledge to their students. While I agree, that it is imperative to get these teachers into the classroom as soon as possible, there needs to be specific training requirements and adequate monitoring of faculty. In addition, I continue to have serious reservations regarding the undercutting of collective bargaining laws within this amendment. Without clarification on these provisions, I unfortunately could not support this amendment.

I do however, applaud my colleagues for their efforts on this important issue, and would like to work with them in the future on efforts to provide high quality teachers in every classroom.

IN HONOR OF EUGENIA STOLARCZYK'S POLISH RADIO PROGRAM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in tribute and recognition of the 45th Anniversary of Eugenia Stolarczyk's Polish Radio Program, broadcast every Sunday morning on Cleveland's WCPN 90.3 FM and WERE 1300 AM, as she is honored by the Polish American Cultural Center of Cleveland, established in 2001.

The native language, music and news of Poland streams from the radio on Sunday mornings, here in Cleveland and around the country, connecting Americans of Polish heritage to their beloved homeland. The music and song of Poland, from classical to polka, serves as a living bridge that transcends time and distance, connecting the memories, history, spirit and culture of Poland.

Eugenia Stolarczyk's talent, passion and joy in promoting Polish music, culture and news brings the soul of Poland into the kitchens and living rooms of people living on Fleet Avenue in Cleveland and along avenues across the country. American citizens who emigrated here from Poland add significant depth, richness and brilliant color to the diverse fabric of nations that comprise the cultural fabric of Cleveland, reflecting the heart and soul of our nation—a nation founded on, and unified by, the grit and struggle for freedom—a nation of immigrants.

Mr. Speaker and colleagues, please join me in honoring Eugenia Stolarczyk, whose dedication, talent and energy has illuminated the radio waves from Cleveland to California every Sunday morning for the past 45 years, echoing the spirited melodies and language of Poland. This vital radio broadcast serves as a guardian of ancestry, protecting and preserving the song and spirit of Poland for every new generation to come to embrace—with just a turn of the dial.

ACKNOWLEDGING THE TENTH ANNIVERSARY OF THE DEATH OF RONALD H. BROWN, FORMER SECRETARY OF COMMERCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RANGEL. Mr. Speaker, I rise today to pay tribute to the legacy and memory of Ronald H. Brown, the former Secretary of Commerce on this tenth anniversary of his untimely passing and to enter into the RECORD an article written to Ron Brown's legacy entitled "The Constituency for Africa Remembers Ron Brown".

On April 3, 1996, Ron Brown and a 34-person United States delegation had concluded a trade mission to the Balkans and were returning to the United States when their airplane crashed into the side of a mountain in Croatia.

Ronald Harmon Brown, the first African American to hold the office of U.S. Secretary of Commerce, was born in Washington, D.C. in 1941. He grew up in New York, and with the help of a scholarship attended Middlebury College in Vermont. He received his law degree from St. John's University, attending at night while working by day as a welfare caseworker for the City of New York. He also served for four years in the Army in both Germany and Korea.

Brown, a strong, independent leader, was a lawyer, a skilled negotiator, a pragmatic bridge builder and a highly successful past chairmen of the Democratic National Committee. He brought this wide range of experiences to the position of Secretary of Commerce and vowed to reach out to our neighbors abroad to promote long-term economic growth that included

rebuilding their industrial bases and working with small business owners and minority entrepreneurs to create and expand employment opportunities.

Mr. Speaker, Ronald Brown was an exceptional individual with accomplishments too numerous to list. He left an indelible impression not only in the United States but in many countries abroad. As evidenced by the article that I submit to the RECORD, I join the Constituency for Africa (CFA), a U.S.-based coalition with interest in Africa, in acknowledging the many contributions made in Africa by the late Secretary of Commerce.

(March 31, 2006, Washington, DC)

THE CONSTITUENCY FOR AFRICA REMEMBERS RON BROWN

April 3 marks the tenth anniversary of the plane crash in Croatia which ended the life of late Commerce Secretary Ronald H. Brown and 34 others traveling with him on a trade mission to the Balkans. The Constituency for Africa (CFA), a Washington, D.C. based coalition of organizations, groups and individuals with interest in Africa, acknowledges the contributions made by the late Secretary in forging U.S. ties with Africa.

''Ron Brown opened the doors to recognition of the importance of the U.S.-Africa relationship, highlighting the trade and investment opportunities, traveling to Africa and supporting organizations seeking to educate, advocate and build ties with Africa,'' said Melvin P. Foote, the Chief Executive Officer of the Constituency for Africa. In celebration of Ron Brown's legacy, CFA established a highly regarded Ronald H. Brown African Affairs series during Congressional Black Caucus Week which features speakers and seminars on critical issues confronting Africa, including issues of health, agriculture, energy and trade.

''The term, 'Africa matters' was used by the National Summit on Africa and many other events over recent years, but was first used in a major speech by Ron Brown. He truly put the spotlight on Africa's potential for the Clinton Administration. He got American companies who would never have considered trading and investing, to take a closer look. He also elevated the African diplomatic corps and Africa focused organizations by engaging them in dialogue and showing them the respect he believed they deserved,'' reflected Leonard Robinson, President of the Africa Society of the National Summit on Africa.

Ron Brown was the first African-American chairman of the Democratic National Committee and the first to travel to sub-Saharan Africa. During that trip in 1990 he talked about political development, but also the importance of trade and investment. Later, when he became Secretary of Commerce, he made good on his belief in the importance of economic development and commercial ties by leading numerous trade missions to Africa including one to South Africa a few days after sanctions were lifted by the U.S.; he opened a U.S. commercial center in South Africa, now named after him; opened and expanded commercial offices in regional hubs throughout Africa; supported passage of the Africa Growth and Opportunity Act; rallied other U.S. Government Agencies around Africa issues and invited senior officials from those agencies to travel with him to Africa and to develop solutions to problems in a cooperative manner. He helped to create the Corporate Council on Africa and remained a loyal supporter during his tenure as Commerce Secretary.

Michael Brown, Board Member of CFA, lobbyist and candidate for Mayor of Washington, DC, reflected on his father's travels to Africa. ''My father is still remembered in many places in Africa. Fellows from the Ron Brown Institute based in Pretoria have been interns in companies in southern Africa. Small and medium sized companies go to the Ron Brown Commercial Center in Johannesburg for help with their commercial transactions. He introduced us to the benefits of commercial diplomacy.''

The Constituency for Africa is a non-profit and non-governmental organization based in Washington, DC, that focuses on advocacy and educational initiatives directed at U.S. Africa policy. CFA's mission is to advocate, educate, inspire, act upon and inform its constituency about issues, concerns and challenges impacting the quality of life for the nations of Africa.

CELEBRATING THE 100TH BIRTHDAY OF MS. CARRIE COLEMAN ROBINSON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. WILSON of South Carolina. Mr. Speaker, today I rise to honor the life of Ms. Carrie Coleman Robinson, a citizen of Hilton Head Island who will celebrate her 100th birthday on April 21, 2006.

The Hilton Head Island Town Council recently issued the following proclamation in her honor:

Whereas, Carrie Coleman Robinson, her family, and friends will be gathering on Hilton Head Island, South Carolina from April 21–23, 2006 to celebrate her 100th birthday, and

Whereas, many of Ms. Robinson's family and friends will be coming from such diverse locations as Minnesota, California, Indiana, Alabama, North Carolina and Illinois, and

Whereas, Carrie Coleman Robinson was born April 21, 1906 to James and Cordelia Coleman in Madison County, Pocahontas, Mississippi, and

Whereas, Carrie was the 5th of 6 siblings, all of whom are now deceased, and

Whereas, Carrie was married to Dr. Thomas L. Robinson of Hilton Head Island for 54 years until his death in 1989, and

Whereas, Ms. Robinson's education is unparalleled as she received an Associate Bachelor's degree from Tougaloo College in 1931, a BLS degree from the Hampton Institute in 1932, and an MLS degree from the University of Illinois in 1949 while she also attended Columbia University from 1940–41 and Advanced Studies from 1953–55,

Now, therefore the Hilton Head Island Town Council hereby proclaims April 21, 2006 as: The Centennial Birthday of Carrie Coleman Robinson on Hilton Head Island.

FLORIDA GATOR MEN'S BASKETBALL REMARKS

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. FOLEY. Mr. Speaker, I rise to commend the Florida Gators men's basketball team for winning their first ever national championship title. They handily beat the UCLA Bruins last night in Indianapolis by a score of 73–57. This marks the first NCAA men's title in basketball for any Division I school in Florida.

As you may know, the team lost most of its scoring players from last season and many pundits questioned whether this year's Gators would even make it into the NCAA tournament. First, they started the season by winning their first 17 games. Then they went on to secure the SEC Conference tournament championship. And, just when it was thought they couldn't top that, they ended their historic season winning the national title.

During the past month, these young, energetic Gators won the hearts and minds of fans everywhere. Their success came down to a simple formula: they played as an unselfish, hardworking and passionate team.

Head coach Billy Donovan deserves enormous credit for building such a dominant program. His team held to his often professed mantra of ''PHD''—''be poor, be hungry and be driven''—in their pursuit of excellence whether on the court or in the classroom.

I applaud the strong performances by the entire team: Joakim Noah, Al Horford, Corey Brewer, Taurean Green, Lee Humphrey, Chris Richard, Adrian Moss, Walter Hodge, Brett Swanson, Jack Berry, Garrett Tyler and David Huertas.

Again, congratulations to the University of Florida for this impressive and historic win. Today it is truly great to be a Florida Gator.

COMMENDING THE UNIVERSITY OF FLORIDA MEN'S BASKETBALL TEAM ON WINNING THE NCAA CHAMPIONSHIP

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. BILIRAKIS. Mr. Speaker, I rise today to congratulate the University of Florida men's basketball team on winning the 2006 NCAA national championship.

None of college basketball's so-called experts picked the University of Florida to do much, if anything, this season. In fact, they were not even ranked in the preseason polls. This was to be a rebuilding year for the Gators. They lost three prolific scorers to the NBA last season and were considered too young and inexperienced to play with most of the Southeastern Conference, let alone the elite teams in the NCAA tournament.

However, Coach Billy Donovan and his unwavering team knew differently. Through hard work, drive, discipline, and determination, the Gators soon made their presence felt. Led by four sophomores and one junior, they began their historic season with a 17-game winning streak, the longest in Florida basketball history. And they concluded their title run by winning their last 11 games, including an SEC tournament championship, an unbelievable run through the Minneapolis region, and a dominating performance in the Final Four.

In the championship game, the Gators faced a very talented UCLA team, heralded for their defense and rich with basketball tradition. But on this night, Florida wrote the next and best chapter of their basketball tradition. Poised and focused, the Gators took the court where their balanced offensive attack swamped

UCLA's defense. Furthermore, the Gators quickly demonstrated that their defense was the more domineering on the court, limiting their opponents' scoring options.

I want to recognize Coach Donovan and his assistant coaches, who have helped lead the Gators to national prominence. This is Coach Donovan's second title game appearance with UF, and with this victory, he becomes the second youngest head coach to win a national championship. I also would like to acknowledge the Gators' starters. Joakim Noah, the Final Four's Most Outstanding Player, led the Gators with 16 points, nine rebounds, three assists, and six blocked shots, a title game record. Taurean Green ran the point nearly to perfection, refusing to allow UCLA's pressure to lead to turnovers. Corey Brewer had great offensive statistics; however, it was his shutdown defense which held UCLA's leading scorer scoreless for most of the game. Al Horford helped control the interior and defend UF's basket, and Lee Humphrey's barrage of three-point jump shots helped put the game out of reach. Additionally, I would like to congratulate the Gators' only senior, Adrian Moss, who finished his college career with a sensational game, posting nine points and six rebounds in only ten minutes of play.

I also want to applaud the rest of the Gator team: Chris Richard, Walter Hodge, David Huertas, Garrett Tyler, Jimmie Sutton, Jack Berry, Brett Swanson, and everyone involved with the Men's basketball program. They are all to be commended for their contributions to the Gators' success.

This young team showed their maturity by playing unselfish basketball. We have seen the results when players are out for the greater good of the team, rather than playing for themselves. This Florida squad epitomizes that philosophy. They shared the ball, always looking for an open teammate rather than seeking personal glory.

I'm tremendously proud of these young men and honored to be an alumnus. It truly is great to be a Florida Gator!

TRIBUTE TO THE CHILD WITHIN, INC.

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. NUNES. Mr. Speaker, I rise today to recognize Celebrate the Child Within, Inc.—a unique organization in my home district that offers support and encouragement for adult survivors of childhood sexual abuse.

Celebrate the Child Within is dedicated to helping negate the shame of childhood sex abuse, as well as the promotion of healing by recapturing happier childhood times. Those involved with CTCW, Inc. are committed to helping sufferers to focus on the little boy or girl within who endured the assault and survived to adulthood, and to celebrate that survival. The celebrations are done with wholesome, happy activities in order to help this specific group feel more accepted by society and to foster better understanding of themselves and their families.

Each year for the last three years CTCW's Board of Directors has identified a survivor of childhood sexual abuse who achieved excellence in their field of endeavor as an adult. The board has held a celebratory event that involved the community to recognize their success—and to raise awareness about childhood abuse, as well as the potential for recovery.

More people than ever are willing to talk about this ongoing tragedy, which is a significant step in helping rid this problem from our society.

I ask my colleagues to join me in congratulating Celebrate the Child Within for their much-needed work, and to wish them many more years of success.

FREEDOM FOR ROBERTO DE JESÚS GUERRA PÉREZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Roberto de Jesús Guerra Pérez, a political prisoner in totalitarian Cuba.

Mr. Guerra Pérez is an independent journalist and a chronicler of truth amid the lies and deceit of Castor's villainous regime. He writes about the reality of the reprehensible repression inflicted on the Cuban people by the dictatorship. Because of his belief in truth in print, truth for the people of Cuba, and truth to enable the world to better comprehend the daily horrors of totalitarian Cuba, Mr. Guerra Pérez was a target of the tyrannical regime. Make no mistake, brave men and women who seek truth and freedom are the enemies of Castro's totalitarian dictatorship.

According to Reporters Without Borders, Mr. Guerra Pérez was arrested for "disturbing the peace" on July 13, 2005, while staging a fast along with a dozen other opposition activists to protest against the incessant harassment of independent journalists. Over eight and half months later, he is still locked in the totalitarian gulag and still waiting for a trial.

Castro's ruthless machinery of repression does not stop after sentencing innocent Cubans to the totalitarian gulag. In the U.S. Department of State's Country Reports on Human Rights Practices—2005, it is reported:

> Prison conditions continued to be harsh and life threatening. Conditions in detention facilities also were harsh. Prison authorities frequently beat, neglected, isolated, and denied medical treatment to detainees and prisoners, particularly those convicted of political crimes or those who persisted in expressing their views . . . Prisoners sometimes were held in "punishment cells," which usually were located in the basement of a prison, with continuous semi-dark conditions, no available water, and only a hole for a toilet.

To protest these grotesque abuses, Mr. Guerra Pérez has conducted four hunger strikes to call international attention to the inhuman treatment in the gulag. In a cry of solidarity for Mr. Guerra Pérez, Reporters Without Borders said, "We are all the more concerned about this hunger strike as he had only called off the preceding one a few days before and he was still very weak. There are no serious grounds for holding him as all he did was describe what life is really like for Cubans. We demand his immediate release."

Mr. Speaker, it is intolerable for Mr. Guerra Pérez to languish in a gulag where he is abused and tortured. It is morally abhorrent that, in the 21st Century, brave men and women like Mr. Guerra Pérez are still locked in repugnant gulags for reporting the truth. My Colleagues, we must demand the immediate and unconditional release of Roberto de Jesús Guerra Pérez and every prisoner of conscience languishing in the totalitarian gulags of the nightmare called the Castro regime.

TRIBUTE TO SERGEANT MAJOR WILLIE BEASLEY

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mrs. JONES of Ohio. Mr. Speaker, congratulations to Sergeant Major Willie Beasley on his retirement from Collinwood High School in Cleveland, Ohio. Sergeant Major Beasley has served as Assistant Instructor and Military Property Custodian at Collinwood High School for the past 12 years.

Sergeant Major Beasley is a valued member of the faculty at Collinwood High School and has earned the reputation of being an outstanding teacher and mentor to young adults. He is highly regarded in the community for his dedication to the cadets in the Army JROTC program at Collinwood. Through the Army JROTC, over 1200 students have been directed under his tutelage.

Sergeant Major Beasley also served in the 4th Infantry Division in Vietnam where he demonstrated leadership in combat as a platoon sergeant and acting platoon leader. There he distinguished himself earning a Bronze Star Medal, Purple Heart, and the Combat Infantryman's Badge.

Sergeant Major Beasley's selfless service, superior achievement and loyal dedication to the youth of the City of Cleveland are immeasurable. On behalf of the nation and the constituents of the 11th Congressional District of Ohio, I thank you for your service and tremendous sacrifices you have made for our country. Congratulations on your retirement and on a job well done.

IN RECOGNITION OF PHIL LARSON, 2006 FRESNO COUNTY FARM BUREAU DISTINGUISHED SERVICE AWARD RECIPIENT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. COSTA. Mr. Speaker, I rise today with my colleagues, Representatives CARDOZA, NUNES and RADANOVICH, to honor Phil Larson of Kerman, California, the recipient of the 2006 Fresno County Farm Bureau "Distinguished Service" Award.

Phil has been a lifelong farmer and Fresno County resident. He began his career as an agricultural chemical sales representative and worked for over 37 years for the Wilbur Ellis Company. While fulfilling this job, he also farmed for his family's vineyard in Kerman; where today, he still farms raisins. The expertise he gained over the years in agriculture earned Phil much respect from members in

the agriculture community, particularly the Fresno County Farm Bureau.

Phil has had an extensive and outstanding career in the Fresno County Farm Bureau. Following his long membership, he became involved on the board of directors where he served as the first agricultural chemical chairman in the late 1980s. In 1996, he became the president of the bureau and served for over two years. Phil believes, and once stated, the ''Farm Bureau represents the morality of agriculture.''

During his term as president of the Fresno County Farm Bureau, Phil was a strong advocate for agriculture and farming industries. He spearheaded the advancement and introduction of several water supply, pesticide use and farm related pieces of legislation. Phil was also on the forefront of several priority-setting documents such as ''A Landscape of Choice''—the land use policy document of April 1998. He was extremely dedicated in addressing agricultural issues and was deemed a ''24-hour President'' for his unrelenting commitment to serve the bureau.

Amazingly enough, the 24-hour President also found time to lend a helping hand in his community. Phil Larson's involvement in his community has been far-reaching, ranging from serving as the Kerman High football announcer to the California Farm Bureau Federation State Director for District 7 in 2000–2001. He has served on the State board of California Agriculture Production Consultants Association and has been involved with several other boards and organizations including the Western Crop Protection Chemicals Association, Fresno County/City Chamber of Commerce, Kerman Unified School District Board, Kerman Covenant Church Board and Kerman High Boosters. At present, he serves as the District One supervisor and chair of the Fresno County Board of Supervisors.

As the supervisor for District One and board chair, Phil Larson represents the Fresno County Board of Supervisors on several boards and commissions such as the Central Valley Project Authority, Mid-Valley Water Authority, San Joaquin River Conservancy, San Joaquin Valley Supervisors Endangered Species Committee, Transportation Authority and the Governing Board of the Fresno Madera Area Agency on Aging. Undoubtedly, Phil continues to serve his community and has received numerous awards and recognitions for his exceptional service.

Phil Larson's commitment to advance the agricultural industry in the Valley and his wide-ranging contributions to the community, and his church are accomplishments worthy of recognition. It is my pleasure to honor such a great man and I want to extend, on behalf of the residents of Fresno County, my sincerest appreciation for his dedication and service and offer my heartfelt congratulations to Phil for receiving the 2006 Fresno County Farm Bureau ''Distinguished Service'' Award.

STATEMENT ON THE 38TH ANNIVERSARY OF THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. CARDIN. Mr. Speaker, today, on the 38th anniversary of the assassination of Dr. Martin Luther King, Jr., I urge my colleagues to join me in remembering this solemn day. Yet while we reflect on Dr. King's death, we should also celebrate his legacy of service and justice—for he was ever hopeful about the future of our nation.

Martin Luther King, Jr., was born on January 15, 1929. He was one of three children of the Reverend Martin Luther King, Sr., and Alberta Williams King, in Atlanta, Georgia. Dr. King graduated high school two years early and went on to study at Morehouse College, Crozer Theological Seminary, and Boston University. He began his career as an assistant pastor at Ebenezer Baptist Church in Atlanta.

During his time leading the civil rights movement, Dr. King was arrested on more than thirty occasions for doing the right thing. He served as president of the Montgomery Improvement Association during the 1955 Montgomery Bus Boycott. He founded and led the Southern Christian Leadership Conference from 1957 until his death in 1968. He led the March on Washington in 1963, delivering the ''I Have A Dream'' speech to thousands, and focusing the eyes of the world on the American civil rights movement.

Martin Luther King, Jr., worked tirelessly to promote the political, economic and social rights of millions of Americans, particularly those who felt that equal justice was beyond their reach. His passion was unmatched, his strength and perseverance were remarkable, and his enduring commitment to peace has provided an example to us all.

On April 3, 1968, Dr. King was in Memphis to support the striking Sanitation Workers' Union. The night before his assassination, Dr. King prophetically declared that the movement for racial equality may have to continue without him. That night, he and other civil rights activists stayed at the Lorraine Motel in Memphis.

The next afternoon, April 4, Dr. King, the Rev. Ralph Abernathy, and Memphis minister Rev. Billy Kyles, met at the Lorraine motel. The three of them spoke briefly before Dr. King and Rev. Kyles stepped out onto the balcony. His colleagues, including the Reverend Jesse Jackson, the Reverend James Bevel, Hosea Williams, and the Reverend Andrew Young Jr. waited in the parking lot below with the car that would have taken Dr. King to his dinner. At 6:01 PM, a single shot rang out. One hour later, Dr. King, the icon of peaceful, nonviolent change, was pronounced dead at St. Joseph's Hospital.

The following day, President Lyndon B. Johnson declared Sunday, April 7 a day of national mourning. Attending his funeral on April 9 were nearly 100,000 mourners who had felt Dr. King's impact and had come to pay their respects. His coffin traveled through his hometown of Atlanta from Ebenezer Baptist Church to Morehouse College, his alma mater.

In the years since his death, his widow, Coretta Scott King, whom we mourned in January, carried on his work and his legacy. So many others who fought alongside Dr. King have also dedicated themselves to keeping the dream alive. I consider it an honor to serve on the Ways and Means Committee with my friend and colleague, John Lewis, who spoke so eloquently this morning of his friendship with Dr. King.

The anniversary of Dr. King's assassination should remind us that America has far to go in the struggle to recognize all its citizens as equals. I look forward to the vote in this chamber to renew the Voting Rights Act before its provisions expire in the summer of 2007, and I would hope that we would remember and honor Dr. King's commitment to end poverty and injustice in all our work in the House.

At Dr. King's funeral, former Morehouse President Dr. Benjamin Mays spoke these words: ''Martin Luther King, Jr., believed in a united America. He believed that the walls of separation brought on by legal and de facto segregation, and discrimination based on race and color, could be eradicated.'' Let us all share in Dr. King's beliefs and his dream for a better America.

CELEBRATING DOMINIC PETER TORLONE'S 80TH YEAR AND CONTINUED COMMUNITY SERVICE

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RAHALL. Mr. Speaker, today we extend best wishes on the occasion of the 80th birthday of Dominic Peter Torlone of Huntington, West Virginia. Born in Logan, West Virginia on April 7, 1926, Dominic has lived in Huntington for the past 44 years and was the long-time owner and operator of Torlone's Community Bakery, a staple of the Huntington community, along with his brothers, Louie and Alfred. His parents, Peter and Carmela Maria Torlone, originally opened Torlone's Bakery in 1946.

As any Huntington native will attest, Dominic is loved by all in the community. He is always ready with a warm smile and cheerful greeting for his fellow Huntingtonians, either in English or his favorite Italian. He exemplifies the decency and strong citizenship of his generation.

Dominic and his wife, Mrs. Harriet Torlone, are the proud parents of four children, Amy Harris, Lisa Koch, Mark Torlone, and Beth Sigall, and nine grandchildren. Although he officially retired from Torlone's Bakery in 1995, he remains an active member of Huntington's civic landscape, devoting many hours of service to worthy causes such as the Knights of Columbus and St. Joseph's Catholic Church, where he attends daily mass. He is truly a favorite son of West Virginia and we salute his continued service to Huntington on this his 80th birthday.

HONORING CHAPLAIN EDWARD BASTILLE ON HIS RETIREMENT FROM SERVICE WITH VETERANS ADMINISTRATION PALO ALTO HEALTH CARE SYSTEM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. LANTOS. Mr. Speaker, I rise today to pay tribute to a remarkable individual, Chaplain Edward Bastille who has dedicated his life to the service of facilitating the recovery of our veterans. During his tenure at the VA Palo Alto Health Care System (VAPAHCS), Chaplain Bastille coordinated and implemented numerous programs and services that meet the needs of an ever-diversifying residency.

As an inspiring leader, Chaplain Bastille, himself a 100 percent disabled service-connected Vietnam combat veteran, was responsible for hiring a talented and progressive clergy at VAPAHCS including: the first nun in the VA as a Eucharistic Minister, the first Catholic Dean in the VA as a Fee Basis Eucharistic, the first Buddhist Chaplain in the VA, the first Muslim chaplain, the first endorsed woman Mormon spiritual leader, and for hiring the first Indian Spiritual Leader.

Mr. Speaker, in addition to finding appropriate spiritual counselors for the patients of the VA, Chaplain Bastille established a number of ongoing services and training programs that the facility now offers to comfort and accommodate the healing process for both patients and families alike. A fine example of Chaplain Bastille's efforts is the establishment of the American Indian Cultural Center at Menlo Park, which includes a sweat lodge program to meet the spiritual needs of the Native American patients. This program received a VA Best Practice Award and has been emulated by other VA health care facilities.

Also, Chaplain Bastille assisted in revitalizing the Chaplain Program at the VA Northern California Health Care System (VANCHCS) by training staff, rewriting procedures, and providing operational leadership for three years.

For the families and other loved ones of patients at the VAPAHCS, he established a Memorial Rose Garden as an extension to the Chapel Garden. The Rose Garden provides a touching space for families to memorialize their loved ones at the health care center.

Mr. Speaker, Chaplain Bastille's extraordinary efforts to help humanity has not been limited to the VA. For example, after Hurricane Mitch, Chaplain Bastille helped organize the Palo Alto aid effort: the Honduras Relief Project, which helped send three medical teams to Honduras through funding provided by 12 local churches. He organized the church fundraising and recruited hospital volunteers. For 18 years, Chaplain Bastille has also directed the Patient PTSD chorus and helped lead to trips to the Vietnam Memorial Wall in Washington, DC., and one trip to Russia to meet with Russian-Afghanistan PTSD Veterans.

Chaplain Bastille's invaluable work has been duly recognized. In 1991 he received a Commendation given by VA Secretary Derwinski. He also received the Distinguished Service Award in 1992 from the Military Chaplain Association for his work in Ethics and the Julius Varwig Award in 2003 from the National Council for Health and Human Services Ministries for the United Church of Christ. Aside from being a phenomenal and selfless public servant, Chaplain Bastille enjoys a family of three brothers, and his lovely wife, Louise, to whom he has been married for 21 years.

Before Chaplain Bastille became a spiritual counselor and leader, he served as an Air Force Specialist in Vietnam. He went on to be the Chaplain for this unit until 1978. Chaplain Bastille obtained his B.S. degree from Springfield College and earned his Master's in Theology from Andover Newton Theological School in 1975. In 1985, Chaplain Bastille continued at Andover Newton to complete his doctorate.

Mr. Speaker, I ask my colleagues to join me and rise to pay tribute to this extraordinary individual, Chaplain Edward Bastille. He is a fine example of the power of one to make a difference in this world. As he retires to become the owner of an inn in Gilford, New Hampshire, I wish him every ounce of happiness and success.

THE RETIREMENT OF BUREAU OF RECLAMATION COMMISSIONER JOHN W. KEYS, III

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2006

Mr. RADANOVICH. Mr. Speaker, I rise today with my colleagues from California Mr. CALVERT and Mrs. NAPOLITANO to express congratulations, best wishes, and warm thanks to Commissioner John W. Keys, III as he retires from a distinguished nearly 40-year career with the Bureau of Reclamation on April 14th.

Commissioner Keys began his career with Reclamation in 1964 as a civil and hydraulic engineer. Over the years, he worked his way up through the ranks, gathering valuable experience on numerous western water issues, including the Missouri River Basin, the Colorado River Basin, and the Columbia River Basin. In 1986 John began, what would eventually be a 12-year stint, as Regional Director for the Pacific Northwest Region of Reclamation. In this capacity he received the Interior Department's highest honor, The Distinguished Service Award in 1995.

John retired for the first time in 1998 to spend more time in Moab, Utah with his two loves, his wife Dell, and his airplanes. A certified commercial airline pilot, he owns a Cessna 182 and over the years has logged hundreds of hours of flight time. As if all of that wasn't enough, John also finds time to referee high school and college football games. Originally raised in Sheffield Alabama, he received a Bachelor's Degree in Civil Engineering from the Georgia Institute of Technology and a Master's Degree from Brigham Young University.

On July 17, 2001, John came out of retirement to be sworn in as the 16th Commissioner of the Bureau of Reclamation. Over the past five years, Commissioner Keys has traveled the country and worked tirelessly developing solutions to long-standing water conflicts. He was instrumental in the development of Interior's Water 2025 Initiative, the Lower Colorado River Multi-Species Conservation Program, and resolving the 75-year dispute regarding California's share of Colorado River water. It has been a pleasure knowing John personally. Commissioner Keys has served his government and country admirably and will be missed. Although we are saddened by his departure, we wish him the best of luck in his retirement.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2759–S2847

Measures Introduced: Ten bills and four resolutions were introduced, as follows: S. 2498–2507, S. Res. 421–423, and S. Con. Res. 85.

Pages S2799–S2800

Measures Reported:

S. 2012, to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2006 through 2012, with an amendment in the nature of a substitute. (S. Rept. No. 109–229)

Page S2799

Measures Passed:

Religious Freedom in Afghanistan: Senate agreed to S. Res. 421, calling on the Government of Afghanistan to uphold freedom of religion and urging the Government of the United States to promote religious freedom in Afghanistan. **Pages S2842–43**

National and Global Youth Service Day: Senate agreed to S. Res. 422, designating April 21, 2006, as National and Global Youth Service Day.

Pages S2843–44

National Cushing's Syndrome Awareness Day: Senate agreed to S. Res. 423, designating April 8, 2006, as "National Cushing's Syndrome Awareness Day." **Pages S2844–45**

Honoring Former President Eisenhower: Senate passed S.J. Res. 28, approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

Pages S2845–46

America's National Negro Leagues Baseball Museum: Senate agreed to S. Con. Res. 60, designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum, after agreeing to the committee amendment. **Pages S2846–47**

Securing America's Borders Act: Senate continued consideration of S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform, taking action on the following amendments proposed thereto: **Pages S2763–95**

Pending:

Specter/Leahy Amendment No. 3192, in the nature of a substitute. **Page S2763**

Kyl/Cornyn Amendment No. 3206 (to Amendment No. 3192), to make certain aliens ineligible for conditional nonimmigrant work authorization and status. (By a unanimous vote of 99 nays (Vote No. 87), Senate failed to table the amendment.)

Pages S2763, S2785–91

Cornyn Amendment No. 3207 (to Amendment No. 3206), to establish an enactment date.

Page S2763

Isakson Amendment No. 3215 (to Amendment No. 3192), to demonstrate respect for legal immigration by prohibiting the implementation of a new alien guest worker program until the Secretary of Homeland Security certifies to the President and the Congress that the borders of the United States are reasonably sealed and secured. **Page S2763**

Dorgan Amendment No. 3223 (to Amendment No. 3192), to allow United States citizens under 18 years of age to travel to Canada without a passport, to develop a system to enable United States citizens to take 24-hour excursions to Canada without a passport, and to limit the cost of passport cards or similar alternatives to passports to $20. **Page S2763**

Mikulski/Warner Amendment No. 3217 (to Amendment No. 3192), to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

Page S2763

A motion was entered to close further debate on Specter/Leahy Amendment No. 3192 (listed above) and, pursuant to the provisions of rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Thursday, April 6, 2006. **Pages S2793–95**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, April 5, 2006. **Page S2847**

Native Hawaiian Low-Income Housing Assistance Agreement: A unanimous-consent agreement was reached providing that S. 598, to reauthorize

provisions in the Native American Housing Assistance and Self-Determination Act of 1996 relating to Native Hawaiian low-income housing and Federal loan guarantees for Native Hawaiian housing, be referred to the Committee on Banking, Housing, and Urban Affairs, and then immediately discharged from further consideration by the committee and placed on the calendar. **Page S2842**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Investment Treaty with Uruguay (Treaty Doc. No. 109–9).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S2845**

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 98 yeas (Vote No. Ex. 86), Michael A. Chagares, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Pages S2760–62, S2847

Messages From the House: **Page S2798**

Measures Placed on Calendar: **Page S2798**

Petitions and Memorials: **Pages S2798–99**

Additional Cosponsors: **Pages S2800–01**

Statements on Introduced Bills/Resolutions: **Pages S2801–07**

Additional Statements: **Pages S2796–98**

Amendments Submitted: **Pages S2807–41**

Notices of Hearings/Meetings: **Page S2841**

Authorities for Committees to Meet: **Page S2842**

Privileges of the Floor: **Page S2842**

Record Votes: Two record votes were taken today. (Total–87) **Pages S2762, S2791**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:29 p.m., until 9:30 a.m., on Wednesday, April 5, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2847.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, with amendments.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the proposed defense authorization request for fiscal year 2007, focusing on missile defense programs, after receiving testimony from Peter C.W. Flory, Assistant Secretary for International Security Policy, and David W. Duma, Acting Director, Operational Test and Evaluation, both of the Department of Defense; Lieutenant General Larry J. Dodgen, USA, Commander, U.S. Army Space and Missile Defense Command, U.S. Army Forces Strategic Command; and Lieutenant General Henry A. Obering, III, USAF, Director, Missile Defense Agency.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the proposed defense authorization request for fiscal year 2007, focusing on health benefits and programs, after receiving testimony from David S.C. Chu, Under Secretary for Personnel and Readiness, and William Winkenwerder, Jr., Assistant Secretary for Health Affairs, both of the Department of Defense; General Richard A. Cody, USA, Vice Chief of Staff, United States Army; Admiral Robert F. Willard, USN, Vice Chief of Naval Operations, United States Navy; General Robert Magnus, USMC, Assistant Commandant of the Marine Corps, United States Marine Corps; and General John D.W. Corley, USAF, Vice Chief of Staff, United States Air Force.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine the proposed defense authorization request for fiscal year 2007 and the future years defense program, focusing on the posture of the United States Transportation Command, after receiving testimony from General Norton A. Schwartz, USAF, Commander, U.S. Transportation Command; and General Duncan J. McNabb, USAF, Commander, Air Mobility Command.

TERRORIST FINANCING AND MONEY LAUNDERING

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine a current assessment of money laundering and terrorist financing threats and countermeasures, after receiving testimony from Stuart Levey, Under Secretary of the Treasury for Terrorism and Financial Intelligence; E. Anthony Wayne, Assistant Secretary of State for Economic and Business Affairs; Michael F.A. Morehart, Chief, Terrorist Financing Operations Section,

Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; and Kevin Delli-Colli, Deputy Assistant Director, Financial and Trade Investigations Division, Office of Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security.

MANUFACTURED HOUSING LOAN PROGRAM

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded a hearing to examine S. 2123, to modernize the manufactured housing loan insurance program under title I of the National Housing Act, after receiving testimony from Brian D. Montgomery, Assistant Secretary for Housing, Federal Housing Commissioner, and Michael J. Frenz, Vice President and Chief Operating Officer, Government National Mortgage Association (Ginnie Mae), both of the Department of Housing and Urban Development; Kevin Clayton, Clayton Homes, Inc., Maryville, Tennessee, on behalf of the Manufactured Housing Institute and the Manufactured Housing Association for Regulatory Reform; and Kevin Jewell, Manufactured Housing Project, Austin, Texas, on behalf of Consumers Union.

TSA'S BAGGAGE AND PASSENGER SCREENING

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the responsibilities, operations, and priorities of Transportation Security Administration in airline passenger and baggage screening, after receiving testimony from Edmund "Kip" Hawley, Assistant Secretary of Homeland Security for Transportation Security; Cathleen Berrick, Director, Homeland Security and Justice, Government Accountability Office; and Gregory O. Principato, Airports Council International-North America, Washington, D.C., on behalf of the American Association of Airport Executives.

GREENHOUSE GAS EMISSIONS

Committee on Energy and Natural Resources: Committee concluded hearings to examine design elements of a mandatory market-based greenhouse gas regulatory system in the United States, including trading and international competitiveness, after receiving testimony from sundry witnesses.

TAX PREPARERS

Committee on Finance: Committee held a hearing to examine the quality and costs of paid federal income tax return preparers, focusing on enrolled agents—those who are approved by the Internal Revenue Service (IRS) after passing an examination on tax matters or demonstrating past IRS employment experience, receiving testimony from Michael Brostek, Director, Strategic Issues, Government Accountability Office; Bert Dumars, Director, Electronic Tax Administration, and Nina E. Olson, National Taxpayer Advocate, Taxpayer Advocate Service, both of the Internal Revenue Service, Department of the Treasury; and Robert A. Weinberger, H&R Block, on behalf of the Free File Alliance, LLC, Francis X. Degen, National Association of Enrolled Agents, and Harley T. Duncan, Federation of Tax Administrators, all of Washington, D.C.

Hearing recessed subject to the call.

COUNTERTERRORISM PRIORITIES

Committee on Foreign Relations: Subcommittee on International Operations and Terrorism met in closed session to receive a briefing regarding counterterrorism priorities from Henry A. Crumpton, Coordinator for Counterterrorism, Office of the Coordinator for Counterterrorism, Department of State.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 5074–5081; 1 private bill, H.R. 5090; and 10 resolutions, H.J. Res. 83; H. Con. Res. 377; and H. Res. 753–754, 756–761 were introduced. **Pages H1451–52**

Additional Cosponsors: **Pages H1452–54**

Reports Filed: Reports were filed today as follows:

H.R. 4916, to authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund (H. Rept. 109–403); and

H. Res. 755, providing for consideration of H.R. 513, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees (H. Rept. 109–404). **Page H1451**

Speaker: Read a letter from the Speaker wherein he appointed Representative Murphy to act as Speaker pro tempore for today. **Page H1397**

Recess: The House recessed at 12:55 p.m. and reconvened at 2 p.m. **Pages H1399–H1400**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution: H.J. Res. 81, to provide for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution, by a yea and nay vote of 406 yeas with none voting ''nay'', Roll No. 82; **Pages H1401–02**

Providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution: H.J. Res. 82, to provide for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution; **Pages H1402–03, H1418**

Recognizing the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant: H. Res. 703, to recognize the 20th anniversary of the Chernobyl nuclear disaster and supporting continued efforts to control radiation and mitigate the adverse health consequences related to the Chernobyl nuclear power plant, by a yea and nay vote of 402 yeas to 1 nay, Roll No. 83; **Pages H1403–07, H1418–19**

Expressing support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process: H. Res. 744, to express support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process, by a yea and nay vote of 399 yeas with none voting ''nay'', Roll No. 84; and **Pages H1407–11, H1419–20**

Recognizing the benefits and importance of school-based music education: H. Con. Res. 355, amended, to recognize the benefits and importance of school-based music education. **Pages H1415–17**

Recess: The House recessed at 3:27 p.m. and reconvened at 6:30 p.m. **Page H1417**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration of the measure will resume tomorrow, April 5th:

Commending the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands, solemnly acknowledging the first detonation of a hydrogen bomb by the United States on March 1, 1954, on the Bikini Atoll in the Marshall Islands, and remembering that 60 years ago the United States began its nuclear testing program in the Marshall Islands: H. Res. 692, amended, to commend the people of the Republic of the Marshall Islands for the contributions and sacrifices they made to the United States nuclear testing program in the Marshall Islands, solemnly acknowledging the first detonation of a hydrogen bomb by the United States on March 1, 1954, on the Bikini Atoll in the Marshall Islands, and remembering that 60 years ago the United States began its nuclear testing program in the Marshall Islands. **Pages H1411–15**

Committee Election: The House agreed to H. Res. 754, electing the following member to the following standing committee: Committee on Science: Representative Neugebauer to rank after Representatives Feeney, and Diaz-Balart, Mario, of Florida. **Page H1420**

Senate Message: Message received from the Senate today appear on page H1429.

Senate Referrals: S. Con. Res. 60 was referred to the Committe on Resouces and S.J. Res. 28 was held at the desk. **Page H1450**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H1418, H1418–19, H1419. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:59 p.m.

Committee Meetings

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on

the Supreme Court. Testimony was heard from the following Associate Justices of the Supreme Court: Anthony M. Kennedy; and Clarence Thomas.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on Secretary of State, Foreign Assistance Programs. Testimony was heard from Condoleezza Rice, Secretary of State.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies held a hearing on the Defense Health Program. Testimony was heard from the following Surgeon Generals, Department of Defense: LTG Kevin Kiley, U.S. Army Medical Command; VADM Donald C. Arthur, U.S. Navy; and LTG George P. Taylor, U.S. Marine Corps.

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 Office of Science and Technology Policy. Testimony was heard from John H. Marburger, III, Director, Office of Science and Technology Policy.

GLOBAL WAR ON TERROR AND BEYOND

Committee on Armed Services: Held a hearing on improving interagency coordination for the Global War on Terror and beyond. Testimony was heard from ADM Edmund P. Giambastiani, USN, Vice-Chairman, Joint Chiefs of Staff, Department of Defense; Ambassador Henry A. Crumpton, Coordinator for Counterterrorism, Department of State; VADM John Scot Redd, USN (Ret.), Director, National Counterterrorism Center, Office of the National Intelligence Director; and Thomas W. O'Connell, Assistant Secretary, Special Operations and Low-Intensity Conflict, Department of Defense.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—FUTURE COMBAT/ FORCE PROTECTION

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2007 National Defense Authorization budget request—Future Combat Systems, Modularity, and Force Protection Initiatives. Testimony was heard from the following officials of the GAO: Paul L. Francis, Director, Acquisition and Sourcing Management; and Janet St. Laurent, Director, Defense Capabilities and Management; Mike Gilmore, Assistant Director, National Security, CBO; the following officials of the Department of the Army: Claude M. Bolton, Assistant Secretary (Acquisition, Logistics and Technology); LTG David F. Melcher, USA, Deputy Chief of Staff, Army G8 (Programming, Material Integration and Management); and LTG James J. Lovelace, USA, Deputy Chief of Staff, Army G3/5/7 (Operations and Requirements); LTG James N. Mattis, USMC, Commanding General, Marine Corps Combat Development Command; and MG William D. Catto, USMC, Commander, Marine Corps Systems Command, both with the Department of the Navy.

INTERNET CHILD PREDATORS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Sexual Exploitation of Children Over the Internet: What Parents, Kids, and Congress Need To Know About Child Predators." Testimony was heard from public witnesses.

In refusing to give testimony at this hearing, Ken Gourlay invoked Fifth Amendment privileges.

Hearings continue April 6.

VISA PROCESSING DELAYS

Committee on Government Reform: Held a hearing entitled "The Impact of Visa Processing Delays on the Arts, Education, and American Innovation." Testimony was heard from Tony Edson, Deputy Assistant Secretary, Visa Services, Department of State; Jess T. Ford, Director, International Affairs and Trade, GAO; and public witnesses.

MANAGING AIRPORT SECURITY

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Travel vs. Terrorism: Federal Workforce Issues in Managing Airport Security." Testimony was heard from Cathleen Berrick, Director, Homeland Security and Justice, GAO; Robert Jamison, Deputy Secretary, Operations, Transportation Security Administration, Department of Homeland Security; Kathy Dillaman, Deputy Associate Director, Center for Federal Investigative Services, OPM; and a public witness.

NUCLEAR SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Nuclear Security: Has the NRC Strengthened Facility Standards Since 9/11?" Testimony was heard from Jim

Wells, Director, Natural Resources and Environment, GAO; Nils Diaz, Chairman, NRC; Richard Blumenthal, Attorney General, State of Connecticut; and public witnesses.

SAFE PORT ACT

Committee on Homeland Security: Held a hearing on H.R. 4954, SAFE Port Act. Testimony was heard from Michael P. Jackson, Deputy Secretary, Department of Homeland Security; Bethann Rooney, Manager of Port Security, Port Authority of New York and New Jersey; and public witnesses.

GOVERNMENT-ACQUIRED PERSONAL INFORMATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law and the Subcommittee on Constitution held a joint oversight hearing entitled ''Personal Information Acquired by the Government From Information Resellers: Is There Need for Improvement?'' Testimony was heard from Linda D. Koontz, Director, Information Management Issues, GAO; Maureen Cooney, Acting Chief Privacy Officer, Department of Homeland Security; and public witnesses.

LOBBYING ACCOUNTABILITY AND TRANSPARENCY ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 4975, Lobbying Accountability and Transparency Act of 2006. Testimony was heard from public witnesses.

CONCURRENT RESOLUTION ON THE BUDGET FISCAL YEAR 2007

Committee on Rules: H. Con. Res. 376, Establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth appropriate budgetary levels for fiscal years 2008 through 2011.

Testimony was heard from Chairman Nussle and Representatives Spratt, Cooper, Scott of Virginia, and Jackson-Lee of Texas; action deferred.

527 REFORM ACT OF 2005

Committee on Rules: granted, by a vote of 9 to 3, a closed rule providing one hour of debate in the House on H.R. 513, 527 Reform Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill, modified by the amendment printed in the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule waives all points of order against the bill as amended. Finally, the rule provides one motion to recommit with or without instructions.

Testimony was heard from Chairman Ehlers and Representatives Shays, Pence, Dent and Jackson-Lee of Texas.

OVERSIGHT—RELIABILITY OF HIGHWAY TRUST FUND REVENUE ESTIMATES

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on Reliability of Highway Trust Fund Revenue Estimates. Testimony was heard from Robert Carroll, Deputy Assistant Secretary, Tax Analysis, Department of the Treasury; Donald Marron, Acting Director, CBO; and Katherine Siggerud, Director, Physical Infrastructure Issues, GAO.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 269)*

H.R. 4911, to temporarily extend the programs under the Higher Education Act of 1965. Signed on April 1, 2006. (Public Law 109–212)

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 5, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2007 for Sergeant at Arms, U.S. Capitol Police, and Capitol Guide Service, 10:30 a.m., SD–18.

Subcommittee on Commerce, Justice, Science and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Justice, 2 p.m., SD–192.

Subcommittee on Energy and Water, to hold hearings to examine proposed budget estimates for fiscal year 2007 for Army Corps of Engineers, 2:30 p.m., SD–124.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, 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, 9:30 a.m., SR–222.

Subcommittee on Readiness and Management Support, to hold hearings to examine improving contractor incentives in review of the defense authorization request for fiscal year 2007, 3 p.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Global Climate Change and Impacts, to hold hearings to examine the current and future role of

science in the Asia Pacific Partnership, 2:30 p.m., SD–562.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine the 2005 wildfire season and the Federal land management agencies' preparations for the 2006 wildfire season, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the nominations of Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, Department of Transportation, and James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances, and William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator, both of the Environmental Protection Agency, 9:30 a.m., SD–628.

Committee on Finance: to hold hearings to examine the nomination of W. Ralph Basham, of Virginia, to be Commissioner of Customs, Department of Homeland Security, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the Indian separation plan and the administration's related legislative proposal, relating to U.S.-India atomic energy cooperation, 9:30 a.m., SH–216.

Subcommittee on European Affairs, to hold hearings to examine Islamist extremism in Europe, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Bioterrorism and Public Health Preparedness, to hold hearings to examine all hazards medical response, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine S. 2459, to improve cargo security, 10 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine various avenues of Federal funding for museums including authorized programs, grantmaking agencies and earmarks, 2:30 p.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine the problem of methamphetamine in Indian country, 9:30 a.m., SR–485.

Committee on Veterans' Affairs: business meeting to consider the nomination of Daniel L. Cooper, of Pennsylvania, to be Under Secretary of Veterans Affairs for Benefits, time to be announced, S–216, Capitol.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

House

Committee on Agriculture, to mark up H.R. 4200, Forest Emergency Recovery and Research Act, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on Department of the Treasury, 10 a.m., and on the Federal Judiciary, 3 p.m., 2358 Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, on DOE Energy Supply and Conservation, Fossil Energy, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on National Park Service, 10 a.m., B–308 Rayburn.

Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies, on BRAC 2005 Implementation, 10 a.m., H–143 Capitol.

Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on Secretary of Commerce, 10 a.m., and on State International Organizations, 2 p.m., 2359 Rayburn.

Committee on Armed Services, hearing to review major defense acquisition reform initiatives, 10 a.m., 2118 Rayburn.

Subcommittee on Projection Forces, hearing on the U.S. Shipbuilding Industrial Base, 4 p.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on service contracting's impact on military readiness, 2 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on future plans for the Department of Energy's nuclear weapons complex infrastructure, 3:30 p.m., 2237 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on implementing the 2006 Quadrennial Defense Review (QDR) recommendations to combat weapons of mass destruction (WMD), 2 p.m., 2212 Rayburn.

Committee on Energy and Commerce, to mark up the Communications Opportunity, Promotion, and Enhancement Act of 2006, 10 a.m., 2123 Rayburn.

Committee on Financial Services, to consider H. Res. 718, Requesting the President and directing the Secretary of Homeland Security to provide to the House of Representatives certain documents in their possession relating to the Dubai Ports World acquisition of six United States ports leases, 12 p.m., 2128 Rayburn.

Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, hearing entitled ''Reauthorization of the Export-Import Bank of the United States,'' 2 p.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled ''Transforming the Federal Housing Administration for the 21st Century,'' 9 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Energy and Resources, hearing entitled: Conjunctive Water Management: A Solution to the West's Growing Water Demand?'', 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Finance, and Accountability, hearing entitled ''The Improper Payments Information Act—Are Agencies Meeting the Requirements of the Law?'', 2 p.m., 2247 Rayburn.

Subcommittee on Regulatory Affairs, hearing entitled ''The Sarbanes-Oxley Act Four Years Later: What Have We Learned?'', 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on the U.S.-India Global Partnership, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, to mark up the following bills: H.R. 4975, Lobbying Accountability and Transparency Act of 2006; and H.R. 3509, Workplace Goods Job Growth and Competitiveness Act of 2005, 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing entitled ''Patent Quality Enhancement in the Information-Based Economy,'' 4 p.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on H.R. 4777, Internet Gambling Prohibition Act, 2 p.m., 2141 Rayburn.

Committee on Resources, hearing on H.R. 4893, to amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming, 11 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 5025, Mount Hood Stewardship Legacy Act; H.R. 5016, Las Cienegas Enhancement Act; and H.R. 3534, Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2005, 9:15 a.m., 1310 Longworth.

Subcommittee on Water and Power, oversight hearing entitled ''The Bureau of Reclamation's 21st Century Challenges in Managing, Protecting and Developing Water and Power Supplies,'' 2 p.m., 1324 Longworth.

Committee on Rules, to mark up H.R. 4975, Lobbying Accountability and Transparency Act of 2006, 2:30 p.m., H–313 Capitol.

Committee on Science, to mark up H. Res. 717, Directing the Secretary of Commerce to transmit to the House of Representatives a copy of a workforce globalization final draft report produced by the Technology Administration, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''IRS Latest Enforcement: Is the Bulls-Eye on Small Businesses?'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following: U.S. Army Corps of Engineers Survey Resolutions; GSA Capital Investment and Leasing Program Resolutions; H. Con. Res. 235, Expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual; H. Con. Res. 349, Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 359, Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; H. Con. Res. 372, Recognizing the 50th anniversary of the Interstate Highway System; H.R. 3858, Pets Evacuation and Transportation Standards Act of 2005; H.R. 4880, Maritime Terminal Security Enhancement Act of 2006; the National Transportation Safety Board Reauthorization; the Railroad Retirement Correction Bill; and other pending business, 11 a.m., 2167 Rayburn.

Committee on Ways and Means, hearing on implementation of the United States-Oman Free Trade Agreement, 10:30 a.m., 1100 Longworth.

Subcommittee on Human Resources, hearing on the use of technology to improve public benefit programs, 3 p.m., B–318 Rayburn.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, April 5

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 2454, Securing America's Borders Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, April 5

House Chamber

Program for Wednesday: Consideration of suspensions (1) H.R. 3127—Darfur Peace and Accountability Act of 2006; (2) H. Con. Res. 320—Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Dr. Pham Hong Son and other political prisoners and prisoners of conscience; (3) H. Res. 578—Concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania; (4) H. Con. Res. 360—Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; (5) H. Con. Res. 371—Honoring and congratulating the Minnesota National Guard, on its 150th anniversary, for its spirit of dedication and service to the State of Minnesota and the Nation and recognizing that the role of the National Guard, the Nation's citizen-soldier-based militia, which was formed before the United States Army, has been and still is extremely important to the security and freedom of the Nation; (6) H. Con. Res. 370—Expressing the sense of the Congress that Saudi Arabia should fully live up to its World Trade Organization commitments and end all aspects of any boycott on Israel; (7) H. Res. 737—Supporting the goals and ideals of Financial Literacy Month; (8) H.R. 4688—Mayor John Thompson 'Tom' Garrison Memorial Post Office Designation Act; (9) H.R. 4561—Francisco 'Pancho' Medrano Post Office Building Designation Act; (10) H.R. 4646—Coach John Wooden Post Office Building Designation Act; (11) H. Res. 556—Expressing the sense of the House of Representatives that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic; (12) H. Con. Res. 366—To congratulate the National Aeronautics and Space Administration on the 25th anniversary of the first flight of the Space Transportation System, to honor Commander John Young and the Pilot Robert Crippen, who flew Space Shuttle Columbia on April 12–14, 1981, on its first orbital test flight, and to commend the men and women of the National Aeronautics and Space Administration and all those supporting America's space program for their accomplishments and their role in inspiring the American people; and (13) H. Res. 541—Honoring Drs. Roy J. Glauber, John L. Hall, and Theodor W. Hansch for being awarded the Nobel Prize in Physics for 2005, and Drs. Yves Chauvin, Robert H. Grubbs, and Richard R. Schrock for being awarded the Nobel Prize in Chemistry for 2005. Also consideration of H.R. 513—527 Reform Act of 2005 (Subject to a Rule).

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