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# House of Representatives

The House met at 10 a.m.

The Reverend Steven T. Cherry, President, Wesley Enhanced Living at Heritage Towers, Doylestown, Pennsylvania, offered the following prayer:

God of the nations, You gave this new day, blessed it with springtime color, and we give You thanks.

Look today on Your people throughout this beloved Nation, a grand diversity from all corners of the land, and bind us together in the principles of liberty, respect, and service. Teach us to revere those advanced in age who feel the weight of years but live with depth of character that comes from long life. May we be so reverent in the face of the profound gift of life. We give deep thanks for all those who act out of dedication to sisters and brothers, wherever they serve.

Give to all those who work in this place, O God, strength, wisdom and pause to consider Your grace in our midst. You have given to them the great traditions and tools of leadership forged from years of testing. May Your work prevail today.

We pray in the name of Jesus, the Christ. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Mrs. CAPPS) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPPS 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.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment Joint Resolutions of the House of the following titles:

H.J. Res. 81. Joint resolution providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 82. Joint resolution providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

## WELCOMING REVEREND STEVEN T. CHERRY

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

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, it is my honor to welcome Reverend Steven Cherry to the House Chamber this morning as our guest chaplain. It is my further honor to welcome the residents of Heritage Towers, a retirement community located in Doylestown, Pennsylvania, where Reverend Cherry serves as Executive Director. They are in the House Chamber as I speak to lend their support to the Reverend as well as to see our body in action. Welcome to the Nation's capital.

I have had many opportunities to visit Heritage Towers and meet with the 350 residents who call the community home. I also have had the chance to speak with Reverend Cherry about the mission of Heritage Towers and how it is not just a retirement community but a place where seniors can enhance not only their minds and bodies but their spirit as well.

Reverend Cherry is tasked with the challenge of maintaining the high quality of the services Heritage Towers offers. He is well-equipped to meet that challenge. Reverend Cherry has served as the finance chairman for the Berwyn United Methodist Church and as a board member of the Central Bucks YMCA. In his ecclesiastical role, Reverend Cherry has served as the pastor of many churches, including the Radnor Church in Rosemont and the Iona Methodist Church in Lebanon.

Mr. Speaker, Reverend Cherry has shown his dedication to service and community action throughout his career. Heritage Towers is lucky to have him as Executive Director, and the House is honored to have him with us today.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KOLBE). The Chair will entertain up to 10 one-minutes from each side.

## LONE STAR VOICE: MICHAEL ESTEP, SR.

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

Mr. POE. Mr. Speaker, working Americans continue to voice concern about the unlawful entry into the United States. Michael Estep, Sr., from Spring, Texas writes to me:

''I am writing to express my most sincere concern for our Nation and the State with regard to the current immigration issues. Having served in both public law enforcement and the private sector for the past 30 years, in all these years I have not seen one good side of illegal immigration, just varying degrees of bad. The strain on local and State medical services, higher insurance costs due to uninsured and unlicensed motorists, the criminal justice system where 29 percent of the American prison population are illegal aliens, are all paid by the citizens.

''What is happening to the land the greatest generation fought to protect? Is the uncontrolled assimilation into



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the melting pot of America destroying the values and resources which made us strong? Is this unchecked invasion crippling our ability to tell the difference between right and wrong, leading us to choose the politically correct solution rather than the right answer?

''I ask your support of immigration reform in the strongest terms. Too many citizens and illegals alike choose which laws are to be obeyed while seeking protection from the law through protests and civil disobedience.''

That's just the way it is.

## REPUBLICAN FISCAL IRRESPONSIBILITY, HOUSE REPUBLICANS REFUSE TO CHANGE COURSE

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

Mr. CLEAVER. Mr. Speaker, the other side will once again try to spin their 2007 budget as fiscally responsible. The American people know better. For 5 years now, Republicans have controlled both the Congress and the White House, and for 5 years our budget deficit has been spiraling out of control. Two years ago, former House majority leader Dick Armey told the Wall Street Journal, and I am quoting, ''I am sitting here and I am upset about the deficit and I am upset about spending. There is no way I can pin that on the Democrats. Republicans own the town.''

That is a former Republican leader talking about their fiscal irresponsibilities.

For 5 years now those who own the town created the fourth largest budget deficit in American history. According to the Congressional Budget Office, the 2000 budget those who own the town plan to bring to the floor this week is the fourth most fiscally irresponsible budget in history, creating an additional $348 billion debt, and yet those who own the town try to claim their fiscal responsibility.

Members of their own party don't even believe that anymore.

## HONORING GORDON PARKS

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

Mr. RYUN of Kansas. Mr. Speaker, I rise today to honor the life of a great American, my constituent Gordon Parks.

Mr. Parks was born in Fort Scott, Kansas, the youngest of 15 children. Mr. Parks' accomplishments from this simple beginning are far too many to name in the limited time allotted to me, but allow me to list some of his more significant contributions.

Mr. Parks was the first African American to write, produce and direct a motion picture. He was an award-winning photographer for Life magazine and helped found Essence, the first magazine targeted to African American women.

Mr. Parks won an Emmy in 1968 for the documentary, Diary of a Harlem Family. He received the National Medal of Arts from President Reagan in 1988, and was inducted into the International Photography Hall of Fame in 2002.

Mr. Speaker, Gordon Parks passed away on March 6, 2006, leaving behind an expansive legacy. I come to the floor today to honor his life and to thank him for significant breakthroughs that occurred because of his life.

## DEMOCRATIC BUDGET IS FISCALLY RESPONSIBLE AND PROTECTS WORKING FAMILIES

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

Ms. SOLIS. Mr. Speaker, today I rise to speak out against the House Republicans' plan for an irresponsible budget that they are going to be presenting.

While the House Republican budget never reaches balance, the Democrats' alternative is balanced by 2012. We simply must restore fiscal sanity here in Washington and the fact is the Republican budget doesn't even get there.

The House Democratic alternative will not only provide a blueprint to get us back to balanced budgets, but it will restore critical domestic funding for programs that are so important for working class families.

The Democratic budget provides the needs for working families who have been hit hard by Washington Republicans over the last 5 years. As they continue to face increasing gasoline prices, home heating bills, an increase in health care costs, and high tuition bills, we can't even send our children to college. Our budget provides critical funding for homeland security, education, health, veterans' benefits, and environmental programs that are all left out of the Republican budget.

It is time that this House start working on behalf of the working families in our country.

## PLANNED PARENTHOOD MARKETING GIMMICKS

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

Mr. PITTS. Mr. Speaker, I read recently that Planned Parenthood in San Francisco has launched a fresh marketing gimmick to drum up new business for its clinics.

Under its ''Tell A Friend'' campaign, girls can earn free movie tickets for referring a friend to Planned Parenthood clinics. These same area clinics are offering the chance to win a free iPod for scheduling an appointment by April 30.

While the idea of luring young girls into abortion clinics with gimmicks like free iPods and movie tickets may be outrageous, I guess it shouldn't be surprising. After all, Planned Parenthood may be feeling the financial squeeze these days.

Statistics show U.S. teenagers are having fewer abortions than any time since Roe v. Wade, and polling indicates that today's teenagers are more pro-life than previous generations.

Mr. Speaker, the pro-choice side likes to say that their goal is to see that abortion in America is safe, legal and rare; but those who truly seek to reduce abortion rates in America aren't baiting girls into abortion clinics with offers of free movie tickets and iPods.

## HONORING PORTLAND PILOTS WOMEN'S SOCCER TEAM

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

Mr. BLUMENAUER. Mr. Speaker, I am pleased to welcome this morning the University of Portland Women's Soccer Team to our Capitol and congratulate them for their undefeated season, winning the 2005 NCAA Champion Division I Title, their second championship in 4 years. Even the team's dedicated fans have set a new NCAA attendance record for any soccer season, men or women.

I want to congratulate University President, Father Bill Beauchamp, Head Coach Garrett Smith, and the entire university community as the Pilots carried on the legacy of the late legendary coach Clive Charles.

Most of all, I congratulate these women whose combination of athletic and academic excellence is an inspiration for young people everywhere, especially today's young women.

There is much to celebrate ''Up on the Bluff.'' The women's soccer team is a great example of excellence at the University of Portland. I welcome them to the Capitol and their White House ceremony later today.

## RESPONSIBLE IMMIGRATION REFORM

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

Mr. GINGREY. Mr. Speaker, I rise today as a strong supporter of effective immigration reform and with a sense of urgency that Congress must act decisively to secure our borders and control illegal immigration.

Every day we put off sending the President border security legislation simply allows more opportunity for illegal immigrants to break our laws and cross our borders.

America must not continue to be a foster home for those who deliberately break the law. Rather, we must be a Nation that respects law and encourages safe and legal immigration.

The burden of illegal immigration is increasing daily for American citizens as hospitals and schools are filled with illegal immigrants who cannot pay for

their education or their medical expenses. Indeed, illegal immigration is not a victimless crime, and as long as our Nation continues to turn a blind eye, illegal immigrants have all the incentives in the world to risk their lives crossing our border.

As the Senate deliberates their approach to reform, I believe we in the House need to continue to emphasize border security first and foremost, our opposition to amnesty, and support for a national guest worker program that treats those seeking jobs here as exactly that, guests not citizens.

□ 1015

## NATIONAL PUBLIC HEALTH WEEK

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

Mrs. CAPPS. Mr. Speaker, I wish to remind my colleagues that this week, April 3–9 is National Public Health Week.

I want to thank the efforts of the American Public Health Association and its 200-plus partners who have organized events around the Nation that serve to raise everyone's awareness of the need to improve public health.

This year, the theme of National Public Health Week is, ''Designing Healthy Communities, Raising Healthy Kids.''

Mr. Speaker, less than 10 percent of our Nation's children walk or ride their bicycles to school, and too many schools continue to invite fast-food vendors into their cafeterias.

In America today, the percentage of children and adolescents who are defined as overweight is more than double what it was in the early 1970s.

My experience as a school nurse taught me that we need to make a concerted effort, all of us, to increase physical fitness activity among our children and to encourage all Americans to adopt a healthier diet that includes fruits and vegetables, but there is more.

If we are going to be successful in designing healthy communities and raising healthy kids, we must make sure this message is heard the entire year and not just for 1 week.

I urge my colleagues to support this and other efforts to promote children's health.

## ILLEGAL IMMIGRATION

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

Mrs. BLACKBURN. Mr. Speaker, illegal immigration, the process of choosing to enter this country illegally, of violating our laws, is clearly a priority of concern with the American people, and I don't think the American people are asking too much when they call our offices and tell us to secure the border and bring a halt to the massive problem of illegal entry into this country.

Some in this debate are trying to characterize those of us who want to get serious about illegal entry as mean-spirited and anti-immigrant. It is ridiculous.

In a column a while back, Peggy Noonan asked the question, What does it mean when the first thing a person does when coming into the country is break our laws? Mr. Speaker, that is a good question.

We absolutely cannot condone or incorporate into our society large numbers of people whose first act upon entering this country is to break a law.

We need to overhaul our border security. We need to overhaul the process by which people are legally admitted to this Nation.

## VOTER CONFIDENCE AND INCREASED ACCESSIBILITY ACT

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

Mr. HOLT. Mr. Speaker, a government such as ours, by the people, works only if the citizens believe it does. Yet, voting irregularities in polling places around the Nation have played an important role in eroding the trust of many Americans in Americans' ability to govern ourselves.

Most or even all of the problems can be addressed, and we should do that. Today, hundreds of citizens are coming to Washington from around the country to urge that we enact H.R. 550, to give every voter a system of voting that allows voter-verified paper audit trails.

Everything of value should be auditable, no less so votes, and every voter should be confident that his or her vote is recorded and counted as intended.

Passage of the Voter Confidence and Increased Accessibility Act will be a big step toward restoring confidence in our government.

## IMMIGRATION REFORM

(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. Mr. Speaker, this week the Senate is continuing to debate immigration reform which, of course, is badly needed.

I would urge the Senate to look to the legislation that was passed by this House in December when crafting their legislation. America needs the House immigration and border security bill to protect our borders.

The legislation that we passed ends the catch-and-release program, it gets tough on repeat offenders, promotes cooperation amongst local law enforcement as well, and it installs requirements to ensure that those who are here illegally in our country do not take jobs from American citizens.

Some say that these illegals just take the jobs that Americans won't do, but I received a letter just the other day from one of my constituents who urged me to push for tougher immigration laws because he can't find work as a drywaller because of illegal foreign workers.

This is considered a very good job from where I come from, the type of job that has built our middle class.

Now we hear the Senate has cut a deal on providing amnesty for some illegal aliens, and I would have a message for the distinguished Senators on the other side of this building: amnesty has no chance of passage in this House. Look to the House bill if you want to see real immigration reform.

## REPUBLICANS CREATE A RESPONSIBLE BUDGET FOR AMERICA

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

Mr. WILSON of South Carolina. Mr. Speaker, Congress is currently evaluating America's needs and trying to decide upon a budget that will responsibly provide for our Nation in 2007.

We should approach this process with the same wisdom and self-restraint used by American families when they decide upon their budget. While we must provide for our needs, we must eliminate unnecessary government programs and prepare for emergencies.

House Republicans are focused on strengthening our Nation's most critical programs, reforming the government, and spending taxpayers' dollars wisely. The Lexington County Chronicle is correct, that the money belongs to the people, not to the government.

I am particularly proud of Chairman JIM NUSSLE's efforts to save $6.8 billion in spending and reduce the deficit by implementing commonsense reforms. Most importantly, we are taking immediate steps to ensure that the American economy continues to create jobs for American workers.

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

## REPUBLICAN BUDGET

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

Mr. DEFAZIO. If we adopt the Republican budget late tonight or tomorrow, the Republicans will set a new record: 5 consecutive years of the largest deficits in our Nation's history.

Two weeks ago, the Republicans in the Senate voted to raise the debt limit in the United States of America to $9 trillion. That is the fourth debt increase in 5 years. This majority and this President Bush have added 65 percent to the debt of the United States in 5 short years.

The President has accumulated more foreign debt than the 42 Presidents who preceded him, and this budget is business as usual: borrow money, borrow all of the Social Security trust fund and spend it, in part, on tax breaks for the wealthy.

This budget assumes that we will continue to borrow money to fund yet more tax breaks for the wealthiest among us, despite the Internal Revenue data that came out yesterday showing that their tax breaks benefit those making over $10 million a year by $500,000 a year. Should people who work for wages and salaries be forced to pay debt to give tax breaks to people who earn over $10 million a year? They say yes.

## RESTORING FISCAL SANITY AND PAYGO

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

Mr. DAVIS of Tennessee. Mr. Speaker, House Republicans claim to be fiscally responsible; and if that is the case, I encourage them to join the Democrats in supporting a policy called pay-as-you-go.

Democrats strongly support the reinstatement of commonsense pay-as-you-go budget rules that would require any increase in mandatory spending and any decreases in revenue be offset elsewhere in the budget so that we don't add to the deficit.

PAYGO rules were adopted on a bipartisan basis in 1990 and then reenacted again in 1997 before Republicans allowed such rules to expire in 2002. PAYGO budget rules are widely credited with producing record budget surpluses between 1998 and 2001.

President Bush and congressional Republicans previously supported PAYGO rules for both spending and taxes, but now oppose the application of such rules to taxes because they would be forced to offset their tax legislation. They seem willing to let the deficit spiral out of control as long as they continue to give and provide tax breaks to the very wealthy.

It is time that the Republicans start thinking about our Nation's future. It is imperative we reject the budget so we can reinstate PAYGO rules that will restore fiscal discipline.

## REPUBLICANS SELLING OUR COUNTRY AWAY TO FOREIGN NATIONS

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

Mr. MEEK of Florida. Mr. Speaker, it is an honor again to be here on the House floor to share with the American people what is actually going on here in the Capitol.

I want to share with the American people that President Bush and the Republican majority in just 4 years have borrowed $1.05 trillion from foreign nations. That is selling our country to other nations because of the spending that is going on. That is more than 42 Presidents before this President and the Republican majority and 224 years.

What does that mean to Americans? What does that mean to our future? Japan holds $682.8 billion of our debt; China owns $249.8 billion of our debt; the U.K., $223.2 billion of our debt; Caribbean nations, $115.3 billion of our debt; Taiwan, $71.3 billion of our debt; OPEC nations, $67.8 billion of our debt; Germany, $65.7 billion of our debt; Korea, $66.5 billion of our debt; and Canada, $53.8 billion of our debt.

Republicans are going to sell this country away to other countries, and I think it is important that we take on fiscal responsibility.

## REPUBLICAN BUDGET A GIFT TO SPECIAL INTERESTS AND A SLAP IN THE FACE TO THE AMERICAN PEOPLE

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

Mr. PALLONE. Mr. Speaker, House Republicans are expected to bring a 2007 budget to the floor this week that they say demonstrates their priorities. Unfortunately, House Republicans once again essentially rubber-stamp the President's budget, refusing to stand up for fiscal discipline and refusing to truly address the needs of everyday Americans.

The Republican budget makes harmful cuts to critical services for working families and uses these cuts to partly pay for new tax cuts, primarily benefiting America's millionaires.

This budget slashes education, training and social services funding; cuts veterans health care and taxes military retirees; cuts homeland security, including port security; squeezes programs for low-wage workers and vulnerable families; slashes environmental protection and conservation funding; and cuts funding for public health programs and medical research.

The wealthiest Americans are doing just fine. They don't need any more help from Washington Republicans. It is America's middle class who have lost out over the last 5 years, and they are not getting help from the Republican budget. We should reject this mean-spirited budget.

## COMMUNICATION FROM THE HON. JON C. PORTER, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. KOLBE) laid before the House the following communication from the Honorable JON C. PORTER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, April 5, 2006.*

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for documents issued by the U.S. District Court for the Western District of Pennsylvania.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JON C. PORTER,
*Member of Congress.*

## PROVIDING FOR CONSIDERATION OF H. CON. RES. 376, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2007

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 766 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 766

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (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. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed four hours, with three hours of general debate confined to the congressional budget equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Saxton of New Jersey and Representative Maloney of New York or their designees. After general debate the Committee of the Whole shall rise without motion. No further consideration of the concurrent resolution shall be in order except pursuant to a subsequent order of the House.

□ 1030

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, House Resolution 766 is a rule that provides for general debate of House Concurrent Resolution 376, the bill establishing the congressional budget for the Federal Government for fiscal year 2007, and setting forth the appropriate budgetary levels for fiscal years 2008 through 2011.

As a member of both the Rules Committee and the Budget Committee, I am pleased to bring this resolution to the floor for consideration. This rule provides for 4 hours of general debate, with 3 hours equally divided and controlled by the chairman and ranking member of the Budget Committee, and 1 hour on the subject of economic goals and policies, again equally divided and controlled by Representative SAXTON of New Jersey and Representative MALONEY of New York or their designees.

The rule waives all points of order against consideration of the concurrent resolution, and it provides that after general debate the Committee of the Whole shall rise without motion and no further consideration of the bill shall be in order except by subsequent order of the House.

This rule allows the House to begin consideration of the congressional budget. The budget is an important tool of the Congress, allowing us to establish our priorities for the coming year. I am proud that this budget responds to the Nation's complex challenges with the straightforward principles of strength, spending control, and a continued commitment to reform.

The budget resolution continues policies that have helped to reestablish a strong United States economy. We have included savings for working Americans to the tune of $228 billion. We extend the 2001 and 2003 tax reforms, preventing what would otherwise be an automatic tax increase from their scheduled expiration. The budget also assumes the extension of other expiring tax provisions, including the alternative minimum tax relief, a House-passed pension bill, and other important economic growth measures.

While working to give Americans back some of their hard-earned dollars and letting them keep more of their hard-earned dollars, we are also working to enact a responsible spending plan that exercises control and restraint. I am proud that once again this House has delivered a budget that practices conscientious spending. Our goal is to stem the ever expanding outflow of Federal dollars.

House Concurrent Resolution 376 has an overall discretionary spending level that is equal to the President's budget request of $873 billion. It allows for the President's requested 7 percent increase in defense and a 3.8 percent increase for homeland security. As always, the discretion lies with the House Appropriations Committee to determine the final allocation of these funds. This budget essentially freezes nonsecurity discretionary spending, with only a 0.1 percent increase over last year's level, a tenth of a percent. As an additional savings method, the budget caps advance appropriations, spending that is for the year after the budget year.

In the area of mandatory spending, entitlement spending, we provide a total of $1.5 trillion. In an effort to control the automatic effusion of dollars, the budget resolution calls for mandatory spending reforms from several committees. These savings, these mandatory spending savings, total $6.75 billion over 5 years.

This is an important distinction. This is one of the first times in the history of modern budgeting that there has been back-to-back reconciliation instructions in the House budget. Today, over half of Federal spending is essentially on autopilot. Fifty-five percent of Federal expenditures today are going into what is known in budget parlance as mandatory accounts. So all of the discretion that lies within this body and lies within the Senate is not even half of the Federal budget. And within 10 years, if these reconciliation instructions are not implemented, that are embedded in this budget for the second year in a row, then within 10 years it will consume two-thirds of the Federal budget, two-thirds of the Federal budget being on autopilot if we don't implement the reforms that this budget calls for.

Last year was the first year since 1997 that we had made the effort through passage of the Budget Act to get our arms around mandatory spending through reconciliation instructions. This year we do that again. This is an important reform effort. Again, it is one of the few times in modern history where there has been back-to-back reconciliation instructions that allows us to reduce the size of the Federal deficit.

Mr. Speaker, I am pleased that this year the Budget Committee included an emergency reserve fund to help Congress plan for unforeseen costs that may arise in the future. We have set aside $50 billion toward an expected wartime supplemental, as well as $4.3 billion for unanticipated emergencies, such as natural disasters, and $2.3 billion for potential avian flu costs.

As a Congressman from the great State of Florida, I can tell you with a great deal of certainty that the last several years have been very active in the Atlantic hurricane season. We know, without being able to see into the future, we know that somewhere in the next year there is likely to be a hurricane that will make landfall in the United States. Somewhere in the United States this year there will almost certainly be devastating wildfires. Somewhere in the United States in the coming fiscal year there will almost certainly be an earthquake or devastating tornadoes.

Hopefully, we will not have a natural disaster that reaches the catastrophic level that Hurricane Katrina reached. But nevertheless, just like responsible businesses and responsible homeowners who set aside money in their savings accounts for when the hot water heater breaks or when the car needs new tires or when the transmission goes out, the Federal Government, a little bit slowly, but nevertheless has come around to the notion that we should plan for emergencies, particularly those types of very expensive natural disasters that do frequently strike our shores.

With increased spending control, tax relief, and these important budget reforms, this budget makes a sizable dent in our deficits. Under these policies, the deficit will fall by more than half, from $521 billion, which is projected in fiscal year 2004, to $191 billion in fiscal year 2009, which is below the President's planned budget achievements.

I am proud of the work of the Budget Committee this year. I thank Chairman NUSSLE for pushing forward with fiscal discipline and bringing us this excellent budget for our consideration, and I urge Members to support the rule and the underlying bill.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank my good friend from Florida (Mr. PUTNAM) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, we have seen this movie before. Just like last year and the year before that and the year before that, the budget resolution put forward by the House Republican leadership today is an awful piece of legislation. There is no other way to describe it.

It is a budget that hurts American families. It is a budget that continues to create a government without a conscience. It is a budget that punishes the poor and the middle class and rewards the very wealthy and special interests. It is a budget that explodes our Nation's deficit and passes mountains of debt onto our children and grandchildren. It is a budget that deliberately misleads the American people about the cost of our ongoing wars in Iraq and Afghanistan. In short, Mr. Speaker, this is a budget that deserves to be defeated soundly by every Member of this House.

The details speak for themselves. This budget includes a deficit for 2006 of $372 billion and a deficit for 2007 of $348 billion. In fact, if this budget is approved, the five largest deficits in the history of the United States of America will have occurred in the past 5 consecutive years, all during the period when the House, the Senate, and the White House are totally under Republican control. What in the world has happened to the party of fiscal discipline? They have become the party of runaway spending and reckless tax giveaways.

Even worse than this unchecked spending binge is the Republican leadership's deliberate misleading of the American people. We are at war, Mr. Speaker, and every day our brave soldiers patrol the most remote areas of Afghanistan and the most dangerous neighborhoods in Iraq. Every day the American people learn of more roadside bombings, insurgent attacks, and

death in Iraq. Every day the Iraqis seem more and more unable to form a functioning government, and every day Iraq slips further and further into chaos and civil war. And every day our credibility around the world gets lower and lower. And every day our Nation sinks deeper and deeper into a violent quagmire.

But with all of this, Mr. Speaker, how do you explain only $50 billion in funding for the wars in Iraq and Afghanistan for fiscal year 2007, and after that no funding at all? Now, if the Republicans actually carry out what they are promising in this budget, the United States won't be spending a penny in Iraq or Afghanistan after 2007. Maybe they have miraculously stumbled upon an exit strategy, which would be just fine with me. But last year, the United States spent over $100 billion on the wars in Iraq and Afghanistan, and all told we have spent $357 billion over the past 4 years on fighting these wars.

President Bush recently announced that the American troops will be in Iraq until at least 2009. The truth, of course, is that the Bush administration will be back before we know it asking for tens, if not hundreds of billions of dollars more in so-called emergency funding to pay for their failed foreign policy. But then, Mr. Speaker, why should we expect the Republicans in Washington to start telling the truth about Iraq now, given the fact we have been lied to, deceived, and misled from day one.

What will happen is that the Republican leadership will write a blank check without asking the tough questions, without demanding the straight answers, and without conducting the kind of oversight that is our responsibility as Members of Congress.

And while we are on the subject of war and its aftermath, Mr. Speaker, let us examine how this budget handles our veterans. Now, my Republican colleagues will pat themselves on the back and crow about how they have increased funding for veterans in fiscal year 2007, but once again the devil is in the details. The truth is that over the next 5 years, the Republicans actually cut the same funding by a total of $4 billion.

Do they think our current and future veterans are just going to fade away? Talk about cutting and running. At a time when America is creating hundreds, if not thousands of new veterans, and when thousands of those veterans are going to need significant health care support for the rest of their lives because of their service in Iraq and Afghanistan, it is shameful that the Republicans in Washington are blatantly ignoring our veterans. Sending our brave servicemen and women to war without providing for their care when they return is not an American value.

Let me say to my colleagues on the other side of the aisle, if you are going to send our servicemen and women into war, you have an obligation to them, a moral obligation to them that when they return home as veterans that they will be cared for. To do otherwise is to disrespect their service. And that is what this budget does. How does anyone in this Chamber vote for this budget and then go back to their districts, look their veterans in the eye and say with a straight face that we have done our best for you? You can't.

The list of misplaced priorities in this budget, Mr. Speaker, goes on and on. This budget slashes critical programs in the areas of education, job training, environmental protection and conservation funding, public health programs, medical research, and social services. It fails our responsibility to protect America by allowing $6.2 billion worth of cuts to homeland security programs.

And where is the money for port security? Didn't my Republican friends say that they were concerned about our ports when joining with Democrats in opposing the President's selling of our port security to the United Arab Emirates?

□ 1045

Maybe I need new bifocals, but I cannot find the necessary funding to make our ports secure in this budget.

This budget cuts programs that helps low-wage workers and vulnerable families. In fact, the Republican leadership cuts into these programs even more deeply than President Bush's proposal.

To top it all off with a Nation at war, with desperate priorities that need to be met, with veterans who need our help and the gulf coast still devastated from last year's hurricanes, the Republican leadership still has the audacity to give the wealthiest Americans $228 billion in new tax cuts while passing the cost of those tax cuts onto our children. It just takes my breath away.

My friends on the other side of the aisle will say this budget reflects necessary tough choices. My question, however, is this: Why do all of the tough choices hurt average families? Why don't some of the tough choices include forgoing tax cuts for wealthy people or ending subsidies in tax breaks for oil companies that are gouging families at the pump, or no more giveaways to pharmaceutical companies until they provide cheaper drugs for our citizens? Why is it all of the Republican tough choices spell tough choices for working families, senior citizens, students, veterans and the most vulnerable?

Mr. Speaker, there is a better way. Democrats have a plan that works, a plan that reestablishes fiscal discipline by implementing a pay-as-you-go strategy, a plan that provides our veterans over $8 billion more in assistance than the Republican budget, a plan that balances the budget by 2012, a plan that properly funds our domestic priorities including homeland security, a plan that gives our veterans the care and the respect they deserve, and a plan that provides fiscally responsible tax relief to millions of hardworking middle-class Americans.

What the Republicans have proposed today is out of step with the American people. Indeed, it is way out of the mainstream. This is a budget that reflects a heart of stone. I can only say to my colleagues on both sides of the aisle that the day has come for a new direction, a new set of priorities, a new commitment to the American people. The day has come for us to recreate a government with a conscience.

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

Mr. PUTNAM. Mr. Speaker, it is always fun to have these debates. We ought to at least start out with our facts straight, though. For the last 10 years, spending per veteran under Republican leadership has doubled. In the last 10 years, spending budget authority for veterans medical care nearly doubled going from $16.2 billion to $31 billion.

Facts are stubborn things, my friend.

Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I thank the gentleman from Florida, the elder statesman, Mr. PUTNAM, and I as a Member of the House can say that to my good friend, Mr. PUTNAM.

Today I want to quote from the ranking member on the Budget Committee: "A budget is a statement of moral choices, and this budget makes the wrong choices, cutting education, Medicare and Medicaid and barely funding the bold initiatives that the President set out in his State of the Union. Its greatest moral fault is that it leaves our children a legacy of debt and an even heavier burden to bear as the baby boomers begin to retire." That is from the gentleman from South Carolina (Mr. SPRATT), the ranking member on the House Budget Committee.

The fault in his quote there, Mr. Speaker, is that we are not cutting education. We are not cutting Medicare. We are not cutting Medicaid. These things are absolutely off base. What our budget does say to the American people, these are our moral choices so Congressman SPRATT should be commended for saying that a budget is a moral choice, and I agree with that.

But what we do with this budget is say boldly that we will set out the fences around which government spending should be held within. That is a positive thing.

I ask my colleagues on the left wing of this body, the Democrats and the liberals here, to come and support this budget because what we are saying is our children should not be left with a legacy of debt. We need to control wasteful government spending.

What this rule provides for in this budget document is a restraint of spending. It does not hurt people. It takes out and gives the opportunity for the policy-making committees of this

House and the appropriating committees of this House to reform much-needed government services and programs.

I ask my colleagues to join with us in supporting this rule to provide for a reasonable debate and reasonable amendments to this budget document that will constrain spending and provide for priorities for all Americans.

Mr. MCGOVERN. Mr. Speaker, let me just respond to the gentleman from Florida (Mr. PUTNAM). Facts are indeed a stubborn thing. The fact is that this budget that the Republicans have put forward cuts funding for veterans. Over 5 years, the budget cuts funding for veterans health care by $6 billion below current services.

Republicans will tout the fact that the budget raises discretionary spending for 2007 by some $2.6 billion, but these apparent gains are quickly reversed with a cut for 2008 of $59 million below current services, and cuts of increasing amounts in subsequent years culminating in a cut of $4 billion for 2011.

One other fact: a couple years ago, the VA itself testified it needed a 13 to 14 percent increase each year to maintain what it is doing. This budget in no way reflects what this Veterans Administration has said.

So facts are a stubborn thing. This budget is not good for veterans.

Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. MATSUI), my colleague on the Rules Committee.

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

Ms. MATSUI. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to the budget resolution. The impact this budget will have on families demonstrates how misguided it really is. Our Nation has had a long-standing commitment to investing in medical research. We all know someone, a friend or a relative, who has fought breast cancer. Each one is an inspiration as they exhibit a reservoir of strength and perseverance.

This is an issue that is very close to me as members of my family have been diagnosed with the dreadful disease.

When I am home in Sacramento, I make it a priority to meet with survivors. As each woman shares her personal battle with me, the one thing they all reiterate is how appreciative they are that research and technology exists to help them win their fight with cancer, and they ask me to express their appreciation to my colleagues for their continued support of the medical research programs that have driven the development of life-saving techniques and technology.

One example is innovative advances that the UC Davis Cancer Center located in my district has made. Last year, its researchers discovered a new method to improve early detection of breast cancer. As that group of survivors has emphasized, early detection is essential to surviving breast cancer.

Tragically, this budget underfunds critical medical research. As a result, dynamic institutions like the UC Davis Cancer Center will not have access to the same level of Federal resources as they did in last year's budget.

What do you tell the children or the spouse of a woman who may have benefited from additional cancer research, but will not now because of this budget?

The fact is this budget chooses tax cuts for the very, very, very wealthiest instead of investing in medical research. This is a choice that Congress is making.

We need a budget that makes sense for America's families. I think about my 2½-year-old granddaughter, Anna. It is Congress' responsibility to invest the resources today so that Anna and her friends have at least the same opportunities that you and I have had. To accomplish this goal, we must devote long-term resources to health care, education, and scientific discovery. Yet with this budget, we are reducing our capability in these areas while continuing to run a massive deficit. So not only are we not investing in Anna and her friends, but we are passing our debt to them.

Congress cannot continue to run this government in the same selfish, short-sighted manner that we have over the past 5 years. Congress risks breaking America's foundation of opportunity and prosperity and imperiling the quality of life for our children and our grandchildren.

When we talk about the quality of life, that means your grandchildren and those of you who may hope for grandchildren. They may not have access to world-class education. It means that the Annas of our country may not benefit from the world's best health care system or be a part of the most innovative and productive economy. It means that citizens of the United States may look at foreign countries and see people who have better opportunities and better lives.

I urge my colleagues to oppose this budget and vote in favor of Mr. SPRATT's alternative.

Mr. PUTNAM. Mr. Speaker, I think the gentlewoman raises an important point about the need for us to continue to invest in research and development, in health care initiatives that allow us to remain a Nation on the cutting edge of technology both in biosciences, basic research, and the whole gamut of diseases and disorders that afflict the human condition.

This majority takes a back seat to no one on investments in health. The National Institutes of Health are preeminent research institutions run by this Federal Government that are making great strides against cancer, against juvenile diabetes, against HIV/AIDS, against a whole host of orphan diseases and disorders that only afflict a small number of Americans, but nevertheless in a huge, huge way to that individual family.

Since 1998, NIH funding, because of the investments that this majority has made, has more than doubled. More than doubled since 1998. Funding in 1998 was at $13.5 billion. Today this Nation invests nearly $28.5 billion in the National Institutes of Health.

We take a back seat to no one in recognizing that it is fundamentally important that America remain on the cutting edge of innovation, that it is fundamentally important that we continue to produce graduates in the health sciences, in engineering, in mathematics to keep us on that cutting edge. We take a back seat to no one in recognizing that it is important to have in place economic policies, tax policies that encourage people to make those investments in this country instead of in other countries; that we have in place incentives to people to add new lines of scientists at their workbenches and their laboratories in Silicon Valley, California, or at the CDC in Atlanta.

We recognize it is important to have a growing economy that allows us the luxury of being able to invest in research that may not bear fruit for decades to come. And we take a back seat to no one in the commitment we have made for the last dozen years in funding the National Institutes of Health.

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

Mr. MCGOVERN. Mr. Speaker, I have here a letter from the major Jewish community service providers in our country, and they ask all of us to oppose this Republican budget resolution because it will force, in their view, harmful cuts in education, health care, nutrition, housing and other services critical for children, families, seniors, and people with disabilities.

I ask my colleagues to listen to the plea of these faith-based groups.

APRIL 5, 2006

DEAR REPRESENTATIVE: The Jewish community has long demonstrated a commitment to economic and social justice. We have been vigorous in advocating policies and programs to fight poverty and to help address the needs of disenfranchised vulnerable populations, including the elderly, working poor, disabled, youth, and refugees.

The budget process is one of the most important actions taken by our government each year and is an integral part of allocating funds for important human needs programs. While we recognize that deficit reduction is critical to the economic stability of our country, we believe it is essential that it be done in a fair and balanced manner. Over the past months we have spoken out against cuts that we believed would disproportionately hurt those in most need.

The budget plan passed out of the House Budget Committee would make huge cuts to domestic discretionary programs. These cuts would be extremely harmful both to our social service agencies that are dependent on public funding as well as the vulnerable populations we advocate on behalf of. Programs such as the Older Americans Act, the Social Services Block Grant, the Community Services Block Grant, and the Low Income Heating Energy Assistance Program are critical

to the elderly, refugees, children, and persons with disabilities, and all would likely face severe cuts if this budget proposal is enacted.

We believe that budgets are documents which reflect the values and priorities of those who create them. With the increase in hunger in American households; housing costs rising faster than wages; and more than 45 million Americans lacking adequate health care coverage, funding for social services to assist these individuals is more critical than ever. This budget does not accurately reflect our values.

As you consider the Budget this week, we ask you to oppose this Resolution that will force harmful cuts in education, health care, nutrition, housing, and other services that are critical for children, families, seniors, and people with disabilities.

Sincerely,

Association of Jewish Aging Services of North America.

Association of Jewish Family and Children's Agencies.

B'nai B'rith International.

Hebrew Immigrant Aid Society.

International Association of Jewish Vocational Services.

Jewish Council for Public Affairs.

Jewish Labor Committee.

Jewish War Veterans of the USA.

National Council of Jewish Women.

Union for Reform Judaism.

United Jewish Communities.

Women of Reform Judaism.

Women's American ORT.

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, later today the Committee on Rules will decide what modifications to the budget bill Congress may consider. In the spirit of the remarks of the gentleman from Florida (Mr. PUTNAM) with respect to how we need to concentrate on research, I want to offer these remarks. I hope that the Rules Committee does not deny this House the opportunity to correct the mistreatment of the National Aeronautics and Space Administration which is occurring in this budget.

□ 1100

I am not as optimistic about this rule, so I rise to draw Members' attention to the underlying issue. NASA's contributions in the field of research, in the field of aeronautics to this Nation and the world are profound. From surveillance systems that monitor aircraft flight paths to the development of secure communications systems, NASA's research has been instrumental in improving our national security.

NASA's research and NASA's aeronautics programs have also contributed substantially to the Nation's economy. Civil aeronautics is the major contributor to this sector's positive balance of trade, more than any other industry. We have a positive balance of trade in aeronautics, and we can attribute that directly to the work of research and development at the National Aeronautics and Space Administration, and this enables a new generation of service based industries, like e-commerce to flourish by performing the research that leads to inexpensive and reliable flights.

Congress recognizes the value of aeronautics, which is why it restored cuts that were proposed in the administration's fiscal year 2006 budget. Once in the CCJS appropriations bill, and again in the NASA reauthorization bill, Congress protected aeronautics with strong bipartisan support bringing funding back to fiscal year 2005 levels. And I am proud to have played a role in that and working with my colleagues on both sides of the aisle in focusing in on the necessity of protecting our ability to do basic research and research which leads to developments in aeronautics.

Now, in spite of this, this administration is proposing an even bigger aeronautics cut, $179 million, or 25 percent of the aeronautics budget they are trying to cut. I mean, if this was farming, it would be like throwing away your seed corn.

This shortfall is a direct result of the administration's consistent and inexplicable failure to fund the very vision for space exploration that it launched. Now, in order to keep this vision alive, NASA is forced to take the money from other essential programs like aeronautics.

About a month ago our colleagues in the Senate passed a budget amendment with four Republican cosponsors that increased funding for aeronautics at fiscal year 2005 levels. I tried to introduce the same amendment with bipartisan support, but it has not been approved by the Rules Committee. We cannot afford to stand by and watch the erosion of research of aeronautics and the erosion of these NASA programs that are connected. If the Rules Committee produces a rule that lets Congress have the ability to focus on protecting NASA's aeronautics research, then we ought to support the rule.

However, if the Rules Committee denies Congress the ability to debate the mistreatment of NASA, then I will ask that we vote ''no.'' And later, at the appropriate time, I will ask my colleagues to urge conferees to agree with the Senate's position on the National Aeronautics and Space Administration. This is about our ability to grow America's future, and vitally connected to that is the work of the National Aeronautics and Space Administration. And let's not forget national aeronautics, aeronautics, aeronautics, research, research, research. Fund it.

Mr. PUTNAM. Mr. Speaker, my colleagues join me in complimenting your selection of neckwear this morning.

I yield 3 minutes to the gentleman from California (Mr. CAMPBELL), one of our newer members of the Budget Committee and a CPA.

Mr. CAMPBELL of California. Mr. Speaker, I have to say the course of this budget debate is somewhat perplexing. My friends on the other side of the aisle here, the Democrats, are consistently railing about the deficit and the evils of the deficit and how bad the deficit is and how big the deficit is, and I confess that I concur. I have problems with this deficit and that we ought to be reducing this deficit.

But it seems like their solution to reducing the deficit is to spend more money. My friends, this is like saying that we have a boat and our boat is sinking, and the way to fix the boat is to punch holes in the bottom of it.

Spending more money does not reduce the deficit. You don't need to be a CPA to know that. You only need second grade math to know that. Spending more money does not reduce the deficit. In the Budget Committee the vast majority of the amendments to the budget offered by the Democrat side were amendments that spent more money.

Now, to be fair, they do propose to close the deficit by raising taxes, and that is their argument and their proposal. But they claim that the tax rate cuts, and I want to point out that they were tax rate cuts, that happened in 2003 have increased the deficit. Except, since those tax rate cuts went into place, the income to the Federal Government, the revenue coming into the Federal Government has increased by an average of nearly 7 percent a year because tax rate cuts stimulate the economy, and tax rate cuts, these particular tax rate cuts, allowed capital to move to where it is best used and it resulted in more revenue. So you can't say that tax rate cuts have worsened the deficit when the revenue has gone up by higher than historic averages since the rates were cut.

Now, this budget that is before us increases spending. That is another thing. You are hearing about all the cuts in this budget and, sure, some things go up and some things go down. But overall it increases spending by 3½ percent. My friends, that is not a cut. An increase of 3½ percent is not a cut.

It spends $2.7 trillion. That ought to be enough to make things work around here, you would think. And it reduces the deficit because the revenue by this stimulated increased economy will go up by more than that 3½ percent.

So this budget does not cut spending. It increases it. It does not increase the deficit. It reduces it. And it does not raise taxes. It maintains the stimulative tax policy that currently exists in our economy.

Mr. McGOVERN. Mr. Speaker, I appreciate the gentleman from California's comments. But I will tell you, most CPAs that fudge the numbers in real life go to jail. And the fact of the matter is in this budget, the numbers are fudged.

$50 billion for Iraq for the next 5 years? Give me a break. You know what is going on. You know what is going on. The bottom line is you are going to be coming back and back and back for more and more money.

Look, the gentleman raised the Democratic budget proposal. Well, let me just elaborate a little bit and suggest that he read it. The Democratic budget proposal would return the budget to balance. We reach balance by the

year 2012, and we also have smaller deficits than the Republican budget and accumulate less debt.

By contrast, the Republican budget never returns to balance and even refuses to show how big the deficit will be after 2011. Our proposal includes fiscally responsible budget enforcement rules. The Democratic budget backs the two-sided pay-as-you-go budget enforcement rule that requires that the cost of any new mandatory spending or revenue legislation be fully offset.

This is the way families operate. They pay as they go. They can't accumulate the debt that you have accumulated. There is no way that families could operate the way the Republican majority has operated here.

During the 1990s, the two-sided PAYGO rules played a critical role in turning record deficits into record surpluses. Do you remember those days?

The Democratic budget also requires a separate vote to increase the debt limit. You used to be concerned about that, but no longer. Now we sneak the increase in the debt limit through without having to put Members on record, and it prohibits using fast track reconciliation procedures to make the deficit even worse.

We invest in education, and we keep our commitment to veterans. I mean, to me one of the most egregious elements of the budget that the Republicans have proposed is that you turn your back on America's veterans. We have sent them to war. There will be more veterans in the future, not less, and you did not put aside the adequate funding to make sure that these men and women who have served our country with great honor get the respect that they have earned and that they deserve.

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

Mr. PUTNAM. Mr. Speaker, I would remind the gentleman of two points. First, spending per veteran and spending for veterans' medical care both have nearly doubled in the last 10 years. I remind the gentleman of that.

Second point, with regard to the procedure around here for changing the debt limit, it is known as the Gephardt rule. The process for adjusting the debt limit was put in place when your team was in charge. So the gentleman takes issue with a process that was invented by his team.

I am pleased to yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I want to say that this Democrat budget alternative is laughable in the extreme. They want to balance the budget on the backs of the taxpayers. They want every American citizen to pay more in taxes next year than they did this year, and they call that rolling back the Bush tax cuts. That is a tax increase, and that is how they want to balance the budget.

On top of that, they don't want to eliminate wasteful government programs. They don't want to look at government programs that have long outlived their usefulness and effectiveness for people. They just want to keep spending, and they want more money for Washington, more money for Washington bureaucrats, more money for Washington government programs. And they do that, and they nod and wink and laugh to themselves that they are balancing the budget. Right.

What we have done, what this Republican Congress has done through President Bush's tax cuts, through the stimulus to the economy, is we have let people keep more of what they earn. And by keeping more of what they earn, they spend, they employ people, the economy grows. And when the economy grows, Mr. Speaker, tax revenues increase with economic growth. With tax increases it stifles economic growth, and in the end the Treasury doesn't net out as much as it would with pro-growth tax policies.

Just this year, Mr. Speaker, tax receipts have gone up 15 percent. Yet the Democrats want more money for Washington bureaucratic programs. Then they scream and hem and haw that we are cutting. We are not cutting, Mr. Speaker. And as a conservative, I believe we should cut. But I think this is a reasonable budget, a reasonable budget that funds much needed national defense and homeland security programs while freezing government spending in other areas. That is not a cut, Mr. Speaker.

Mr. MCGOVERN. Mr. Speaker, I want to go back to the issue of veterans funding again. The gentleman from Florida keeps on bragging about how the Republicans have been so good to our veterans and have increased dramatically veterans funding over the last decade.

First of all, let me just say that I don't know of a single Member of Congress who have gone back to their districts and heard from veterans and people who work in VA facilities and other veterans health benefit facilities that somehow, boy, you have given us all we need. We don't need any more. What you have handed us is enough to meet the demand. I mean, in fact, what you hear is the opposite. And I am going to just say one thing to the gentleman. Over the past 10 years, all this bragging he is doing about increasing the veterans budget, from 1996 to the year 2000, the number of unique patients increased by $2.4 million. And on a per capita basis, veterans health care funding increases average only 0.1 percent per year, a level well below inflation for medical care.

So we are not meeting the current needs of our veterans, and in this budget there is no way we are going to meet the future needs of our veterans when we are creating more veterans because of the wars in Afghanistan and Iraq. Our policies in Iraq and Afghanistan are creating thousands of new veterans. That is an undeniable fact. Thousands of these men and women have been severely injured, and most will need medical services and benefits for the rest of their lives. And even without the influx of this new generation of veterans, the fiscal year 2006 and fiscal year 2007 spending for the VA doesn't even meet the health care needs of our current number of veterans and military retirees. According to every major veterans organization in the country, we are still about $1 billion short each year. But the Republican budget before us actually decreases the discretionary funding for VA benefits and services each and every year over the next 5 years. So FY 2011, just 5 years away, is actually $4 billion less than FY 2006. That is their budget.

So I ask, is this how we honor our troops? Is this how we support them when they come home? I hope not. And I would urge my colleagues to vote ''no'' on this.

I reserve the balance of my time.

Mr. PUTNAM. Mr. Speaker, I am happy to respond to the gentleman's concerns about funding for veterans, and I would remind him again that since 1995 veterans medical care spending has increased from $16 billion to more than $31 billion, an increase of 92 percent. The funding increase for next year, over this one, year-to-year increase is nearly 4 percent, a substantial jump, especially relative to other discretionary programs who will see a tenth of a point cut.

□ 1115

They are getting a 4 percent increase.

We recognize the sacrifices that veterans make. We recognize our lifelong commitment to them for the sacrifices that they have made and continue to make. This budget builds on that strong foundation. It accommodates general veterans funding at $75 billion, and it is $800 million above even what the President requested. This Congress is meeting the needs of America's veterans. In addition to increasing over the President's request, it does not increase the fees that were called for in his request.

Frequently on this floor we get sucked into these debates based on what the President's proposal is, and that is not the document that we are debating here this morning. This is the House budget. In fact, in the budget markup, we had an opportunity to vote on the President's budget, and we chose to go a different path with the document that this House is producing.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman for his comments. Again, I would simply say that the spending he is bragging about for the last 10 years didn't even keep up with inflation.

But putting that aside, let's talk about the next 5 years. Let's talk about your budget, the budget you have. I have got the numbers here. In fiscal year 2007, it goes up by $2.6 billion.

Then in fiscal year 2008, you go down by $100 billion. In fiscal year 2009, you go down by $1.4 billion. And in fiscal year 2010, you go down by $3.1 billion. And then in fiscal 2011, you go down by $4 billion.

And I would just remind the gentleman, maybe he has not been reading the newspapers lately, but we are at war in Afghanistan and Iraq. Thousands of new veterans are going to come into this system. And your budget shortchanges not only them, it doesn't even meet the needs of the current veterans. So from the veterans' perspective, this budget is deeply flawed. I think it shows a disrespect for the service of those men and women whom we have sent over to fight for our country. We owe them more than this.

And I would urge my colleagues if you want to support veterans, this is not the way to do it. This is the place you take a stand. You say no to this budget, send them back, and let them do what is right by our veterans. There is no way we should be shortchanging our veterans, and this budget does that.

Mr. Speaker, I would at this time like to submit into the RECORD a letter from the Interreligous Working Group on Domestic Human Needs, representing the major Protestant and Catholic churches and faith organizations. They state that ''as communities of faith . . . we are called upon to hold ourselves and our communities accountable to the moral standard of our Biblical tradition. We speak together now to express our concern about our national priorities.'' The letter is called a ''Faith Reflection on the Federal Budget,'' and it opposes what is before us today.

INTERRELIGIOUS WORKING GROUP ON DOMESTIC HUMAN NEEDS

A FAITH REFLECTION ON THE FEDERAL BUDGET

As communities of faith, we are grounded in a shared tradition of justice and compassion, and we are called upon to hold ourselves and our communities accountable to the moral standard of our Biblical tradition. We speak together now to express our concern about our national priorities.

In the year that has passed since this reflection was originally written, this concern has deepened as we have watched poverty, food insecurity, and the number of people without health insurance climb for the fourth year in a row. Across the country, churches and faith-based organizations who care for our most vulnerable people are straining under increased demand for services due to cuts in federal funding for critical safety net programs. Devastating hurricanes have underscored real problems of racism and inequality in our country and along the Gulf Coast, and scattered throughout the country survivors are struggling to provide for their families while waiting for the bold action that has yet to materialize from our national leaders.

These circumstances make it necessary to even more closely examine our government's decisions, particularly those concerning the budget, through a moral lens. The federal budget remains a fundamental statement of who we are as a nation. The choices we make about how we generate revenues and spend our shared resources reveal our true allegiance. As people of faith we must continue to ask: Do these choices uphold values that will strengthen our life together as a nation and as part of the global community?

We offer this reflection as a starting point for such a dialogue and to make clear the values to which we hold ourselves and our nation accountable.

*Community and the common good*

''But seek the welfare of the city where I have sent you . . . and pray to the Lord on its behalf, for in its welfare you will have your welfare'' (Jeremiah 29:7, NRSV).

Our nation's well-being is dependent on the well-being of all its members. In order to form a more perfect union, the preamble to the U.S. Constitution commits this nation to promoting the general welfare. In faith language we would call that the ''common good.'' The budget should reflect a commitment to the common good by ensuring that the basic needs of all members of society are met. At this time, when Gulf Coast communities are still struggling to recover from last year's hurricanes, when nearly 46 million Americans are uninsured, 37 million live in poverty and one in five children lives in a household experiencing food insecurity, additional cuts to critical human needs programs cannot be justified.

Investments in education, job training, work supports, health care, housing, food assistance and environmental protection strengthen families and communities and promote opportunity for all. These should be budget priorities.

Budget decisions must be evaluated not just in the short term, but with respect to their long-term effects on our children's children, the global community and on all of creation.

*Concern for those who are poor and vulnerable*

''Give the king your justice, O God . . . May he judge your people with righteousness, and your poor with justice . . . . May he defend the cause of the poor of the people and give deliverance to the needy (Psalm 72: 1–4, NRSV).

As a nation we have a special responsibility to care for the most vulnerable members of society. All budget decisions and administrative procedures must be judged by their impact on children, low-income families, the elderly, people with disabilities and other vulnerable populations.

Whatever one's position on the war in Iraq or on the tax cuts, these policies are driving the deficit. Attempting to pay off the deficit by cutting programs that affect needy populations, when these programs did not lead to the deficit, is unjust.

*Economic justice*

''Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people'' (Isaiah 10:1–2, NIV).

God has created a world of sufficiency for all; the problem is not the lack of natural and economic resources, but how they are shared, distributed and made accessible within society and throughout the world.

Our government should be a tool to correct inequalities, not a means of institutionalizing them. The federal budget should share the burdens of taxation, according to one's ability to pay, and distribute government resources fairly to create opportunity for all.

*Endorsing organizations*

National: American Baptist Churches USA; American Friends Service Committee; Bread for the World; Call to Renewal; Central Conference of American Rabbis; Church of the Brethren Witness/Washington Office; Church Women United; Conference of Major Superiors of Men; The Episcopal Church; Evangelical Lutheran Church in America; Friends Committee on National Legislation; Institute Justice Team—Sisters of Mercy of the Americas; Jesuit Conference USA; Jewish Council for Public Affairs.

Leadership Conference of Women Religious; Maryknoll Office for Global Concerns; Mennonite Central Committee U.S. Washington Office; National Advocacy Center of the Sisters of the Good Shepherd; National Council of Churches of Christ in the USA; NCCC Justice for Women Working Group; NETWORK, A National Catholic Social Justice Lobby; Pax Christi USA; Presbyterian Church (U.S.A.) Washington Office; Union for Reform Judaism; Unitarian Universalist Association of Congregations; United Church of Christ Justice & Witness Ministries; The United Methodist Church—General Board of Church and Society; Women of Reform Judaism.

State and Local: Arizona—Lutheran Advocacy Ministry in Arizona. California—Lutheran Office of Public Policy—California; Pacific Central West Region of Union for Reform Judaism; Sisters of the Good Shepherd, San Francisco. Colorado—Lutheran Advocacy Ministry—Colorado. Delaware—Lutheran Office on Public Policy, Delaware. Florida—Union for Reform Judaism—Southeast Council. Illinois—Lutheran Network for Justice Advocacy; Lutheran Social Services of Illinois; Protestants for the Common Good. Minnesota—Institute for Welcoming Resources; Minnesota Council of Churches. Missouri—Sisters of the Good Shepherd—St. Louis, MO.

New Jersey—Church and Society Committee, Sparta United Methodist Church (Sparta, NJ); The Crisis Ministry of Princeton and Trenton; Family Promise; Lutheran Office of Governmental Ministry in New Jersey; Union for Reform Judaism, New Jersey-West Hudson Valley Council. New Mexico—ELCA-Lutheran Office of Governmental Ministry-New Mexico. Ohio—Union for Reform Judaism, Northeast Lakes Council/Detroit Federation. Pennsylvania—Roots of Promise/Thomas Merton Center; Social Action Committee at the Lutheran Theological Seminary in Gettysburg. Washington—Washington Association of Churches; Lutheran Public Policy Office of Washington State. Wisconsin—Lutheran Office for Public Policy in Wisconsin.

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

Mr. PUTNAM. Mr. Speaker, perhaps in the gentleman's stack of letters that we are entering into the RECORD, he could find the thank you notes from the veterans who thank us for finally, after decades of inactivity under the previous leadership, acting on concurrent receipts giving veterans what they need; doubling funding for veterans in 10 years; a 4 percent increase next year over this.

We budget year to year, and the gentleman knows it. Every year this majority has come through for our veterans. Every year we have been there, and we will continue to be there for America's veterans.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. SESSIONS), my good friend from the Rules Committee and the Budget Committee.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman, my friend from Florida and the Rules Committee, Mr. PUTNAM, the chairman of our policy committee

here in the House Republican Conference.

Mr. Speaker, I rise today in strong support of the rule for this budget resolution, which strikes a delicate balance between fully funding our priorities and exercising restraint of spending.

Mr. Speaker, already we have heard the debate and the dialogue here. I have known this a long time. Every Member of Congress understands this: needs outpace resources. It has always been that way. That is why we have a Budget Committee. That is why we have Mr. PUTNAM here on the floor today and other Members who are going to say, golly, we could spend as much money as we really wanted if we could come to some resolution of how much was enough. But the fact of the matter is that the insatiable appetites that continue to be fed in this House and in this government for more and more and more spending will not be ever satisfied; so we have to strike that balance.

We know that we have had devastating challenges that have faced this country, terrorists attacks of 9/11, Hurricanes Katrina and Rita, and yet our economy has demonstrated strength and resiliency. It is Republicans who come to the floor of the House of Representatives in the majority and every year defend what we do. And, Mr. Speaker, I want to tell you that I am proud of what we did last year for this year and what we are doing proudly to make sure next year will work properly, we are doing this year.

This last year our economy grew at an impressive rate of 3.5 percent. The greatest, most vibrant economy that is in the world that we know today from a G–8 country. This was no accident, but it came as the direct result of Congress's planning, planning for growth and tax relief, planning for giving Americans more of their own money, and planning to make sure that we had investment that was made here in America.

Since comprehensive tax relief was passed in 2003, 5 million new jobs have been created. At just 4.8 percent, the unemployment rate remains at the historically low figure, below the averages of the 1970s, the 1980s, and the 1990s. This rapid economic growth has also generated rapid Federal tax growth.

We are pro-growth Republicans. We do not want to run a deficit. But we must make sure that we look at both sides of the equation, that is, growing the economy as well as being careful by what we spend.

Treasury figures show our booming tax receipts grew by 14.5 percent in 2005, the fastest pace in 25 years. However, on the flip side, Mr. Speaker, since 2001 our government has expanded in spending by 45 percent. We are saying with last year's budget this spending spree has got to end. And that is what we did last year for this year and what we are going to do this year for next year.

JIM NUSSLE, the chairman of the Budget Committee, has led this House to an important conclusion, and that is what Mr. PUTNAM is here selling to the Members today, and that is we are not about politics in this budget. It is about structure. It is about saying how much money we are going to make available and then we are going to let other important committees, our appropriators, be able to understand where the present needs are, and then we are going to give them the authority to go and spend the money based on priorities.

This is the right way to run the railroad, Mr. Speaker. This is the right way to do things. But we must have the responsibility by passing a responsible bill, or this House will fall to the whims of every single person who wants their own special project to be passed. Spending will be out of control.

So I urge my colleagues to recognize and understand that the process that the Budget Committee has been going through has been very important, and it has produced a winner. It has produced the ability that we have in a framework to put the needs and priorities into balance for this United States Congress.

Mr. Speaker, I am proud of what we have done. I am proud of what Mr. PUTNAM supports today. I urge my colleagues to support this rule and the budget.

Mr. MCGOVERN. Mr. Speaker, let me just respond to the gentleman from Texas, my colleague on the Rules Committee. He says he is proud of this budget. Quite frankly, I am ashamed that this budget is coming out of this Congress with the cuts that are contained in this budget that I think are going to hurt working families and also be devastating for our veterans.

I want to point out to my colleagues on the other side that in 1995 the VA treated 2.6 million people. Last year it was 5.4 million people. And that number is going to go up and up and up. And yet in this budget, we see over the next few years a $4 billion cut. That to me makes absolutely no sense. We know that the demand on the VA is going to become greater and greater, and yet we are deliberately shortchanging veterans health and veterans benefits. We know what the future is going to hold, but we are fudging the numbers here. I think that that is not only irresponsible but, Mr. Speaker, it is dishonest.

The gentleman from Texas talked about planning. Well, boy, the planning that the Republicans have done here has just led to such great success. We have the biggest deficits in the history of the United States of America. Boy, that is great planning. More of our debt is owned by foreign countries than at any other time in our history. I don't know too many people who feel good about that.

Your planning has done such a great job that, quite frankly, it is pushing our country towards bankruptcy.

And he talked about the insatiable appetite of people who want to spend money. Look, I am all for fiscal restraint. We want to pay as you go. We want to make sure that every new program that we talk about, every new revenue initiative that we talk about is paid for. That is the way families do it. That is not the case with Republicans.

But when you talk about insatiable appetite, I can't help but think of your energy bill, which provides these incredible tax breaks and subsidies to oil companies that have never made more profits than they are right now, that are gouging American taxpayers at the pump, and you are giving them billions of dollars. Talk about insatiable appetite. Or the drug companies that can't provide our senior citizens a decent cost for prescription drugs and you are sending more and more subsidies and tax breaks and liability protections to these industries that, quite frankly, need to respect our citizens more.

So that is the kind of insatiable appetite that has gotten us into this mess, and we have had enough of it. We need new priorities; and I hope that my colleagues, again, will turn down this budget.

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

Mr. PUTNAM. Mr. Speaker, I would remind my friend from Massachusetts in the conversation about insatiable appetites that nearly every amendment offered by the Democratic minority on the Budget Committee spent more money. There was no amendment offered by the Democratic minority that changed the Tax Code in any way. In previous years they had sought to raise taxes. They have learned that lesson, that it does not fly with small business men and women across the America, that it is not particularly popular, and it is terrible economic policy to raise taxes. So they dropped that. But nearly every amendment offered in the committee markup was to spend more money and to pay for it using the mythical potential of what is called the ''tax gap,'' which is the difference between taxes owed and taxes collected. That is money that may or may not appear based on an aggressive IRS. That was their pay-for to feed their insatiable appetite for more spending.

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

Mr. MCGOVERN. Mr. Speaker, let me just point out to the gentleman, in case he has not read it, the Democratic proposal actually balances the budget by 2012, which is something that the Republican budget does not do.

What we have a problem with is giving tax breaks to Donald Trump at a time when you are shortchanging veterans. We think those are misplaced priorities.

At this point I would like to yield 2 minutes to the gentleman from Florida (Mr. HASTINGS), my colleague on the Rules Committee.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague from

Massachusetts on the Rules Committee for yielding.

I heard my colleague from Florida (Mr. PUTNAM) talk about it being terrible economic policy. I am curious, does that mean terrible economic policy to balance the budget?

I also heard you in your comments say that the Democrats' budget is mythical. Well, let me tell you what is not mythical. When you make bad deficits worse, that simply is not mythical. The Republican budget resolution has no plan to bring the budget back to balance and, in fact, makes the deficit $410 billion over 5 years, compared to current deficit estimates.

□ 1130

It calls for a mounting legacy of debt.

Since this administration took office, it has requested and the Congress has provided four increases in the statutory debt ceiling totaling $3 trillion. Under this budget as proposed by the Republicans, the statutory debt by the year 2011, footnote there, the baby boomers hit at 2009, the statutory debt will increase by another $2.3 trillion, for a total increase of $5.3 trillion. It will leave the statutory debt at a record level of $11.3 trillion. What part of that is mythical? What we are talking about is something that is going to destroy the economic base of this country.

This budget that the Democrats propose makes sure that this budget comes into balance. It does not cut, as does the Republican budget, funds for public health programs. It does not cut new money for transitional Medicaid assistance. The Republicans cut low-wage workers and vulnerable families. They cut nutrition assistance. They slash education, education, by $2.2 billion. They cut veterans care by $8.6 billion. It cuts budget functions that fund homeland security.

I am curious, what is the myth that you would perpetuate upon the public when we are about to go down the drain?

Mr. PUTNAM. Mr. Speaker, the myth is this: in your plan, you assume that the $200 billion tax gap will magically appear tomorrow. If we knew where the $200 billion was, we would find it now. You assume that the $200 billion in uncollected taxes are available to be collected and then be spent under your budget plan the day your proposal passes. It wouldn't be uncollected if we knew where it was. It wouldn't be uncollected if we could go get it. Somebody has to go hassle these people to pay their taxes.

That is the myth. Does it need to be done? Absolutely. Should we close it? Absolutely. But that is a crap shoot. You will not have 100 percent collections of all income taxes due by the day that your bill passes, if it were to pass tomorrow. That is the myth.

You point out that our deficit is different than the CBO baseline. You are correct. The CBO baseline assumes, and your budget assumes, that you will allow the tax reforms that passed in 2001 and 2003 to expire. So capital gains taxes go up; dividend taxes go up; taxes on middle-income brackets go up; the 10 percent bracket disappears; AMT relief, no action.

You allow those things to expire. The CBO assumes those things will expire. We assume they will stay in place because we believe that those are the drivers of the economic engine that is giving this country 4.8 percent unemployment, which is lower than the average of the 1970s, the 1980s and the 1990s. It is what allows this government to collect 15 percent more revenues, more money from the taxpayers this year than last year, even though the tax rate is lower.

That is the difference. That is the myth. That is the problem with the competing budgets as ours stacks up against yours.

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

Mr. McGOVERN. Mr. Speaker, let me just close by saying there are numerous reasons to oppose this budget. Education funding goes down, health care funding goes down, environmental protection money goes down, and I go on and on and on. But what particularly I find astounding is the way our veterans are being disrespected in this budget.

The gentleman mentioned before all these veterans groups that are thanking him for what they are doing. The fact of the matter is, I am hearing the opposite from every major veterans organization in this country. I have a letter here from the Disabled Veterans of America asking us to end the cycle of the constant cutting of benefits, that people right now are waiting in lines. And we have more veterans that are going to be produced as a result of this war in Iraq and Afghanistan.

I have been to Iraq, and I have seen those men and women serving our country. I have a disagreement with our policy, but they are doing an incredible job. And you on the majority are doing a disservice to these veterans by not providing the necessary funding not only to meet the needs of the veterans that currently exist, but you don't even account for the veterans, the thousands of veterans, that will be produced as a result of this war. It is wrong, it is immoral for us to pass a budget that doesn't respect our veterans.

Vote ''no'' on this budget. Vote ''yes'' for the Spratt substitute.

Mr. PUTNAM. Mr. Speaker, it has been a good debate. We have 4 more hours to go. We need to pass this rule.

The gentleman has grabbed the veterans issue by the horns, and appropriately so. We will stand by our veterans funding. It is a 4 percent increase in an era when the rest of the budget is assumed to be reduced by a tenth of a point.

This is a two-step process, and the gentleman knows it. The budget lays out the fences, the appropriations process decides what is spent within those fences. We have doubled spending per veteran, not spending on veterans, spending per veteran in the last 10 years. We have doubled spending on veterans medical care. These are issues that are hugely important.

I am proud of the way this debate has been conducted, because this budget lays out the competing visions for America, one that inspires economic growth through sensible tax policies, and one that wants to spend, spend, and spend some more based on the myth of the tax gap collections that would miraculously appear tomorrow under the Democrats' proposal.

Mr. Speaker, I yield back the balance of my time, I move the previous question on the resolution and urge the adoption of this rule.

The SPEAKER pro tempore (Mr. BONILLA). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 226, nays 199, not voting 7, as follows:

[Roll No. 91]

YEAS—226

| | | |
|---|---|---|
| Aderholt | Chocola | Gingrey |
| Akin | Coble | Gohmert |
| Alexander | Cole (OK) | Goode |
| Bachus | Conaway | Goodlatte |
| Baker | Cubin | Granger |
| Barrett (SC) | Culberson | Graves |
| Bartlett (MD) | Davis (KY) | Green (WI) |
| Barton (TX) | Davis, Jo Ann | Gutknecht |
| Bass | Davis, Tom | Hall |
| Beauprez | Deal (GA) | Harris |
| Biggert | DeLay | Hart |
| Bilirakis | Dent | Hastings (WA) |
| Bishop (UT) | Diaz-Balart, L. | Hayworth |
| Blackburn | Diaz-Balart, M. | Hefley |
| Blunt | Doolittle | Hensarling |
| Boehlert | Drake | Herger |
| Boehner | Dreier | Hobson |
| Bonilla | Duncan | Hoekstra |
| Bonner | Ehlers | Hostettler |
| Bono | Emerson | Hulshof |
| Boozman | English (PA) | Hunter |
| Boustany | Everett | Hyde |
| Bradley (NH) | Feeney | Inglis (SC) |
| Brady (TX) | Ferguson | Issa |
| Brown (SC) | Fitzpatrick (PA) | Istook |
| Brown-Waite, Ginny | Flake | Jenkins |
| | Foley | Jindal |
| Burgess | Forbes | Johnson (CT) |
| Burton (IN) | Fortenberry | Johnson (IL) |
| Buyer | Fossella | Johnson, Sam |
| Calvert | Foxx | Jones (NC) |
| Camp (MI) | Franks (AZ) | Keller |
| Campbell (CA) | Frelinghuysen | Kelly |
| Cannon | Gallegly | Kennedy (MN) |
| Cantor | Garrett (NJ) | King (IA) |
| Capito | Gerlach | King (NY) |
| Carter | Gibbons | Kingston |
| Castle | Gilchrest | Kirk |
| Chabot | Gillmor | Kline |

Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—199

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

NOT VOTING—7

Crenshaw
Evans
Hayes
Price (GA)
Smith (NJ)
Tanner
Watson

□ 1159

Messrs. McDERMOTT, RUPPERSBERGER, FORD and KENNEDY of Rhode Island changed their vote from ''yea'' to ''nay.''

Mr. LEWIS of California and Mr. HALL changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 225, noes 196, not voting 11, as follows:

[Roll No. 92]

AYES—225

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

NOES—196

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

NOT VOTING—11

| | | |
|---|---|---|
| Ackerman | Hayes | Smith (NJ) |
| Crenshaw | Latham | Tanner |
| Evans | Lewis (GA) | Watson |
| Gohmert | Price (GA) | |

□ 1206

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LATHAM. Mr. Speaker, on rollcall No. 92. I was inadvertently detained. Had I been present, I would have voted "yes."

## EXPRESSING SINCERE REGRET ABOUT ENCOUNTER WITH CAPITOL HILL POLICE

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

Ms. MCKINNEY. Mr. Speaker, I come before this body to personally express again my sincere regret about the encounter with the Capitol Hill Police.

I appreciate my colleagues who are standing with me, who love this institution and who love this country.

There should not have been any physical contact in this incident.

I have always supported law enforcement and will be voting for H. Res. 756 expressing my gratitude and appreciation for the professionalism and dedication of the men and women of the U.S. Capitol Police.

I am sorry that this misunderstanding happened at all, I regret its escalation, and I apologize.

## GENERAL LEAVE

Mr. NUSSLE. 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 376, which the House is about to consider.

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

There was no objection.

## CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2007

The SPEAKER pro tempore. Pursuant to House Resolution 766 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution, H. Con. Res. 376.

□ 1209

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (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, with Mr. TERRY in the chair.

The Clerk read the title of the concurrent resolution.

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

General debate shall not exceed 4 hours, with 3 hours confined to the congressional budget, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from New York (Mrs. MALONEY).

The gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from New York (Mrs. MALONEY) each will control 30 minutes on the subject of economic goals and policies.

The Chair recognizes the gentleman from New Jersey.

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

As you just indicated, the first hour of this budget debate has been set aside pursuant to the Humphrey-Hawkins section of the Budget Act. Under the rule, the Joint Economic Committee will have this hour evenly divided on two sides.

According to most neutral observers, including the Federal Reserve, and a consensus of private economists, the current economic expansion is quite healthy. That is good news. Indeed, if anything, there seems to be a little concern in most quarters that the economy may be growing too fast, a concern that I do not share.

The U.S. economy grew 4 percent in 2004 and advanced at a rate of about 3.5 percent in 2005. The growth rate in the first quarter of 2006 is expected to be very robust, probably over 4 percent, consistent with the trend of strong growth seen since 2003.

The improvement in economic growth is reflected in other economic figures as well. Let me name a few.

Since August of 2003, business payrolls have increased by 5 million jobs. The unemployment rate has declined to 4.8 percent. Consumer spending continues to grow. Homeownership has hit record highs. Household net worth has also reached a record high. Productivity growth continues at a healthy pace. Long-run inflation pressures appear to be contained. Long-term interest rates, including mortgage rates, are still relatively low, although somewhat higher than what they had been previously. The resilience and flexibility of the economy have overcome a number of serious shocks, most recently the hurricanes of last year. Equipment and software investment have been strong over this period. However, with somewhat higher mortgage rates, the housing sector is slowing, although it appears that a soft landing is most likely. It is clear that the Federal Reserve remains poised to keep inflation under control.

In a recent policy report to Congress, the Fed noted that the U.S. economy delivered a solid performance in 2005. Furthermore, the Fed observed that "the U.S. economy should continue to perform well in 2006 and 2007." The Fed, along with a number of private economists and government agencies, expects that economic growth in 2006 will be about 3.5 percent, still very healthy growth. This economic growth will continue to expand employment and further reduce unemployment.

In summary, overall economic conditions remain positive. The U.S. economy has displayed remarkable flexibility and resilience in dealing with the many shocks, including terrorist attacks and weather effects.

The administration forecast for economic growth in 2006 is comparable with those of the blue chip consensus and the Federal Reserve. With growth expected to be about 3.5 percent in 2006, the current economic situation is solid and the outlook remains favorable.

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

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

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I am pleased to speak in the time reserved by the Budget Act for discussion of economic goals and policies and traditionally led by members of the Joint Economic Committee.

If you listen to the President and his supporters on the other side of the aisle, you get a very upbeat assessment of the American economy; but if you listen to the American people, you get a very different assessment.

□ 1215

The President likes to talk about how fast the economy is growing and how successful his policies have been in stimulating an economic recovery from the 2001 recession. But the American people are saying, what economic recovery, and when am I going to see the benefits from this President's economic policies in my take-home pay, in my pocket?

Mr. Chairman, we should listen to the American people and we should adopt economic policies that promote the economic well-being of all Americans, not just those at the very top of the economic ladder. The President's fiscal year 2007 budget and the House budget resolution do not do that.

Instead, they continue economic policies that have produced a legacy of deficits and debt, that leaves us unprepared to deal with the budget challenges posed by the retirement of the baby boom generation and that weakens the future standard of living of our children and grandchildren.

This administration has set a series of records, only they are the wrong kind of records. They have raised the debt ceiling four times. It is now over

$8 trillion. Every man, woman and child in America now owes at least $28,000 of that debt, and we have had the largest deficit and trade deficit in the history of this country.

This chart shows how the President inherited a budget situation with large surpluses, but we have ended up with a string of large deficits. Economic policy over the last 5 years has not served the interest of the typical American working family. The resilience of the American economy has allowed it to recover from the 2001 recession, but we are still experiencing the labor market effects of the most protracted job slump in decades.

Job creation has lagged far behind what is typical in a strong economic recovery. There is still evidence of hidden unemployment, and the benefits of productivity and productivity growth have been showing up in the bottom lines of companies rather than in the paychecks of American workers.

Finally, and very disturbingly, there is a growing gap between the ''haves'' and the ''have-nots'' in this country as income and earnings disparities have widened. This is a very troubling trend. Yes, workers have become more productive. They produce more and more in each hour that they work. But they have not been getting rewarded for their productivity.

Average hourly earnings have not kept up with inflation, and they barely kept up even before that. Median family income has failed to keep up with inflation every year that President Bush has held office. Those who are already well-to-do are doing very well in the Bush economy. But the typical, hard-working American family is struggling to make ends meet in the face of high costs for energy, health care, and a college education for their children.

This chart illustrates the problem very clearly. The red bar shows the growth in the inflation-adjusted usual weekly earnings of full-time wage and salaried workers under President Bush at different points in the earnings distribution. You have to be in the upper half of the distribution to have seen any gain. Earnings at the top have grown fastest relative to inflation and earnings at the bottom have fallen farthest behind inflation.

I would note the contrast with the last 5 years of the Clinton administration, which is the blue bars, when earning gains were strong and spread throughout the earnings distribution. They spread the wealth. They shared the wealth. The budget we are debating today does not address any of these problems. In fact, it makes matters worse.

An analysis by the Democratic staff of the Joint Economic Committee shows that budget cuts in programs that provide payments for individuals are concentrated among lower income families, while the tax cuts go overwhelmingly to those at the top of the income distribution. The blue bars on this chart show that more than a third of the cost for spending cuts go to families in the bottom 20 percent of the distribution, families that together have only 3 percent of aggregate income. Meanwhile, those at the top get nearly three-quarters of the benefits from the tax cuts in this budget, as shown by the red bars in this chart.

With policies that have turned a $5.6 trillion 10-year budget surplus into a deficit over those same 10 years of at least $2.7 trillion, this administration has turned us into a nation of debtors, relying on the rest of the world to finance our budget deficits and the rest of our excessive spending.

Last year, we had a current account trade deficit of over $805 billion, the largest in the history of this country, the largest in the world. That is the amount of money we had to borrow from the rest of the world to finance our trade deficit and international payment imbalance. Foreign governments are holding large quantities of our public debt, putting us at risk of a major international financial crisis if they should decide the benefits of holding dollars are no longer worth that risk.

Mr. Chairman, our future prosperity depends on increasing our national savings and making wise investments. It depends on being ready for the retirement of the baby boom generation and the pressure we know that will be put on the budget with their retirement. But how is the other side preparing us for that future? With more deficits and more debt, the largest in the history of our country.

They want to make the tax cuts that have gotten us into this mess permanent, and they have no realistic plan for controlling spending or bringing revenues into line with the amount we need to spend to defend the country and take care of the needs of our citizens. This is the wrong direction that we are going in. We need a better plan.

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

Mr. SAXTON. Mr. Chairman, I yield such time as he may consume to the gentleman from northwestern Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. I want to thank the gentleman for yielding, and I think the time has come, particularly after the last speech, for a reality check here.

What we have seen since the 1990s is that the key to balancing the budget is economic growth and pro-growth tax policies. That is what our budget resolution stands for and what our budget resolution promises to preserve. In the 1990s, when we balanced the budget, and I might add we balanced the budget because we had a Republican Congress committed to fiscal austerity, we were able, through controlling spending, to allow the growth in the economy to overcome a budget deficit that the other party, frankly, couldn't deal with when they were in the majority.

By putting in place pro-growth economic policies in 2003, this Congress laid the groundwork for an economic recovery which has generated unprecedented revenues and, in generating those revenues, has steadily brought down the deficit and brought it within reach of control.

Now, I will be the first to admit this budget document does not fully account for the cost of war. It doesn't account for the cost of some of our recent national disasters. Those have always been treated as one-time expenses, and appropriately so. But our underlying deficit, in my view, is being dealt with in this budget in the most direct and credible way, and that is through restraining spending and allowing us to maintain in place pro-growth tax policies.

Now, what the other side doesn't tell you, and what they are really hot for, is that they want to see a tax increase. They want to see us forced to raise tax rates above those contemplated in our 2003 tax policy. Our existing tax policy, as then Chairman Greenspan conceded, has been critical in growing the economy; growing the economy last year at a rate of 3.5 percent, the envy of the industrialized world; growing our economy in a way that allows us to find new revenues even as we create wealth and we create jobs.

Now, Mr. Chairman, I will be the first to concede that in congressional districts like mine in northwestern Pennsylvania we have seen the downside. We have seen an economy that has lagged behind the national economy. We have seen the effects of unfair trade. We have seen job losses that haven't fully been recovered, particularly in the manufacturing sector. But the solution is a growing economy.

And what this budget resolution promises is that we will be able to maintain the tax policies that have produced the growth even as we curb spending and show fiscal restraint. In the process we are in a position to set up this country to escape from the budget deficit, to lower national debt as a proportion of the national economy, and, over time, position ourselves to hand to the next generation a prosperous America.

This budget resolution is critical to the long-term economic health of our country, and it is based on a philosophy of pursuing pro-growth policies that allow us to generate the revenue that we need. The other side, by pushing us towards policies that would raise taxes and ultimately take more resources out of the economy, I think threatens that growth and threatens that recovery.

Ultimately, I believe, there is a clear contrast here, one in which I am very proud to stand on the side of growth and opportunity.

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

Mrs. MALONEY. Mr. Chairman, I yield to my distinguished colleague from the Joint Economic Committee and from the great State of New York, MAURICE HINCHEY, such time as he may consume.

Mr. HINCHEY. Mr. Chairman, I thank very much my colleague from the State of New York, our ranking Democrat on the Joint Economic Committee, for her leadership here and for yielding me this time.

This debate in which we are engaged in this afternoon is a critically important one for the future of the American economy. As my colleague Mrs. MALONEY pointed out just a few moments ago, we are currently facing the largest budget deficits in the history of our country. According to the budget resolution itself, this burgeoning budget deficit will grow by $372 billion just over the course of the next fiscal year. Many people regard that number as conservative.

Many people who are analyzing the economic circumstances that we are confronting as a result of the incompetent budget policies of the Republican Party here in the Congress estimate that this budget deficit can be substantially more than $400 billion. In any case, even if it is only $372 billion, that sets another record. Now, maybe they are proud of the record that they are setting, and that seems to be the case based upon what we have just heard.

In addition to the record budget deficit this year, we are also facing record debt. The national debt has now grown to more than $8 trillion, and the majority party here in the Congress very, very quietly, under cover, raised the debt ceiling to almost $9 trillion.

□ 1230

This majority party is the biggest borrow-and-spend operation that we have ever seen in the United States of America, totally and completely irresponsible in their approach to dealing with the American people's money. As a result of that, the economic circumstances that we are confronting are becoming increasingly difficult.

A major portion of their failures has been their approach to the tax system. We just heard my friend and colleague on the other side of the aisle say that the Democrats are in favor of a tax increase. That is completely fraudulent. It is another part of the propagandistic approach that the majority party has taken to dealing with these most significant issues in which we are presently engaged.

We are not in favor of tax increases; we are in favor of reducing the irresponsible tax reductions that the Republicans have engaged in over the course of the last 5 years. Those tax reductions have benefited primarily the wealthiest 1 percent of the population of America.

Let me give an example of that. If you are a person making $10 million a year, if that is what you made last year, $10 million, the effect of the tax cuts on your budget is very, very significant. When you factor in the deductions and investment approach, you find that your taxes have fallen by $1 million. Your taxes have fallen by $1 million if you are making $10 million a year. That is what they have done. They have cut taxes for the very wealthiest people, and they are increasing the budget deficit that is going to have to be paid back by the vast majority of working people in this country, this generation and future generations.

This is the borrow-and-spend approach to governance that the Republican Party in this House has put forward and which they continue to advance in the context of this budget resolution.

What has been the effect of all this on the average American? What we have seen is that wages and salaries of the working people of our country have risen at their lowest rate since 1981. And I am talking about over the last 5 years. They have risen at their lowest rate since 1981. When you look at what has been happening in the last 2 years, you find that wages and salaries have actually been in decline. People are seeing their wages and salaries, when you take into effect inflation, actually going down.

So if you are a wealthy person, the Republicans are taking very good care of you. If you are an average American working for wages and salaries, you are finding your situation in desperate shape. So this budget resolution is another failure on the part of the majority party in America. They are creating deeper deficits for us. They are putting us into deeper and deeper debt. Their approach to taxation has been for the rich and against the working class; and in an economy which is based upon demand, it is forcing that economy down, and we are seeing it broadly all across the American economy, losing manufacturing jobs at record rates. All of that is as a result of the economic policies that have been put forth by the majority party here in the House of Representatives.

So the point we are making right here now is once again we have a budget resolution on the floor of this House which is incompetent and irresponsible, which is going to mean higher taxation in the future for the average working families in our country while it cuts taxes for the wealthiest and most privileged and while it increases the national debt.

They talk about the economy growing. We have had an economy that has experienced the most stimulation, both monetary policy stimulation and fiscal policy stimulation, in the history of the country. The lowest interest rates and huge amounts of spending have increased the national debt. That is the situation we are confronting here today, and that is why this budget resolution needs to be defeated.

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

It seems like there must be an election coming to hear some of the rhetoric here on the floor which actually defies reality. Let me try and explain to those who are at least open-minded about the situation what has happened with our economy over the past 5 or 6 years.

We all remember during the late 1990s we had very robust growth in the stock market. Things were perking along at a rate that most economists at the time thought was an exuberant time when investments were being made for reasons other than perhaps good, solid rationale.

In the third quarter of 2000, the economy began to get soft and in the last quarter of 2000 it did even worse. As we look at the reasons for that, there were a number of economists who concluded different things. One thing became clear, and that was investment was not being made and that something needed to be done.

This chart to my left is a chart which shows fixed private, nonresidential investment, in other words, investment in things that would be productive in our economy. As we look at what happened as we began to move through 2001 and 2002, these bars that drop below the line show there was negative investment. People were not investing in productive things; and as a result of that, the economy was not doing well.

The administration proposed a fix, and that fix was to do things here in the House of Representatives and in the Senate and through the administration that would encourage the American investor to reengage in investing in productive things. And so in 2003 the House of Representatives and the Senate collectively, together, passed some tax cuts to encourage investment. And those tax cuts, which were temporary in nature which we continue to talk about making permanent, had the desired effect.

If we look at this chart and look at when the negative investment ended and positive investment started, it happens to be after those tax cuts went into effect. As a result of reducing the percentage of taxes paid on dividend gains and as a result of tax cuts on capital gains, we see beginning in 2003 and through 2004 and through 2005 and projected to continue by the Fed and by other blue chip economists and blue chip forecasts, we are expecting to see that growth continue through 2006 and 2007. As a matter of fact, we had 4 percent growth in 2004; 3.5 percent growth in 2005; and in the first quarter of 2006, we saw 4 percent growth continue. This is good news for not only the American investor; it is also good news for others in the workforce and in the economy.

Here is what happened to employees' payrolls during that period of time. Once again we see some lines that drop below the positive mark. We see some negative growth in nonfarm payrolls as we move through. And as we saw the 2003 tax cuts go into effect, once again we saw the economy rebound and we see employees in nonfarm payrolls begin to increase to much healthier levels than they had been during the 2000, 2001, 2002, and 2003 period of time when investments, productive investments, were not being made.

As we sought an answer and the administration proposed the tax cuts and the House and the Senate implemented the tax cuts, once again nonfarm payrolls and employees' payrolls began to grow, as demonstrated by this chart.

Finally, gross domestic product, which is how most economists measure growth in the economy, continues to be very good. Beginning in 2003, as our tax cuts went into effect, dividend tax cuts, the taxes on dividends were lowered, the taxes on capital gains were lowered. We see in 2003 and 2004 as we move across here, and as I said before in 2004, we had an average of 4 percent growth. In 2005, we had an average of 3.5 percent growth over the four quarters of that year.

The forecast for the first quarter of this year, which is in red, the first of the four lines, the actual forecast is 4.7 percent. I think that might be a little high. I think it might be closer to 4 percent. But that is healthy economic growth, and we continue to see the effect of the policies we have put into place. We expect that the growth may slow somewhat during the first, second, and third quarter; but we believe we will average 3.5 percent this year.

I might add one thing that I think is important for us to remember, and that is that the tax cuts, together with other policies, have produced this growth and we need to continue to support those policies as well. The Federal Reserve has been a huge part of this as well. While it is nice for the Congress to take credit with the implementation of the tax policy that we implemented, the Federal Reserve also deserves a lot of credit for what has happened here through the policies that have been brought about through something called ''inflation targeting.''

Today, inflation is very low. Inflation is around 2 percent; and it is around 2 percent because, in my opinion, the Federal Reserve has used this policy of inflation targeting as the cornerstone for Fed policy. As inflationary expectations, as we look to the future, interest rates have continued to be historically low. In spite of the fact there has been a little up-tick in interest rates because of Fed policy in the last year or so, we continue to see affordable interest rates and interest rates that influence investment and continue to provide the stimulus that we need for the kind of economic growth that we have seen since 2003.

Mr. Chairman, I just wanted to make these points. I think this is a very important background for us as we begin this budget debate.

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

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

Mr. Chairman, the gentleman mentioned the rhetoric coming from this side of the aisle; but we are not speaking rhetoric, we are speaking facts and figures and numbers do not lie.

The other side of the aisle raised the debt ceiling four different times under this administration so we now have a record debt of over $8 trillion. That is not rhetoric; that is a fact. If you break it down, each man, woman and child in America owes $28,000; and it is galloping upwards, the debt on our children and our grandchildren.

Another fact that is not rhetoric is we have the largest trade deficit in the history of our country, the largest in the history of the world; and other countries are financing our budget. We are shifting our wealth to other countries. It has been said if China invaded Taiwan, we would have to borrow money from China to defend Taiwan. That is not a good position to be in.

Mr. Chairman, the budget offered by the majority continues the failed economic policies of the Bush administration. The typical American family is still feeling the effects of the most protracted job slump in decades. Actually, it is the worst job slump since the 1930s. On top of that, wages and incomes are stagnating. There is a growing gap between the haves and the have-nots. This is a tremendously troubling trend in our country.

But this budget does not address any of those problems. It contains unfair spending cuts that disproportionately harm middle- and lower-income families to help pay for tax cuts that go overwhelmingly to those who are already very well off. Where is the fairness in this budget?

And this budget continues to add to our legacy of deficits and debt and has turned us into a Nation of debtors relying on the rest of the world to finance our budget and our deficits.

□ 1245

This is a very troubling trend in our country. We have never had it before. It leaves us unprepared to deal with the challenge posed by the retirement of the baby boom generation and weakens the future standard of living of our children and our grandchildren. I urge a ''no'' vote on this budget.

Mr. Chairman, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT), the distinguished ranking member on the Budget Committee. We thank him for his leadership on this and his leadership in so many areas.

Mr. SPRATT. Mr. Chairman, the administration has devoted a lot of energy to touting the successes of the economy, particularly with respect to the job statistics, as justification for the 2001 and 2003 tax cuts. But let's look at the record.

When President Clinton took office in January 1993, there were 109.7 million jobs in the national economy in the work force. When he left office in January of 2001, there were 132.5 million jobs. That means that during the 8 years of the Clinton administration, there was a gain of 22.8 million jobs. These were the jobs created during the Clinton administration at a time when we brought the budget to balance, making the bottom line of the budget every year better and better and better to the point where we had a surplus in 1998.

Now, compare that job gain, 22.8 billion to what has happened during the Bush administration. When President Bush took office in January 2001 there were 132.5 million jobs in the economy, according to the BLS. By January of 2006, 2 months ago, the economy had a total of 134.6 million jobs. That is an increase of 2.1 million jobs, versus 22 million jobs created during the Clinton administration. No comparison. Stark contrast.

What is even worse is the fact that the Bush administration has seen most of its job gains of more than 50 percent occur in the public sector, not in the private sector. The tax cuts that have led to the deficit did not generate the jobs that were proposed or projected in the private sector. Far from it. Growth has come in the public sector.

And this is worst of all. Job growth in the manufacturing sector under President Clinton grew by 315,000. Not impressive, but at least not a loss. Under President Bush the manufacturing sector has lost 2.9 million jobs. 2.9 million jobs over the last 5 years, an average of 48,000 jobs a month.

Now, when we say that the economic gains that appear from this GDP growth and other things that look positive, stock market, the Dow Jones are all doing well and are healthy vital signs, we are glad to see them. But they are not translating into the lives of the ordinary working Americans. This is why the loss of manufacturing jobs, the best paying jobs in our economy, particularly for blue collar Americans, this is why it has happened, because this is why the family median income in real terms adjusted for inflation has gone down almost every month since 2001.

So beneath the glitter and generalizations are some stark facts that don't really appear to support the claims the Bush administration has made. Namely, they have created just over 2 million jobs, whereas the Clinton administration created 22.8 million jobs during his time in office. And they have presided over a devastation in the number of manufacturing jobs, a loss of 2.9 million manufacturing jobs in our economy.

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

One additional way to look at our economy and to see how it compares with what we may have seen around the rest of the globe is to simply look at the statistics as to how our U.S. economy has performed as compared to some others. For example, when we look at real GDP growth from the first quarter of 2001 through the fourth quarter of 2005, the U.S. economy expanded at an average annualized rate over all of those times, even though it was slow during the earlier years, at 2.6 percent, and the United States ranked first among its peer group in the world in real GDP growth.

In terms of investments of fixed assets, from 2001 to 2005, growth investments in fixed assets as a percentage of GDP growth rose in Canada and the United States but fell in the European Union and Japan. And so once again, the United States was a leader in terms of investment and fixed assets.

In terms of industrial production from 2001 to 2005, through 2005, the United States industrial production increased by 7.1 percent, a very, very healthy picture. And I might add that this industrial production increased because of investments, because of investing in productive things, investment brought about by the budgetary policy and the tax policy of the Congress of the United States and the administration.

Employment and unemployment. From January 2001 through December 2005, the United States ranked second in employment growth in both absolute and in percentage terms. In the United States employment grew by 5,165,000 jobs, or 3.8 percent. Canada ranked first in percentage growth with 9.3 percent, while the European Union ranked 15, first in total increase of 5.7 million, which was actually 3.4 percent, far below the United States.

In December of 2005, the U.S. had an unemployment rate of 4.9 percent, the second lowest among its peer group. If we look at this chart next to me of unemployment rates, if you look at the unemployment rate in the European Union, it was 8.3 percent. If we look at the unemployment rate in Canada, it was 6.4 percent. And at the end of the year, same time frame, the unemployment rate in the United States was 4.8 percent.

Just interestingly enough, there is a member of the U.K. Parliament in town today, and I saw him early this morning and he said, I envy you. I said thank you, and why is that? He said, when I go to work at home and I earn an income for my family, 59 percent gets paid to the government. I envy us, too, because we have seen beyond the period of high taxes. We have seen beyond the period of producing an economic policy that in Europe provides today for an 8.3 percent unemployment rate or in Canada of a 6.4 percent unemployment rate. We are fortunate. But it is because of good policy. It is because of the policy of this administration and this Republican Congress that we have a 4.8 percent unemployment rate.

Labor productivity is up in our country as well, and that is one of the reasons for this great economic growth. From the first quarter of 2001 to the fourth quarter of 2005, labor productivity grew by 9.5 percent. That means that because of technology that we have invested in, smartly, and partly because of tax policy, we have made our workers more productive than at any time in our history and the most productive work force in the world.

I said a word a few minutes ago about price stability. Price stability is what it is today, lack of inflation, inflation of 2 percent or under, because of Fed policy. Chairman Bernanke told me earlier this week that he intends to continue policies that have price stability as the number one goal as inflation targeting continues, to keep our rate of inflation low and to keep interest rates low accordingly. Smart economic policy.

And so as we walk through the things that have occurred, partly because of the Congress and partly because of the Federal Reserve, we see that things in our country are doing well, particularly when compared to others.

On balance, the U.S. economy has outperformed its peer group and large developed economies in a number of key measures of economic well-being between 2001 and 2005, during the period that George W. Bush has been President.

Pro-growth tax policy and good monetary policy have contributed to the superior performance of the U.S. economy, and as my friend from the U.K. Parliament said today, yes, we are proud of this record.

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

Mrs. MALONEY. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. CUMMINGS), a member of the Joint Economic Committee.

Mr. CUMMINGS. Mr. Chairman, I rise to join my Democratic colleagues on the Joint Economic Committee in condemning the Republican leadership fiscal year 2007 budget before us today.

Since President Bush took office our Nation has experienced the greatest average annual decline in household income during any administration since 1960. Not surprisingly, more Americans live in poverty and more lack health insurance now than when Mr. Bush took office.

The economic choices our Nation has made have fallen particularly hard on African Americans. According to the United States Census Bureau in 2004, households headed by African Americans had the lowest median income of any racial group. Poverty among African Americans reached nearly 25 percent, while nearly 20 percent of African Americans lacked health insurance.

The United States Department of Labor reports that the unemployment rate among African Americans has risen 13 percent since President Bush took office, and stood at more than 9 percent in December 2005, which is more than twice the unemployment rate among white Americans.

Confronted with this situation, in which the potential of an entire generation of African Americans could be lost to rising poverty and joblessness, the House has presented us with a budget resolution that would cut $447 million from the amount needed just to maintain the current level of services provided to assist primarily low wage workers and vulnerable families, such as housing assistance for people with disabilities and the elderly, food programs that help low income elderly and mothers and children, job training programs that help the unemployed, and child care assistance.

Confronted with this situation in which 13 million American children live in poverty, including 9 million African American children, the House has presented us with a budget that will result in several hundred thousand low income working women and their children losing their health coverage through a failure to fill a funding shortfall in the States' Children Health Insurance Program.

The House has presented a budget resolution that would add $348 billion in fiscal year 2007 to our ballooning deficit to extend tax cuts totaling $228 billion that will continue to go primarily to the wealthy. In fact, according to the Tax Policy Center, during the years 2007 through 2016, 29 percent of the tax cuts that have been enacted in the individual income tax, the estate tax and the Alternative Minimum Tax since 2001, will go to the top 1 percent of earners while the bottom 60 percent of households will receive just 14 percent of tax cuts.

Mr. Chairman, the budget before us is simply unconscionable and the financial policies it continues are unsustainable.

I urge my colleagues to recognize our true priorities lay with our people and placing our country on a sound economic footing. I therefore urge my colleagues to join with me in rejecting this budget.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, more than any single piece of legislation we passed this year, the budget reflects our Nation's core values. Unfortunately, this budget values deficits over balanced budgets and tax cuts over the health and education of the American people.

This budget cuts more than $10 billion from critical domestic programs our constituents rely on every day. By eliminating 42 educational programs, the budget fails our children and wastes our opportunity to invest in their future.

It hurts low-income students' shot at the American dream by wiping out the GEAR–UP program that prepares them for college.

It threatens our future economic competitiveness by eliminating vocational programs to help our students gain skills in the global economy.

There is so much in this budget that is wrong this cannot actually represent the value of this Congress and the values of the American people because of what it does.

□ 1300

It cuts the budgets of 18 out of 19 institutes of the National Institutes of Health. It raises deductions and copays for veterans health care.

Mr. Chairman, there is so much wrong with this budget that one thing

it does, it continues the tax cuts, and that is why it is not the American values.

Let us help our children, our veterans, and our elderly without giving tax cuts.

Mr. Chairman, more than any single piece of legislation we pass this year, the budget reflects our Nation's core set of values.

Unfortunately, this budget values deficits over balanced budgets, and tax cuts over the health and education of the American people. This budget cuts more than $10 billion from critical domestic programs our constituents rely on every day.

By eliminating 42 education programs, the budget fails our children and wastes our opportunity to invest in their future. It hurts low-incomes students' shot at the American Dream by wiping out the GEAR–UP program that prepares them for college. It threatens our future economic competitiveness by eliminating the vocational education programs that help our students gain the skills to compete in a global economy.

This budget breaks our commitment to military retirees by increasing—and in some cases tripling—their out-of-pocket health care fees. It abandons our quest for health care research and discovery by cutting the budgets of 18 out of 19 institutes within the National Institutes of Health. It cuts programs aimed at preventing illness and disease while also slashing programs that train health professionals to treat these diseases.

As a country at war, there is no doubt that we have to make sacrifices to successfully implement the war on terror and equip our troops. But the funding cut from domestic programs in this budget does not go for war costs. In fact, war costs aren't even included after 2007.

The funding cuts also aren't being used to balance the budget. With this budget, this country will post a deficit of $348 billion for 2007—one of the largest deficits in our Nation's history.

Instead of funding war costs or paying down the deficit, the cuts in this budget are used for tax cuts; $228 billion in tax cuts for the wealthiest Americans when families are in need here at home, and troops are putting their lives on the line far from home.

Mr. Chairman, at best this budget is misguided. But the truth is, this budget is down right immoral, and I urge my colleagues to join me in opposition to it.

Mr. SAXTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Chairman, I come from a Midwest State, from Michigan, home of the auto industry. And while my district is relatively doing well, according to the unemployment figures that have been released, I can assure you that Michigan as a State is not doing well. There are several reasons for this, which the place here is not to debate. But the thing that I ask as a Member from Michigan is that we do not make it more difficult for the people of Michigan to right the ship and to begin our path to an economic renaissance.

Struggling pockets of poverty and struggling pockets in the manufacturing base in Michigan and the Midwest and other parts of this country can never be revitalized or returned to their prominence if we deviate from the economic path we are on today, because if the American economy goes back to a higher system of taxation, a system that then crushes entrepreneurial initiative and the individual genius of the American worker, States like Michigan will never recover.

We need to continue the economic expansion in this country. We need to continue to follow pro-growth policies, especially in the area of taxation. We do not give anything to anyone. We merely allow them to keep what they have earned so that they can then directly invest in the future of their children, of their community, and of the life of this country.

So, Mr. Chairman, I welcome this debate on the budget. I welcome the debate about the priorities. But I would encourage us to continue the path because of the several fundamental assumptions that the current policies that we, as the Republican majority, have adopted. I think they must continue because they are very prescient.

The first, and I reiterate, is that tax relief does not give anything to anyone. It allows people to keep the fruits of their hard work. That is not a gift. It is a recognition by government that people who generate wealth should be able to invest it for the betterment of themselves and their family and their community.

Secondly, history has proven to us that as the taxation rate continues to escalate, what happens then is money that is more productively invested into the life of the American community is then less productively spent when it is vicariously handled and invested, or spent, by the United States Government.

Thirdly, I would like to point out that when we talk about government, there are objections about Republican fiscal policies that government has to pay for things. The third root assumption, I think, that our economic policies follow, which must be continued, is that government pays for nothing; working people pay for everything.

So I would encourage us to remember that we live in a sovereign democracy, a democratic Republic where your private property is your private property until the government gets it through the consent of you, the governed. Government then holds your money in a pool, collectively in trust, to be expended on behalf of you and your fellow citizens.

So let us not forget that, as we discuss taxation policy, because when we are essentially asking to deviate from the tax policies of pro-growth that we have today where people keep what they earn, we are beginning to forget the fact that the United States Government does not create wealth, the United States Government does not pay, the United States Government is not the repository of property to be dispensed back to people.

The American people have private property rights, and they have the unalienable right to keep the fruits of their labor. Our policies reflect that, and I believe that the American economy, this entrepreneurial energy, has been unleashed because of these policies.

And I conclude by again reiterating my commitment and my hope that this collective Congress continue the path we are on so that States like mine can continue the path to recovery.

Mrs. MALONEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I thank my friend and colleague from New York for her leadership on this Joint Economic Committee.

As we have heard over the course of the period of this debate, we have had in the last 5 years huge amounts of economic stimulation in this economy. The amount of economic growth dropped off sharply when the Republican Party took control of both the executive and the legislative branches of government in 2001. With the cooperation of the Federal Reserve, huge amounts of monetary stimulation were injected into the economy, and they dropped the interest rates to zero. And this Congress engaged in a spending program which was enormous, huge amounts of spending coming out of these congressional resolutions, these budget resolutions and appropriations bills.

That kind of economic stimulation should have been very positive, but it was not. One of the reasons it was not is because it was done in a very irresponsible way. It was done by borrowing huge amounts of money, and that borrowing has created record amounts of debt for the American people, which they will have to pay back over the course of generations.

As we have heard, the national debt now exceeds $8 trillion, and the majority party has risen that level to almost $9 trillion. With that kind of economic stimulation, huge amounts of spending and very low interest rates, we would have had every reason to anticipate that unemployment would drop, that more and more people would be employed, that they would be employed progressively, that their wages would be increasing, and the economic circumstances for the American workers and for American families would have gone up, except that, as I pointed out, it was done so irresponsibly so that most of the benefits have gone to the wealthiest people in this country and little or no benefits have gone to the middle class.

So the effect has not been that we have cut unemployment and increased employment. We now have 1.2 million more people in America who are unemployed than there were 5 years ago.

Long-term unemployment is even worse: 1.4 million Americans are suffering long-term unemployment.

They have talked about job growth. Well, of course there has been some job growth. What has that job growth been? It has averaged about 38,000 jobs a month. Normally, even without that huge amount of stimulation, that huge amount of spending, normally what we have in America is job growth at the rate of 125,000 to 150,000 jobs a month. Job growth under their economic program has been down to 38,000. That is why we have more and more people unemployed, short term and long term.

Manufacturing jobs, the essence of our economy, the most important aspect of our economy, manufacturing jobs, have gone down by 2.9 million jobs since they have taken over both the executive and legislative branches of government. Real wages for working people in this country have not gone up as you would expect with that kind of huge amount of spending, but real wages have fallen in the past 2 years. In fact, in the last 2 years, they have gone down by nearly 1 percent after inflation for American families.

So the budget resolution that we are seeing today is consistent with the economic policies that the Republican Party has put forth over the last 5 years, which have been so devastating to the American economy, to American workers, and to American families. And that is the reason why this budget resolution must be defeated.

Mr. SAXTON. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. HULSHOF).

Mr. HULSHOF. Mr. Chairman, I appreciate that, and I appreciate the leadership of the gentleman from New Jersey.

Let me just say to the last speaker, nothing done for middle-income families? Consider that 5 million taxpayers have completely had their income tax liability removed. In fact, they pay no income tax liability to the Federal Government anymore after these pro-growth tax initiatives.

Mr. Chairman, I was listening to this debate, and I have to tell you, as someone who was an economist at the University of Missouri Columbia, I remember sitting in those, some would say, boring lectures. I was one of the few that actually enjoyed those lectures. But it used to be thought that if you had the unemployment rate in America certainly at 5 percent, it was considered to be full employment. We have a 4.8 percent unemployment rate. As has been rightly pointed out, inflation has been kept in check. We have homeownership at an almost all-time high. Consider the fundamental underpinnings of this economy.

And my friend from South Carolina, whom I have great respect for, I was listening to your discussion as well, and you acknowledged at least there has been some job creation; and you talked about the 8-year period of time under the previous administration, and we are at a 5-year point here as far as this administration. But consider what this President inherited. Certainly everyone can agree, when you put the partisanship aside, if you can, that the economy was slowing in the last 2 years of President Clinton's administration. Then you consider actually what happened as far as the tech bubble bursting, corporate scandals that rocked the confidence of the investor class, the shock that the economy took on September 11.

Clearly, we had the horrific human tragedy but, of course, the economic tragedy as well, plus trying to respond to Katrina and the multiple catastrophic events that we have attempted to do. When you consider we have weathered all of those storms, so to speak, and we have unemployment at 4.8 percent, inflation less than 3, homeownership and all this other positive economic news, and the fundamentals are there, I recognize again that the loyal opposition must be loyally opposed and to your political peril that you would talk up the economy. But I would just simply say that in this intensely partisan political time, at least give credit where credit is due.

I thank the gentleman for yielding.

Mr. SAXTON. Mr. Chairman, just to conclude this debate, it was not a Republican idea originally to stimulate economic growth by use of the tax policy. It was John Kennedy's idea. When Ronald Reagan was elected President, we Republicans all stuck our chests out and said what a wonderful idea. But it was John Kennedy, who, in his State of the Union speech after he was elected, said we cannot expect to continue to lead the economic world if we fail to set the economic pace at home. And he went on in his speech to detail the tax cut plan that he wanted to put in place. It was put in place and the economy grew. And Ronald Reagan did the same thing. A different plan, same concept. And George Bush I did the same thing, and George W. Bush has embarked upon the same thing.

Now, it has been suggested by the minority that somehow we can have tax cuts without cutting taxes of people who pay taxes. This chart to my left shows who pays taxes. As a matter of fact, the top 1 percent of the taxpayers pay 34 percent of the taxes. The top 50 percent of the taxpayers pay 96 percent of the taxes. And that means that about 4 percent of the personal income taxes that are paid in this country are paid by the bottom 50 percent of the wage earners. As Mr. HULSHOF just pointed out, many of those folks have been taken off the tax rolls altogether.

□ 1315

So the charge that people who earn more money get a larger share of the tax cut, I guess I would just ask this question: If you believe, as I do, that tax cuts stimulate economic growth, and if you are going to have tax cuts at all, then you have to cut taxes from the people who are paying them, and they are almost all in the upper half of the income brackets.

The CHAIRMAN. All time on this part of the debate has expired.

It is now in order to conduct general debate on the congressional budget. The gentleman from Missouri (Mr. HULSHOF) and the gentleman from South Carolina (Mr. SPRATT) each will control 90 minutes.

The Chair recognizes the gentleman from Missouri.

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

Mr. Chairman, today is a great day, a great day of opportunity for this House and really for the American people. I want to echo what was said during the previous debate, particularly by my good friend and colleague Mr. MCCOTTER from the State of Michigan.

I want to start by actually announcing a truism that certainly all of us, Republicans, Democrats, Independents, liberals and conservatives can agree with, at least I believe it to be a truism, and it would be simply summed up in two statements:

First of all, wealth and prosperity and economic opportunity do not come from government programs or increased Federal spending. Isn't that at least something we can begin to agree upon?

The second corollary that again I think is axiomatic that again surely all of us can agree with, is, secondly, the Federal Government cannot tax its way into prosperity.

So when you consider where we are, as we try to make these very difficult, tough budget choices, I believe that the budget that we have on the floor today should deserve bipartisan support. I don't expect it, but it should.

This fiscal year 2007 budget continues and furthers our plan to strengthen our Nation's most critical programs. It reforms the Federal Government. It spends the taxpayers' dollars wisely.

Again, I am certain that as we over the next couple of weeks go to visit with our constituents, those folks that are actually paying the bills, they simply want to be assured that they are getting a dollar's worth of value out of every dollar that they send to the Nation's Capital. This budget does that, and in fact it does it by focusing on a number of priorities.

We build upon our Nation's greatest strengths. We continue our successful pro-growth policies to ensure that our economy, that has been doing well, job creation that has been increasing, remains strong and that we continue that vibrant economy.

We also accommodate the administration's request to provide whatever is needed in the way of resources to support our troops, again something that I think both sides of the aisle will agree with. We have to continue to keep our Nation's defense and security the strongest in the world, especially at this very critical time.

But we will also continue our efforts at controlling spending across the board. We want to restrain the nonsecurity discretionary spending programs. We want to build on our progress to reform and find savings in

some of these mandatory programs that are on autopilot, if you will.

In addition to furthering those reforms to improve our Federal Government programs, it is time again to begin to reform the budget process itself to better reflect and address how Federal Government dollars are actually spent.

When we had our interesting markup last week in the Budget Committee, and I suspect as we heard that night, again, the loyal opposition is likely to provide a somewhat schizophrenic argument. On the one hand they are going to decry the fact that this budget does nothing as far as the Federal deficit and adds to the Federal debt. In other words, they are saying that this budget, we spend too much. And probably then in the second sentence, they will say ''and it doesn't invest enough in certain programs.''

In other words, our friends across the aisle will talk about that the budget spends too much and then it doesn't spend enough. Certainly I would say that covers all the bases.

We think that this is a responsible budget. It focuses on our priorities, our strengths. It keeps us on a pro-growth agenda to keep this economy growing, because as we realized back during the days of the 1990s, with the Democratic President and a Republican-led Congress, we were able to make some significant progress. But it wasn't just Congress. It was those hardworking men and women across the country, the laborers, the farmers, the manufacturers, the lumberyard dealers, the tool and die makers, those in the service industry, those folks that punch the clock every day, go to work, play by the rules, pay their taxes and simply want the best out of government that they deserve. We think this budget accomplishes that, and I urge its support.

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

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

Mr. Chairman, in describing the difference between Republicans and Democrats, between them and us, when it comes to the budget resolution for 2007, let me go straight to the bottom line: We have got a manifestly better bottom line.

The Democratic substitute returns the budget to balance in the year 2012. Building on our reputation for fiscal responsibility which we established in the 1990s during the Clinton administration, every year the bottom line of the budget got better and better and better until the year 1998 when we had a surplus and the year 2000 an unprecedented surplus of $236 billion. That was the year before the budget was handed over to President Bush, and it has gone downhill ever since.

So what is the difference between us on the bottom line? The Democratic budget resolution returns the budget to balance by the year 2012.

In the interim, our budget runs smaller deficits and racks up less debt. Not by a huge amount, but by a significant difference. The Democratic resolution also holds nondefense domestic discretionary spending to the level of current services over 5 years, showing that we can exercise spending control without devastating vital services and programs that people dearly depend upon.

The Republican resolution, as I said, never reaches balance and presents no plan or prospect of ever wiping out the deficit or reducing the debt.

The Republican budget resolution in fact would make the deficit worse by $410 billion over 5 years than would just a basic, current services treadwater budget.

OMB projects a deficit for this year, 2006, of $423 billion. House Republicans project a smaller deficit of $372 billion, and they project this deficit to decline to $348 billion in 2007, showing a bit of improvement. But these projections still mean that on the watch of President George Bush the five largest deficits in our country's history will occur. The five largest deficits in our country's history will occur on the watch and administration of President Bush.

To make room for the Bush administration's budget, four times Republicans in the House and Senate have raised the debt ceiling of the United States by $3.015 trillion. They have raised the debt ceiling by over $3 trillion between June of 2002 and March of 2006.

Under the Republican budget resolution, the statutory debt ceiling will increase by an additional $2.3 trillion by 2011. This means that debt ceiling increases from 2002 to 2011 will equal $6 trillion, and the statutory debt will stand at $11.3 trillion, more than doubled over the 10-year period 2002 to 2011, from $5.3 trillion when President Bush took office to 2011.

We can talk about budget in terms of fiscal policy, we can talk about it in terms of budget policy or just plain accounting issues, should we have accrual budgeting or cash budgeting, but here is the bottom line. This budget is a moral document, and the choices it makes, for whom it helps and whom it hurts, but, more importantly, in the debt it accumulates which we hand over to our children.

Are we going to be the only generation in recent American history which bequeaths to our children this dreadful legacy of debt, mountainous debt, $11.3 trillion by 2011? Today we will make the decision once again as to whether or not that is going to be the legacy we leave our children and grandchildren.

To discuss this further, I now yield 6 minutes to the gentleman from Tennessee (Mr. COOPER) and request when his time comes, he can use this time and allot it to the other Members of the House.

The CHAIRMAN. The gentleman is recognized for 6 minutes. During that time, he may yield to others while remaining on his feet.

Mr. COOPER. Mr. Chairman, I thank my friend from South Carolina for yielding. He is one of the great Members of Congress of our time, and this is a vitally important debate.

Our first speaker on our side talking about fiscal responsibility will be my good friend and colleague from Wisconsin (Mr. KIND), for 1 minute.

Mr. KIND. Mr. Chairman, I thank my good friend from Tennessee for yielding me this time, and I commend him for his leadership in trying to institute budget reforms and instill fiscal discipline in the budgeting process.

Listen, we are going to have a very vigorous debate over the next couple of days in regards to the priorities and the values of our Nation, as it should be. People are entitled to their own rhetoric, they are entitled to their own spin, their own opinion, their own ideology, but we are not entitled to our own facts, and the facts couldn't be more stark or more different in regards to the leadership on our budget under Democratic leadership versus the current administration.

As this chart demonstrates, it shows the trend line for budget deficits and budget surpluses, and this upward trend during the 1990s under the leadership of Bill Clinton and Democrats indicates pay-as-you-go rules as they existed for the administration and Congress which led to 4 years of budget surpluses when we were actually paying down the national debt.

This cliff, which this red line demonstrates under the Bush administration, is the administration and Congress operating without pay-as-you-go rules.

What is so hard to get here? We need to reinstate pay-as-you-go rules to bring back fiscal discipline and responsibility, as the gentleman from South Carolina indicated, for the sake of our children's future. Our budget alternative does that. Theirs doesn't.

We are going to continue this downward trend with deficit spending as long as we don't get back to the budget basics.

Mr. COOPER. Mr. Chairman, I thank my friend from Wisconsin.

The CHAIRMAN. The gentleman will suspend. The gentleman from Tennessee was recognized for 6 minutes, during which he may yield to others while remaining on his feet.

Mr. COOPER. I thank the Chair. I yield now 3 minutes to my friend and colleague and fellow Blue Dog, the gentleman from Tennessee (Mr. FORD).

The CHAIRMAN. A Member who does not control time, but who only is yielded time for debate, is free to yield to others while remaining on his feet. He may not reserve time. Although he may indicate to others his intent to reclaim the time after a certain point, he may not yield blocks of time.

Mr. FORD. Thank you, Mr. Chairman, for your admonishment there.

I thank my friend in leading our delegation, JIM COOPER here in the Congress, and thank him for one skill that he seems to have above many of us here. It is just called math. When you

were in younger grades, they called it math. When you got older, they added some more syllables, they called it arithmetic. But the rules were the same. You can't spend more than you have.

What has happened here over the last few years is really remarkable. I grew up around this place because my dad was in Congress for 22 years. He worked closely with Mr. SPRATT and a lot of people who are here now. I was a child, or growing up. I don't mean to date them at all, but I grew up around them and with them.

There was a time when the Republicans were perceived as the party that understood math and Democrats were the party that didn't understand math. Then we elected a President from a little State called Arkansas and he picked a little Senator from my State named Gore, and they came to Washington, as JIM COOPER and I know well, and they forced a different kind of approach on us. And that approach was simply balance the budget, get taxes down for most Americans, get investments going up and allow the private sector to do what it does best, which used to be the mantra of my friends to the right of me, literally and politically.

Wow, what a difference a few years makes once you get in power and you have all of that ability to spend money. Everything from pork spending, and I thank Mr. COOPER for his efforts on the committee for not embarrassing my friends on the right by forcing them to vote on that late in the evening about forcing us to include all of the pork projects, Mr. Chairman, before we voted on them and not allowing people to slide them into pieces of legislation late into the evening.

We have 16 agencies that you can't audit, or several agencies within our government that are not auditable. We have yet to ask, and there was a time when the Republicans would ask these things.

Here we are in 2006 and things have changed. The term ''flip-flop'' was used a lot 2 years ago. The flip-flop is here. We now find the men and women on this side raising these points and not my friends on the other side.

I would remind my friends about their great fiscal management. Eight years before 2000, Mr. Chairman, the U.S. economy added almost 23 million new jobs. That is 237,000 a month. Since 2000, job growth has slowed to a total of only 2.3 million jobs, or 38,000 a month. The normal retort is, well, the economy changed and we are at war. We are, but we have made no adjustments here at the Federal level when it comes to the government.

I will make one last point.

□ 1330

Since 2000, the number of Americans living in poverty has grown by 5.4 million people. When the last President was around, I remind you of the three things he did, he was a Democrat, Mr. NUSSLE: He abolished an entitlement program called welfare, he balanced a budget, and he created a surplus.

Now, as much as you may want to criticize him and us, math does not lie. And you all are faced with a predicament that I would hate to be in, and perhaps if I had to make the case you are making I would throw it all back on us and try to create funny numbers and talk about debt as the size of the GDP.

You cannot deny this. Bill Clinton abolished that entitlement program, he created a surplus, he balanced a budget. And, unfortunately, under your leadership, all of those things frankly have been abolished.

Mr. COOPER. Mr. Chairman, in the time remaining, I am a Blue Dog, I am cochair of the Blue Dogs. Every Blue Dog has a sign outside his or her office that lists the debt, $8.3 trillion, and each American's share of that debt.

It is very important that all Americans recognize the liabilities that this administration has added to our backs. Mr. SPRATT said earlier, $3 trillion of this have been added just in the last 4 or 5 years. It took America the first 204 years of its history to get $1 trillion in debt. Now we are doing it about every 18 months.

But don't take my word for it. Don't take the Blue Dogs' word. Look at a book just written by one of the most conservative Republican economists in America, Bruce Bartlett. It is called ''Imposter: How George W. Bush Bankrupted America and Betrayed the Reagan Legacy.'' Now, you might say, well, he is a disgruntled economist, although I would urge everybody who cares about our fiscal future to read this book.

Look at this one. This is from President George W. Bush's Department of Treasury, and they are so proud of this document that it was delivered to this body on Christmas Eve without a press release. In this document, you discover that the deficit last year was not the $319 billion that these gentlemen will admit to, it was $760 billion, over twice as large, and the unfunded liability for America approaches $46 trillion. And this is not according to a Democrat or a disgruntled Republican, this is according to the Secretary of Treasury of the United States.

So it is a vitally important debate, Mr. Chairman. We need fiscal sanity to return in this country.

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

Mr. Chairman, I am proud to be here as the chairman of the Budget Committee to propose and debate the budget resolution for this fiscal year 2007, the blueprint that will guide the Congress' spending and revenue decisions for the coming year.

It is not easy to write a budget ever. It is particularly challenging to write a budget when you have to deal with an economic recession, when you have to deal with the worst terrorist attack that has ever hit practically any nation, but particularly ours on our own shores. It is difficult to write one when you are at war, when you have a whole new priority of homeland security that was never even considered just 10 short years ago, or the largest natural disaster ever to affect the United States called Hurricane Katrina. It is never easy to write a budget, and it is particularly challenging to do that when those kinds of things hit you not just one at a time but all at one time.

Today we are going to hear a lot about politics. You know, there is this new movement around the country that I think is pretty important, and that is that we need new science and math education for our kids because we are falling behind, but I think we probably ought to add history to that, too.

I love how the Democrats come to the floor today, and this is modern history for Democrats. In 2001, George W. Bush took office, and look at the deficit we have today. Nothing happened in between. Of course, there have been 6 years that have occurred, and during those 6 years we had those things like an economic recession, like Hurricane Katrina, like 9/11, like a global war on terror, the need to deal with homeland security. And all of those priorities not only were cheerfully voted by both sides, but the national debt not only went up under all of those votes, but in fact the Democrats proposed even more spending to drive that debt even higher.

And probably the most humorous conversation was the one I just heard on welfare reform, how the President is the one who ushered in welfare reform, President Clinton? This is the same President Clinton who vetoed welfare reform twice, and in fact had to be dragged kicking and screaming to support the Republican-passed welfare reform, which was the first opportunity for us to reform entitlement spending and to deal with some huge challenges that gave us the first surpluses in history.

So this budget is always going to be a challenge to write, but it is particularly going to be challenging if all we are going to hear on the other side is complaints and politics, and not any serious proposals to deal with it.

Is this budget going to please everyone? No. You have just heard quite a few complaints about how this budget is not going to please Democrats, and I can certainly understand why. But this budget takes into account the conversations that we have heard from our constituents back home in particular, and I believe this is the budget that is the right budget and the plan to keep our country moving forward with a strong growing economy, with a secure homeland, to provide endless opportunities both today and tomorrow for our kids and our families. It is guided by what we think are our most important priorities and it is based on a clear set of principles: Strength, spending control, and reform. And let me just touch on these briefly.

First on strength. This budget will further build on our Nation's greatest strengths, which include our Nation's national defense and homeland security, and the robust growth of our Nation's economy and job markets as a result of the plans and proposals that we have passed on this floor over the last 5 years.

Spending control. This budget will continue our efforts to control spending across the board by further restraining the nonsecurity discretionary spending, and building on our progress from last year to reform government, achieve savings in mandatory entitlement programs.

In addition to those reforms, we also believe that it is time for us to reform the budget process and continue the work that has already been done. This budget will begin to reform the budget process by actually dealing with emergency spending.

And I will come back to all of these, but let me first touch on our strengths.

The economy. As I just noted, our underlying strength comes from the Nation's economy, and in the past 4 years, 5 years, it really has delivered. I mean, we have seen some wonderful things as a result of the American people being able to spend and invest and use their own resources. After adjusting for inflation, our economy has grown at a robust average of better than 3 percent a year since 2003. Nearly 5 million new jobs have been created in America as a result of this economy, and the unemployment rate has fallen to 4.8 percent, which not only is historically very low, but by many economists that is considered full employment. Even in the face of higher energy prices, which we are working to deal with, and the worst natural disaster on record, our economy has proven remarkably resilient and strong, growing, creating jobs, and increasing personal incomes.

Clearly, the real credit for the growth goes to the people who do the work in this country, who work and save and invest and create jobs and allow our economy to continue to grow. But we in Congress did support their efforts by lowering their tax burdens, and this budget continues that because we believe there should be no tax increases, as opposed to the Democrats who propose tax increases in their alternative budget. And we did this because of our fundamental belief that the people back home really do make better decisions about their daily lives, about their businesses, about their farms, about their families and communities than the Federal Government ever could make for them.

As a result of giving Americans more control over their money, we have seen more investment, more jobs, greater opportunities in our country, and as a further direct result of this growth from what Americans have done, revenue has come pouring into the Federal Treasury. In fact, last year we saw Federal revenues increase by almost 15 percent in one year.

Now, I realize we have got to stop and just highlight this because if you have been listening to the rhetoric on the other side, you will believe that the bane of all of our illnesses is because we have reduced taxes and that somehow tax cuts have caused this government to fall off its pedestal, when in fact reducing taxes has actually brought in 15 percent more revenue growth to our Federal Government, and it is because our economy works. When you are allowing people to keep their money and invest it on their own, it creates opportunities and jobs and business development, and as a result of that more people pay more taxes and that brings more revenue into the government.

In short, our economy has gone from recession just a few short years ago to a strong sustained period of growth, and to ensure that that growth and strength continues to be in an upward momentum our budget does not increase taxes.

Second is national security. This budget will also continue to provide whatever is needed to support our American troops and to ensure our Nation's defense remains the strongest in the world. We do not have a secret plan, as you will find in the Democratic alternative substitute, that basically says we are not going to fund the war after next year. It is kind of a secret plan to basically say one of two options. We are either going to bring all the troops home like the gentleman from Pennsylvania wants to do or we are not going to fund them so they are able to claim balance. They have basically put no more money, no support to our troops in the field over in Iraq and Afghanistan.

The President's budget, not including war funding, has requested an increase of 7 percent to ensure that our men and women have the opportunity to support and defend our Nation and our budget will accommodate that request. We will also, as we have for the past two budgets, place $50 billion in reserve to fund those wars in Iraq and Afghanistan. And we know that it is going to take a commitment in years to come and we plan to support that commitment, not claim balance and not have some secret plan that is either going to underfund it or bring them home before their job is done.

But even as we provide those resources, we also believe that the administration needs to get the message that we need a full accounting of how this money is being spent and what the implications are for the future. Particularly in the area of defense, we have got to do a better job to ensure that every dollar that we invest and that we put into this critical area is hitting its intended target. It makes our country safer. I cannot think of any activity that deserves more diligent oversight than our national defense.

For homeland security we will provide whatever is needed to ensure our homeland at the border, in our country, in our cities, in our rural areas, whatever is needed. The President has proposed 3.8 percent of an increase and our budget accommodates that request. But just as with defense, we have got to do a better job in this new Department of Homeland Security to make sure these monies are being spent wisely and are actually working to make our Nation more secure.

The second big principle on which we write this budget is controlling spending. Let's start with what we call ''discretionary spending.'' With the necessary shift of our Nation's priorities to provide for these areas of, after 9/11 as an example, we have come to employ kind of a shorthand to effectively divide this discretionary spending into two categories. Let me do that for people who are watching.

We have security spending, which involves our national defense and our homeland security, and what we call ''nonsecurity,'' which is everything else. That is where you will find education, veterans, agriculture, the environment, et cetera. So you have security and nonsecurity. And as most of my colleagues will detail in this debate, we increased our security appropriations funding at a truly incredible rate over the past few years to deal with the challenges that our Nation has needed in regard to security.

But that said, when we decided that our Nation's security was our highest priority, it also meant that everything else needed work and that everything else must come after, although many seem to regularly forget the Federal Government simply does not have an infinite supply of money, nor should it. So when we decide to increase spending in one area, you have got to determine how to pay for it and how to reduce spending in other areas. That is what budgeting is all about.

Last year we held our nonsecurity spending to a freeze tighter than the previous year's 1.3 percent growth and certainly a marked improvement over the previous 5-year average of 6.3 percent. This year the administration has asked for a freeze, according to CBO's estimate, for all the nondefense, nonsecurity spending in our budget. We will assume that freeze is for nonsecurity spending. We believe that our security must come first or none of these other programs will matter much.

That said, it is important to note that while our budget sets an overall number, it is the Appropriations Committee who determines how that money is allocated. Clearly there are high priority programs that receive and should receive increases. But in order to provide those increases, they have to have offsetting reductions and eliminations of other programs, and we know the Appropriations Committee can do this and will do this. Last year alone they eliminated somewhere near 110 specific programs in order to ensure that we fund those programs that are higher priorities.

Now, let's get to where the real rubber is going to hit the road with this budget and where it needs to hit the road.

□ 1345

This is the funding that is truly out of control.

Our biggest challenge in Federal budgeting is the problem of mandatory, automatic, entitlement spending. That is now two-thirds of the budget, and two-thirds of the budget needs some attention. Well, we provide the attention while the Democrats, you can hear the crickets. They do not even look at it. There is no reform in their budget for the mandatory programs. Just do not worry about two-thirds of the budget. We are only going to talk about one-third, they say.

We need to work on reforming these programs. They are important to the people back home. They are not always doing the job they need to do. We need to constantly reform and weed the garden to make sure that garden can continue to grow and make sure that we can eliminate the waste, fraud, and abuse in those programs.

Currently, our mandatory spending is growing at 5.5 percent a year. That is faster than our economy is growing. It is faster than inflation, and it is certainly faster than any of our means to be able to sustain it.

To put it another way, if our budget were balanced right now today, our entitlements would drive it right back into deficit; and so we have got to deal with these challenges which, of course, are highlighted probably most dramatically because there are 78 million baby boomers who are beginning to turn 60 this year, and medical costs are skyrocketing, and there is a steady decline in the number of workers for each retiree.

The problem only gets worse. So we have got to address this. We have got to acknowledge on both sides of the aisle that ignoring this problem, offering no solution on how to fix it, and fighting against those who are trying to help is not going to benefit any one person, is not going to benefit any group. Certainly it is not going to be able to give us the opportunity to be able to deal with these programs in the future.

Just throwing more money at programs, my goodness, you would think somebody would get real, get a more creative budget than this just to throw more money at things and assume that they are actually going to work. We need to reform these programs.

Last year, for the first time in nearly a decade, we took the first step to reform some of these largest programs. We saved $40 billion in the process. We allowed better delivery of these programs to the people they were intended for.

This year's budget will continue to build on those savings by yet again reforming the mandatory programs and establishing that we should, on an annual basis, reform government, even if it is a small amount.

I know people around here say why are you bothering with $6.8 billion. Well, that may be small to some of you, but it is not small to the taxpayers who have to pay the bills around here. This budget will continue to build on those savings by, again, reforming mandatory programs and establishing this annual process.

Finally, let me talk about reform, which this budget is based on. To some extent, we are still learning lessons from Hurricane Katrina. We should continue to always learn the lessons; but one of them that became, I think, very clear is that if we do not control spending, if we do not get good control of spending, it becomes very difficult to manage unforeseen events that inevitably face us.

One certainly could have foreseen that we were going to have a hurricane. We have them every year. We have them every year that I have been in Congress; but no one, no one, could have foreseen the devastation that has occurred as a result of Hurricane Katrina, and no one would have expected it to be built into anybody's budget. We did not build it into ours. The President did not build it into his. Certainly the Democrats did not build it into theirs. In fact, this year they build no money into their budget for emergencies.

Now, wait a minute. I realize this may surprise you. It was in all the papers. We had a disaster last year. We had an emergency. We had a hurricane. Not just a little one, but a big one. Why do we not at least plan for the little ones? Let us at least plan for the disasters that we know are coming.

Mr. FORD. We have the same amount of emergency spending that you have, Mr. Chairman.

Mr. NUSSLE. Mr. Chairman, I believe I have the time, and I have not yielded.

The CHAIRMAN. The gentleman from Iowa has not yielded.

PARLIAMENTARY INQUIRY

Mr. FORD. Parliamentary inquiry. Who signed the welfare reform bill that was passed last century?

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. NUSSLE. No, I do not.

The CHAIRMAN. The gentleman from Iowa has the floor.

Mr. NUSSLE. Mr. Chairman, I appreciate that.

So while we are continuing to learn the lessons, Congress needs to plan for it. Congress needs to plan for these emergencies, and our budget does that. This year, not only will we build in a reform of our mandatory programs and further restrain our nonsecurity discretionary spending, but we need to reform the budget process as well to reflect the actual spending that is currently spent outside of that normal budget process, and it is called emergency spending, for many natural disasters where appropriate spending is certainly necessary.

In addition to emergency reforms contained in this budget, we will continue the process of reforming the budget and reforming the budget process and how we make spending decisions throughout this year. We need to tackle earmarks. We need to tackle the sunsetting of programs that have outlasted their usefulness. We need to deal with line-item veto, and we will do this throughout this year.

Let me just end by saying this. I do not think I need to remind anybody about the massive challenges and changes that our Nation has endured these past few years or the myriad of challenges that lie ahead. We have had enormous challenges in writing the budget. I do not shy away from any of them. I know it would be easy for somebody to just punt.

Well, we decided we were going to meet each one of those challenges and deal with them, and every single year we have had a plan. Finally, this year, the Democrats rushed to the floor with a plan and suggest that they finally now have an idea on how they are going to balance the budget. We will take a look at that a little bit later.

But we have had a plan every year, and our plan has worked, and we have been able to manage our deficits and our debt and our taxes and our economy and deal with so many important priorities in an appropriate way. We have kept our country going when many people, after some of these disasters, said our economy was going to collapse, that we were not going to be as powerful as we were in the past; but because of the leadership we have provided, much of which started in these blueprints, we believe we have been able to keep our country growing and growing strong.

We have seen how the Nation's most fundamental priorities have shifted dramatically, some by circumstance, some by choice, but they have shifted; and we have managed through the process as best as we could.

For the past three budgets, after recovering from the initial shock of 9/11, we have set a bold plan to shore up and strengthen our defense and homeland security, to get and keep our economy growing strong and creating jobs and controlling spending and continuing the process of reform and reducing the deficit, and the deficit has reduced.

We followed that plan, and adjusting it to last year, making a down payment on the immense new hurricane spending. We have made real progress.

But last year's hurricane served as a stark reminder that controlling the budget does not just happen one day out of the year. It is a long-term, step-by-step commitment that takes resolve. It takes more than one person to do it. It takes particularly in extraordinary circumstances a plan, and that is what we present today, our plan for fiscal year 2007.

We need to pass it. We need to stick to it. We need to enforce it. Certainly if there are challenges, we need to adjust to it, but we need a plan. We need

to work the plan. We need to enforce the plan, and we need to pass the plan today.

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

Mr. SPRATT. Mr. Chairman, I yield myself 2 minutes.

I said earlier that this is an excellent opportunity to show the difference between Democrats and Republicans. This document does that; but with respect to national defense, function 050, there is no difference, because to the dollar we have provided the same amount of funding as the Republican resolution. There is no difference.

On the other hand, with respect to education, there is an enormous difference because the Republican budget resolution cuts education by $45 billion over 5 years below what we call the level of current service, staying where we are. Last year, for the first time in 17 years, the President requested less for education in 2006 than was appropriated in 2005; and this year, he asked for an even larger reduction, $2.2 billion less in 2007 than appropriated for 2006, and these cuts come on top of big cuts, crippling cuts in federally guaranteed student loans.

To discuss further the impact and consequences of these enormous cuts in education, which our resolution does not provide for—we fully restore education to current services, fully restore the cuts they would make—is RON KIND of Wisconsin, a member of the Education Committee, and I yield him 6 minutes for that purpose.

Mr. KIND. Mr. Chairman, I want to thank my good friend from South Carolina for the leadership he has provided on the Budget Committee, and we do want to take a moment to talk about the priorities of our country, especially when it comes to the investment of the future of our country, and that is the education of our children.

Mr. Chairman, our country is going to face two of the greatest challenges in the history of our Nation in this century. One is securing our Nation against the global threat and the global capability of international terrorism, but, secondly, it is our ability to remain the most innovative and creative Nation in the world. That requires an investment in our children and the quality of education that they are exposed to.

It is something that we do in our budget alternative, and we do it by operating under pay-as-you-go rules that will restore us to balance again by 2012, but by maintaining that important investment in our children's education.

Their budget punts, in fact, their numbers track the President's recommended budget, which calls for the elimination of 42 education programs in our country, including vocational education, gone; Perkins loans, gone; Safe and Drug Free Schools, eliminated; education technology and Even Start, eliminated, in what the President is calling for in the budget.

We can do a better job with our alternative, and we would encourage our colleagues to support it.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), a real champion of our children and to education in this country.

Ms. DELAURO. Mr. Chairman, this budget contains massive deficits for our children and unaffordable tax cuts for the wealthiest Americans at the expense of middle-class families. Particularly damaging are the cuts to critical services in education, workforce development, health, veterans services, and environmental protection.

It fails to include an additional $7 billion so that in fact we can fund education and health and the other services in the same way that the Senate, by a vote of 73–27, voted a few weeks ago, funding for the Community Services Block Grant, Low-Income Heating Assistance, National Institutes of Health and Pell Grants, programs that touch virtually every community health center, hospital, school district, and employment center in the Nation.

Last week, I proposed an amendment that would restore this $7 billion when the Budget Committee met. It was rejected by this Republican majority on a party-line vote, and what we are left with are cuts that would cut cancer research by $40 million.

We tell our kids today, you need to have a post-secondary degree; you no longer have the luxury of just having a high school diploma because we exist in a global economy. What they will do is to eliminate more than 40 education programs, all Federal vocational and technical education programs. They freeze the Pell Grant.

Education has been about opportunity. They will deny the opportunity of our youngsters to be able to get a college education.

That is what this budget does. These are Republican priorities. They are not the American priorities. It is a misguided and it is an immoral budget, and we ought to support the Spratt substitute.

Mr. KIND. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY), a real leader on the Education Committee and a champion for our children throughout the country.

Ms. WOOLSEY. Mr. Chairman, we need to put sanity back into the Nation's fiscal policies, and this Republican budget just does not do that. In fact, we continue with their policies to fill the pockets of the defense contractors while leaving only pennies for nearly every other priority of this country.

That is why I offered an amendment to the budget that would trim $60 billion in waste from the Pentagon budget, not a single penny, by the way, from the wars in Iraq and Afghanistan, and put these savings to work on behalf of the people and programs that truly strengthen America.

□ 1400

By cutting outdated and unused weapon systems that were designed to fight the Cold War, relics that have no place in today's modern military, we could invest in our national priorities, like education. We could be rebuilding and modernizing our public schools, or we could be making up for the President and the Republican Congress's $55 billion of underfunding for No Child Left Behind.

The savings would also be spread to homeland security, cutting the deficit, a skilled and educated workforce, healthy children, less dependence on fossil fuels, better fire departments, scientific progress, and less debt. That is what makes America strong and safe.

Enough is enough, Mr. Chairman. It is time we invested in our kids and their education, not in Cold War relics. Vote against the Republican budget.

Mr. KIND. Mr. Chairman, I yield such time as she may consume to a real leader on education and workforce development issues, the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ of Pennsylvania. Mr. Chairman, I rise to reject the borrow and spend policies included in the Republican budget, a budget that fails to balance the Federal checkbook, ignores our obligations to Americans, and heaps debt on our children and grandchildren at the rate of $1 million a minute.

Mr. Chairman, our budget, the Democratic alternative, would balance the Nation's budget by 2012 through fiscal discipline, something the Republicans refuse to do. And in contrast to the Republican budget, we would make the important investments in homeland security, health care, and services for our veterans.

Specifically on education, we would restore what the Republican budget does not do. The Democratic budget would in fact invest in educating our children. It would meet our Federal obligations under No Child Left Behind and under special education, and it would not pass along these costs to our local and State governments. It would help young adults be able to get the advanced education needed to have the skills and the technology to be able to compete in the 21st century.

We should reject the Republican budget and support the Democratic alternative.

Mr. NUSSLE. Mr. Chairman, I yield 2½ minutes to the distinguished chairman of the Veterans' Affairs Committee, the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, this budget with regard to the funding of VA is derived from what I call the crucible of hard lessons. I chose to leave the Veterans' Affairs Committee to examine the budget modeling issues for the VA.

A budget shortfall was exposed last summer. VA Secretary Nicholson and OMB, to their credit, stepped up to the

plate, taking accountability for a flawed budgetary process. Their improved use of timely data, methodology, and balanced policy expectations are reflected in the President's budget request for the VA.

The budget before us today reflects our priorities: To care for veterans who need us most, those hurt and disabled by their military service, those with special needs and the indigent; to ensure a seamless transition from military to civilian life, and to provide veterans with economic opportunity to live full and complete lives.

The veterans spending has increased from $48 billion in 2001 to approximately $70 billion this year. At a time of tough budget choices, when in most Federal spending we see few, if any, increases, veterans spending will rise next year by 12 percent. With the Nation at war, this is altogether fitting.

We have heard the rhetoric that describes an increase as a cut, but truly this budget continues a decade-long record of leadership under this majority. I refer here to the chart that shows the historic increases, from the $17.6 billion in 1995 to now $33.8 billion for discretionary spending alone. This is a far cry from the flat-lined budgets that we were receiving during the Clinton years.

We have increased the access to quality care, with more than a million veterans using the VA than they did 5 years ago. But challenges remain. The VA must decrease its claims backlog with regard to benefits claims, which exceeds around 800,000. Centralizing the VA's information technology structure is very important. You can't just measure compassion by the dollar. It is how we look at the operations of government. And centralizing the VA's information technology could save an estimated $1.2 billion over 5 years, according to testimony by Gartner, the consultant.

Also, to achieve a seamless transition to our new veterans in the VA, VA and DOD must fully share in the electronic medical records. This is extremely important and there is good progress in this area.

I want to continue to work with the chairman of the Budget Committee on issues of modernizing the GI bill, which we have discussed, and also the issue with regard to the estimate that the administration used with regard to collections. It is an issue I will work with the chairman on as we go to conference with the Senate and, hopefully, we can get that worked out.

I want to applaud the chairman's efforts on behalf of America's veterans. This is a good budget.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, with respect to veterans' health care there is also a big difference. The President's budget funds veterans' health care at $12.5 billion below the Democratic Alternative over 5 years, and on top of that the President calls for veterans to be assessed a $250 fee to enroll for care at a VA Hospital.

In the markup in our committee, House Republicans raised funding for 2007 by $2.6 billion above current services. But from 2008 through 2011, the Republican budget resolution cuts veterans' health care by $8.6 billion less than what CBO estimates is needed to maintain current services. By contrast our resolution, the Democratic resolution, maintains funding every year at the CBO level of current services from 2008 through 2011.

Here to discuss further the impact of the two budgets upon veterans' health care is a Member who knows all about this. He is the ranking member of the appropriations subcommittee with jurisdiction on this matter.

Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, I have had the privilege of representing over 40,000 Army soldiers who fought in Iraq. I have seen firsthand their sacrifices and the sacrifices their children and spouses have made on behalf of our country. That is why I believe we have a moral obligation to support our veterans and our military retirees, and we should support them not just with our words but with our deeds.

It is the right thing to do, because our veterans have kept their promise to defend our country and we should keep our promise to provide health care for them. And it is the smart thing to do, because if we break our promises to our veterans and military retirees we will never recruit the best and brightest of the younger generation to fight our war on terrorism.

That is exactly why I am adamantly opposing this budget. While on the issue of veterans it has a 1-year fig leaf plus-up of VA health care, for which I am grateful and supportive, the fact is that this budget resolution would cut present services for veterans' health care by over $5 billion over the next 5 years. That is right, this budget resolution would cut veterans' health care services during a time of war. If that is not immoral, I do not know what is.

The fact is that it is even worse than that, because the Congressional Budget Office baseline assumes there is no net increase in the number of veterans going into the VA health care system every year. So if you build in 100,000-plus additional veterans we have had in that system each year, the cut is even deeper than $5 billion to veterans' health care during a time of war.

Let us talk about military retirees, men and women who have served our country in uniform, gone into harm's way, served in the military more than 20 years, many of them over 30 years. What does this budget do to them? It puts in effect a tax on military retirees' health care. For retired military officers this would amount to nearly a $1,000 a year retiree health care tax, and for enlisted retirees a $500 a year tax on the military retiree health care premiums.

Does it ask Members of Congress to triple our health care premiums? No. Does it ask members of the President's cabinet to triple their health care premiums? No. What this budget resolution does say is that those of you who have served our country for 20 or 30 years in the military, you are going to have to suck up the burden. You are going to have to pay for the cost of this Republican budget.

I don't think that is fair, and I don't think the American people will think it is fair. I certainly know the Military Officers Association of America, the Disabled Veterans Association, and numerous veterans organizations have said this is not fair.

Let me just quote Joe Violante, the Legislative Director of Disabled American Veterans, on this proposal. ''Providing needed medical care to military retirees is a continuing cost of national defense and is our Nation's moral obligation. No condition that military retirees be forced from a benefit they were promised is acceptable, especially in these times.''

What did the Budget Committee do? On a party line vote they voted down my amendment that would have said no to the administration's proposal to triple these military retirees' health care premiums over the next 2 years. We could have said ''no'' to that unfair burden, but my Republican colleagues on the committee voted against my amendment. By doing so, they assume the President's extra revenue from those health care premium increases and put that into their budget.

Cutting veterans' health care by over $5 billion in the next 5 years during a time of war, putting a tax on health care premiums for military retirees is no way to show respect for our military or to strengthen America. That is why we should say ''no'' to this budget resolution.

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

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. FOLEY). The gentleman from Texas may not reserve time. The remaining 2 minutes are yielded back to the gentleman from South Carolina.

Mr. NUSSLE. Mr. Chairman, I yield 2 minutes to a distinguished member of our committee, the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I would like to talk a little about the role of government in a growing economy.

To my way of thinking, that role is to just basically get out of the way. A growing economy is one in which the Tax Code is in a circumstance where it is not an overt burden on it. Not to say that our current Tax Code is perfect, by any stretch of the imagination, but these low tax rates and these tax concepts we put in place in 2001 and 2003 have in no small part added to the growing economy that we currently have.

We don't want to talk today about the regulatory burdens and interference that families and businesses have from government, but those should be counted in the cost as well and get those out of the way.

When you put the pro-growth policies in place that we have had, you get some startling results. We have 17 straight quarters of growth, as measured by the GDP. We have 5 million new jobs that have been created. Unemployment across the Nation is at 4.8 percent, which many think is full employment. Actually, in District 11, which I represent, the unemployment rate is zero, for anyone who wants a job. And a record number of Americans are working today. A record number of Americans are working and paying taxes.

A little aside on the importance of a job, I spent a lot of time in west Texas working on United Way issues and other social service issues, and it has been my experience that when a family has a job that family is better off. That family is able to provide for itself, to make its own decisions about how it wants to conduct its life, and when those individual families are better off then the neighborhoods are better off and the communities are better off as well. So 5 million jobs should not go unnoticed as a startling number in a growing economy.

In conclusion, I think we see that the pro-growth tax policies we have put in place have created record revenues. We will collect more money this year than in any other year in our Nation's history, collecting and growing it in the correct way, more taxpayers paying tax rates at a lower number.

What we have is a spending problem and not a revenue problem. This budget addresses discretionary spending in a modest way, and it also addresses the mandatory spending in an even more modest way. But they are steps in the right direction, and this new mandatory spending will be the first time ever we have done it twice in a row, and I urge my colleagues to support this budget resolution.

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. For clarification, the gentleman from Texas (Mr. EDWARDS) had 2 minutes remaining of his 6 minutes. As he may not reserve time, the Chair presumed that it was yielded back to the gentleman from South Carolina.

Mr. SPRATT. The gentleman has 2 minutes remaining on his original allocation of time?

The Acting CHAIRMAN. It has returned to the gentleman from South Carolina.

Mr. SPRATT. Mr. Chairman, I yield the gentleman from Texas back his 2 remaining minutes.

The Acting CHAIRMAN. The gentleman from Texas (Mr. EDWARDS) is now recognized for 2 minutes.

Mr. EDWARDS. Mr. Chairman, let me just say that cutting health care for veterans during a time of war by over $5 billion compared to present services and putting nearly a $1,000 a year military health care tax on military retirees' premiums is not a way to say thank you to our servicemen and women who have risked their lives to defend our country.

And if that weren't insulting enough, to add insult to injury, this budget resolution would say to those people that are making $1 million this year in dividend income you don't have to give up one dime of your $220,000 tax cut. That makes a mockery of the principle of shared sacrifice during a time of war.

Military retirees' health care premiums. Let's say ''no'' to stopping the tripling of those premiums. Let's allow the administration to go through with its proposal to triple those health care premiums, to veterans' health care services over 5 years, and it is in the budget. If you look at the numbers, over a $5 billion cut in present services to veterans. That is okay, but let's not ask those people making $1 million a year in dividend income to give up one dime of their $220,000 tax cut. That is more money than a private serving in Iraq will make over the next decade. The American people understand tough times. And in tough times, they ask for fairness and they ask for shared sacrifice.

□ 1415

This budget resolution is an insult to the American principle of shared sacrifice during time of war, and that is why we should vote this budget resolution down.

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

I cannot find anything of what the gentleman from Texas just said in the budget. I am still looking. None of those policies exist. All of that is just kind of created out of whole cloth. I have looked through it. There is no tax on veterans. My goodness, what kind of rhetoric is that, taxes on veterans. My goodness. Not in here. You cannot find it. I defy you to find it. I don't see a tax on veterans.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN) and a member of the committee.

Mr. RYUN of Kansas. Mr. Chairman, there is nothing in this budget process that creates greater priority than what we do as a Nation. When it comes to this budget, Congress has no higher priority than providing for our national defense.

This Congress remains unwavering in support for our troops, both here and abroad. After 9/11, we spent quickly to rebuild New York and the Pentagon. We spent deliberately to enforce our Nation's defenses to prosecute the war on terrorism. Over the past 4 years, the budget for the Department of Defense has grown by $22 billion, or roughly 6.3 percent per year. This figure excludes the money we have committed to fight the war in Iraq and Afghanistan, which is an additional $317 billion if we assume the most recent supplemental.

So when you add DOD's base budget with the additional funding for the war, the defense budget has increased by an amazing 70 percent since 2002. So, clearly, this Congress has had no higher budget priority than providing for the security of this country, and that is the way it should be.

Even prior to 9/11 and the war on terrorism, the need for a military transformation was evident. So, now, DOD and our Nation as a whole must confront the challenges of waging a very unconventional war, even in the midst of massive transformation.

One of the challenges we confront here today is to provide funding for our country's safety. This budget fully accommodates the President's request for the Defense Department, which increases funding to $439.8 billion in discretionary spending, an increase of 7 percent.

We will also see, as we have in the past two budgets, we have included a $50 billion placeholder for the ongoing operations in Afghanistan and Iraq. That is probably not the right figure, and as we go through the year we will probably write another one; but it is a reasonable place to start and help provide for those fighting for our freedom overseas.

Now, as I said a moment ago, there is no higher priority in this budget than providing whatever is needed to protect and defend our Nation. That said, all the taxpayer dollars should be spent wisely with proper planning and oversight. I urge my colleagues to support the budget for fiscal year 2007.

Mr. NUSSLE. Mr. Chairman, I yield to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure, for a unanimous consent.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, first let me thank Mr. NUSSLE and Mr. SPRATT, especially in the realm of transportation.

Mr. Chairman, I want to take this opportunity to thank Budget Committee Chairman NUSSLE and ranking member SPRATT for their assistance during last year's Surface Transportation Reauthorization.

The budget title of the Safe, Accountable, Flexible and Effective Transportation Equity Act, a Legacy for Users (SAFETEA LU) contains the vitally important funding Firewalls for the Federal Highway, Transit, and Highway Safety Programs for fiscal years 2005 through 2009.

My committee is grateful for the Budget Committee's recognition of these important guarantees and their codification in the Balanced Budget and Emergency Deficit Control Act.

I understand that the budget resolution incorporates certain assumptions for Function 400 Transportation Activities.

First, all mandatory funding is assumed to meet the Congressional Budget Office's baseline.

This is good news for the portions of our Highway, Highway Safety, Transit, and Aviation programs that are funded out of the Highway Trust Fund or the Aviation Trust Fund—it means that the authorized levels are assumed under the budget resolution.

However, discretionary budget authority is assumed for these programs at the administration's fiscal year 2007 budget request levels. This is not very good news for transportation programs.

The President's budget request for surface transportation programs is almost completely consistent with the funding levels in SAFETEA LU, with only one major exception.

The 2007 funding level for the Federal Transit Administration is $100 million lower than what was authorized in due to the Administration's failure to fully fund the ''Small Starts'' program. If the fiscal year 2007 appropriations bill fails to restore this $100 million shortfall, that bill will be subject to the house rule XXI point of order against a bill or conference report that would cause obligation limitations to be below the guaranteed level set forth in section 8303 of SAFETEA LU.

Unfortunately, the administration's budget request does not make a similar commitment to meeting our Nation's aviation infrastructure investment needs.

Under the President's budget, aviation capital programs would receive $5.25 billion, which is $1.6 billion, or 23 percent, less than the level guaranteed by the Vision 100—Century of Aviation Reauthorization Act. This reduction is extremely shortsighted, and will only serve to accelerate the impending crisis of congestion and delays in our Nation's aviation system.

Unless we make the necessary investments in our airport and air traffic control infrastructure, delays will increase significantly as air travel continues to increase.

To ensure that our aviation system remains safe, reliable, efficient, and able to accommodate the increased number of passengers anticipated in the near future, the transportation and infrastructure committee recommended in its fiscal year 2007 views and estimates that Aviation Capital Programs be funded at least at the $6.81 billion level guaranteed by Vision 100.

The administration's budget request cuts funding for Amtrak from $1.3 billion in 2006 to $900 million in 2007.

Over the years, proposed cuts in Amtrak funding have been repeatedly rejected by Congress.

If the budget resolution assumes just $900 million for Amtrak, but Amtrak funds are subsequently restored during the appropriations process, other important programs will have to be cut in order to make up the difference.

If the budget resolution assumes the President's budget request levels for the portions of these three programs that are funded with discretionary budget authority from the general fund, it could have a very negative effect on all the agencies and programs that are funded under the Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Appropriations bill.

I am gravely concerned that the underlying assumptions in this legislation could force a painful choice among programs that are vitally important to the continuing economic well-being of our country.

I sincerely hope that, when the appropriations committee makes funding allocations among its 11 subcommittees, the discretionary budget authority allocation to the Transportation-Treasury subcommittee reflects the full authorized levels for these transportation programs.

This is not only for the sake of the Federal Highway, Aviation, Transit and Rail programs, but also to reduce the painful funding constraint on other domestic discretionary programs that receive funding under that subcommittee's annual appropriations bill.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

I would say to the chairman of the Transportation Committee, we do better by transportation than your colleagues on that side of the aisle.

Mr. Chairman, I yield 1 minute to the gentleman from Texas to respond.

Mr. EDWARDS. Mr. Chairman, to respond to Chairman NUSSLE's comments on veterans cuts in this program, I just point out, and his silence perhaps answers my question, it is in the budget. The veterans cuts in present services will be over $5 billion over the next 5 years. It is right here if you would like to see the printout.

Secondly, the chairman knows we voted for a Republican amendment to say ''no'' to the $250 enrollment fee for veterans getting the VA system, but yet you voted on a party-line vote against my amendment to say ''no'' to a thousand dollar increase per year for military retirees health care cost for their premiums. So I would like to ask the chairman in his time to explain what a devastating cut $5 billion in present services would be to the 5 million American veterans who depend on the VA system. I do not know who came up with that proposed cut, but I think it is mean spirited and wrong and will hurt military morale and will not serve our country well. I would hate to put my name on a bill that will cut veterans health care during a time of war.

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

I have to put on my glasses, these numbers are so small. I have to tell you, on page 63, I have it right here: veterans goes from $71.9 billion to $74.6 billion. $71.9 billion to $74.6 billion. I am trying to think now, mathematically that sounds like an increase. Maybe I am missing something, but 71 to 74. Let's see, that's a bigger number; 74, bigger, not a cut. That is an increase.

Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. BONNER), a distinguished member of the committee.

Mr. BONNER. Mr. Chairman, it is early in the debate but one thing is clear: our friends on the other side of the aisle seem to want to have their cake and eat it, too. They want to blame the majority for the national debt and the rising cost of Federal spending, but the only solution they seem to offer is more spending or more taxes.

Increased spending or increased taxes. How can either of those two solutions be the right prescription for getting our fiscal house in order? There is no better example of the challenges we are facing than the need to secure our homeland. And as you know, in the aftermath of the terrorist attacks on September 11, our administration and this Congress responded in a bipartisan way to create a centralized agency to coordinate our Nation's homeland security efforts. But creating an entirely new agency, particularly following September 11, was no easy task. At that time, the organization of the Department of Homeland Security marked the largest single agency opening in nearly four decades, dating back on the creation of the Department of Energy.

It also required the reshuffling of 180,000 employees and the transfer of some 22 Federal agencies from one area of government control to another. A department of this size and scope certainly needs a sufficient level of funding to carry out its goals and objectives; and, initially, $50 billion was set aside just for this purpose.

The overall fiscal year 2006 budget for the Department of Homeland Security, including nonhomeland defense spending, totaled $40.3 billion. President Bush requested in his fiscal year 2007 budget $42.7 billion, an increase of $2.4 billion or 5.8 percent. Overall spending in the homeland security component of DHS has increased from $10.7 billion in fiscal year 2001 to $25.7 billion in fiscal year 2006, or an average of 19 percent increase per year.

Mr. Chairman, while we have made substantial progress in getting DHS up and running, I think it is very fair to say that this Department, while securing our Nation's homeland, is not yet where it needs to be or where it must be. Needless to say, however, this budget moves us on the right path.

At the outset I said that our friends on the other side were looking to have their cake and eat it, too. I went to the House cafeteria to find a piece of cake I could bring to use as an illustration. The only cake I could find was a slice of angel food cake. Now angel food cake tastes good, it sounds good; but it is squishy in the middle, just like their budget proposal.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. EDWARDS) to respond further to the gentleman from Iowa.

Mr. EDWARDS. Mr. Chairman, when Mr. NUSSLE, the chairman of the committee, talked about the VA budget line, what he didn't do is tell the full story. The full story is if you take out the mandatory spending in that VA budget level, what you end up with is going from VA discretionary spending, which covers VA health care, from $36.9 billion in 2007 to $34.4 billion in 2011. That is just not a cut after inflation; that is a cut before you take into account inflation.

So the bottom line is that this budget as proposed will require a massive cut in VA medical services during time

of war. That is not right for our veterans; and he can show all of the charts he wants to about the past, but he knows that you take out the mandatory spending, you are cutting VA discretionary spending. And to try to hide that fact is creative at best and dishonest at worst.

Mr. NUSSLE. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. CHOCOLA), a member of the committee.

Mr. CHOCOLA. Mr. Chairman, I would like to thank the gentleman for yielding me this time and thank him for his leadership and service here in Congress in bringing this budget to the floor.

I rise in support of the budget. I would like to point out, really, a historic aspect to this budget. For the first time I am aware of, we are actually budgeting for emergencies.

Most families understand that it is important and prudent to set aside money for a rainy day. Even some States budget for emergencies in their annual budgets. Congress, however, rarely if ever budgets for emergencies, despite the fact that we spend taxpayer dollars on emergencies every single year.

I am afraid this is not just an oversight; it is a back door means to exceed our resolution every year because after allocating all of the available resources, somehow Members can find unforeseen emergency needs that require us to break the budget many times without justification. But in this year's resolution, we are actually starting to clean up that process by bringing transparency and accountability to the process.

We are setting aside an emergency reserve fund for natural disasters and budgeting money we know we are going to spend. Any emergency spending that exceeds the reserve would have to be brought back to the Budget Committee for clearance. It ensures that the committees work the way they are supposed to work. The Appropriations Committee can allocate the resources against competing priorities, and the Budget Committee can set limits on spending and ensure that those limits are enforced.

Mr. Chairman, budgeting for emergencies will help expedite the delivery of funds for those people in need, it will deter breaking the limits of the budget with routine spending, and provides a more honest presentation of the Federal budget to the American people.

I support this budget, I support this provision, and I encourage my colleagues to do the same.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in the area of health care, there is a major difference between us. Some 6 or 7 years ago we got together on a bipartisan basis and agreed that every year we would try to increase the budget of the NIH such that over 5 years it would be doubled.

We achieved that goal, and now every year the Bush administration is marching us right back down the hill. This year in their budget submission over 5 years they have proposed short-funding public health and medical research programs at a level of $18 billion below current services. The programs at risk range from the National Institutes of Health to the Centers for Disease Control to graduate medical education at children's hospitals to rural health. The Democratic budget resolution, by contrast, spares these programs from deep cuts and restores them, fully funding them to the level of current services.

Mr. Chairman, I yield 8 minutes to the gentleman from Michigan (Mr. DINGELL), the dean of the House and the ranking member of the Energy and Commerce Committee, to discuss further the impact of these cuts and ask that he be allowed to yield the time that is granted him.

The Acting CHAIRMAN (Mr. FOLEY). The gentleman is recognized for 8 minutes.

The gentleman is reminded that any time yielded, he will have to remain on his feet.

Mr. DINGELL. Mr. Chairman, I thank my good friend and distinguished colleague who has done such a fine job on the Budget Committee.

We are talking about the Republican budget, and it does not address two pressing health care problems of peculiar and special importance to our people, amongst the other things that it does wrong.

First, thanks to this Republican Congress, new part D of the Medicare program is complicated, impossible to navigate, and the benefits confusing, indeed. And they vary from plan to plan. Plans can even change the drugs they cover after seniors have signed up, bait and switch, if you please. But seniors cannot change plans for a year, while the HMO can do so.

All too often this confusion has resulted in seniors leaving pharmacies without their medication or paying more than they should for their medications. Pharmacists are going broke because of nonpayment or late payment by Medicare. These problems and many of the others which infest part D are in no way corrected by this budget. They are not even giving seniors enough time to sign up; and as a result, these seniors will have to pay a 7 percent penalty for the rest of their lives for this Medicare part D.

Our Democratic substitute would allow seniors until the end of the year to identify and sign up for a plan that meets their needs. It also enables citizens to know that HMOs and private-plan bureaucrats are not going to be able to continue bait and switch, stopping coverage for drugs that a senior's doctor has prescribed and that were covered when the senior signed up.

Second, the Republican budget does not even try to protect the most vital relationship the senior has, that which they have with their doctor.

□ 1430

Even though doctors in Medicare are facing deep cuts in their payments, the Republican budget does nothing to stop this.

Not paying adequately for physician service is going to undermine our entire health care and Medicare program. The Democratic substitute would not permit that to happen. It is another reason for voting with us.

Republicans are content to permit traditional Medicare to erode, while steering unneeded billions of dollars to their HMO and insurance company cronies. Democrats want to protect Medicare as we know it and to spend the money to help seniors and those with disabilities, not to shower it unneeded upon greedy health maintenance organizations and others who deserve no assistance.

I yield 2 minutes to the gentlewoman from South Dakota (Ms. HERSETH), my distinguished colleague and friend.

Ms. HERSETH. Mr. Chairman, I thank the gentleman from Michigan for his leadership, as well as the gentleman from South Carolina for his.

As I travel throughout the State of South Dakota, the number one issue my constituents raise with me is health care. For thousands of families in my State and millions across the country, health care is their top priority. But this budget not only fails to make health care a national priority, it makes the crisis worse.

This budget ignores the 46 million Americans without health insurance, and it actually eliminates the transitional Medicaid assistance program that encourages families to leave welfare for the workforce. This budget actually punishes families trying to create a better future by choosing work over welfare.

The budget cuts funding for health research at the NIH and disease prevention at CDC. It eliminates the National Children's Study to improve the health and well-being of children, the kind of common sense research that will pay dividends in the future. We ask the American people to recognize the cost savings that comes with prevention, but this budget fails to make disease prevention and the research that leads to cures a priority.

This budget cuts Urban Indian Health Centers which serve Native Americans across the country, including in a number of communities in South Dakota. And as has already been noted, it cuts funding for veterans health care by $6 billion over the next 5 years, and it shifts the burden of health care costs for our troops and their families from a grateful nation to the very families with loved ones serving in Iraq and Afghanistan.

And this budget is particularly hard on seniors. As Mr. DINGELL already noted, by allowing a cut to physicians under Medicare it will make it harder for millions of seniors to find quality health care services, particularly in already underserved areas.

And for the millions of seniors struggling to navigate the Medicare drug benefit bureaucracy, this budget does absolutely nothing to solve that problem. For seniors forced to deal with the poor planning and implementation of CMS and the private drug plans, this budget does nothing for them or the community pharmacists who have shouldered most of the burden.

Congress can do better. We owe it to the American people to do better, and I urge my colleagues to demand that the committee either bring us a new budget, one that makes health care a national priority or, better yet, support the Democratic substitute, which does just that.

Mr. DINGELL. I yield 2 minutes to the distinguished gentlewoman from California (Mrs. CAPPS), my dear friend.

Mrs. CAPPS. Mr. Chairman, frankly, I am getting really tired of hearing proponents of this budget argue that drastic cuts to health care are a result of difficult choices.

It is quite apparent that the choice being made is a simple one, further tax breaks for the wealthy instead of real investment into the health care needs of our Nation, the most urgent needs, as our colleague from South Dakota expressed, in her State, and also in mine, the most urgent need that our constituents want us to address in their time of need at home.

At such a time of remarkable breakthroughs, for example, in medical research, it is appalling that this budget cuts 18 of the 19 institutes of the National Institutes of Health. Again, proponents of this budget will argue that in the late 1990s we doubled NIH's budget, and it is a good thing we did. But that just shows how little is understood about scientific research, how much they are minimizing our country's need for true investment.

If this budget passes, the NIH will have 13 percent less funding than it did in 2003. That will mean that we will take giant steps backward in our efforts to eliminate cancer deaths by 2015, a doable goal if we were to stay on track with NIH. It means that our efforts will be hampered to combat the number one killer in this country, heart disease. It means that our ability to remain globally competitive in the development of new treatments is threatened.

Not only is our health research infrastructure under attack by this budget, so are our health professionals. Funding for title VII health professional training is eliminated in this budget. Despite our nursing shortage crisis, funding for nurse workforce training programs is actually less today than it was 30 years ago.

Mr. Chairman, our national security is very much dependent upon our ability to sustain a healthy and viable work force to respond to emergency situations. This budget ignores those needs. So I urge my colleagues to oppose this illogical and immoral budget.

The Acting CHAIRMAN. The gentleman from Michigan has 1 minute remaining.

Mr. DINGELL. Mr. Chairman, I yield that back with great gratitude and appreciation to my distinguished friend from South Carolina.

Mr. NUSSLE. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MARIO DIAZ-BALART), a member of the committee.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, the Budget Committee chairman today, we have heard it, has mentioned a number of times something that is captured in this budget, reducing waste, fraud and abuse. Now, our friends from the Democratic side also have a consistent theme, spend more money regardless if a lot of it is wasted.

But you see, Mr. Chairman, billions of dollars are lost each year to waste, fraud and abuse in the Federal Government. Not only does waste, fraud and abuse steal from the American taxpayers, Mr. Chairman, it also burdens those who rely on the government for their services.

Unfortunately, our friends on the other side of the aisle, they are consistent in, again, spend more money, without measuring efficiency or effectiveness of the programs. It is evident, obviously, that some on the far left measure success of government programs by the level of spending, not on results. Again, just spend more of the taxpayers' money, no matter what.

We cannot excuse programs that, through waste, fraud and abuse, are cheating the taxpayers out of billions of dollars of their hard-earned money. We owe it to the people that sent us here to Washington to ensure that their hard-earned tax dollars are protected through good oversight, performance evaluations and sensible funding decisions.

While the far left is endlessly attempting to increase taxes without any form of accountability and spend more money, I urge you to support the Republican budget that helps make our government programs more efficient, reducing waste, fraud and abuse, while funding our Nation's priorities.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, budgets are moral documents, and one measure of a budget is how it treats the least among us. The House Republican budget resolution severely weakens the safety net for the least among us, cutting income security programs by some $14.9 billion over 5 years below the level of current services.

Among the programs cut, actually totally eliminated, would be the Commodities Supplemental Food Program, which provides nutritious food to 420,000 elderly people every month and to 50,000 mothers. HOPE VI would be eliminated for repairing and refurbishing public housing. Supportive housing for the disabled would be slashed by 50 percent, housing for the elderly cut by 26 percent, and, in addition, $4 billion in reconciled spending cuts that are directed to the Ways and Means committee, implying cuts in the Earned Income Tax Credit, TANF, SSI, unemployment insurance, these programs within their jurisdiction.

Here to discuss further the implications and consequences for families and communities is the senior member from New York (Mr. RANGEL), the ranking member of the Ways and Means Committee, to whom I yield 8 minutes.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Chairman, let me first thank Mr. NUSSLE and the Republican leadership for bringing up an important bill and allowing us to discuss it during the daytime hours. It is so unusual that I just wonder when the vote is going to take place, but I do hope it is in time for America to see how we work.

Also, I want to thank Mr. NUSSLE for giving me the opportunity to explain some of the language that he has been using, because when he talks about entitlements there are so many people that get angry and they have to be against entitlements, too. They have to really be angry with America spending such a large amount of our budget on entitlements. But it is strange, they talk about entitlements and we talk about people in need. They talk about entitlements, we talk about the Social Security system that has lasted this country and given so much self-esteem and pride for our older people, those who became disabled, and things that we like to do.

Don't cry. Don't just bring us these doggone private accounts. Don't send it to commissions. Bring it on the floor. Take it to the American people. Ask the older people and their kids and their grandkids, how do you measure self-esteem and dignity?

Entitlements. What does it mean? Who are the least among us? Is it the poor? And if you are poor and you are sick, is it asking too much in this great country of riches to say you are entitled to health care? And if you are older, and you want to get a prescription drug, is it wrong for you to be outraged because we believe that they are entitled?

Or how about a kid from the neighborhood? Most of us here came from families that never got a college education. Were we entitled to an education? No. We were lucky we were able to get it. But I think that now that our Nation is at war, a war that we shouldn't be in, I think that our Nation is at war in terms of competition with foreign countries, that our people should be entitled to educations. They should be entitled to compete. They should be entitled to self-esteem, and every American should have an education and a decent place to live and health care.

But no, we can't afford it. We can't afford it, one, because $400 billion for

Iraq. We can afford it for them. Oh, they will be entitled to decent health and decent housing and anything else, and we are not going to leave there until they get it, and they will have the victory and we will have the deficit.

And so what I am saying is that let's not talk entitlements. If you really want to kill the education programs, the health programs for the aged and for the young, let's call it what it is. It is called Social Security. Say it with me. Social Security. It is called Medicaid. It is called Medicare. And these are programs for the disadvantaged.

Now, if you can't afford it because you have some friends that are in the highest income, and I have not received one letter from any of them, and I don't think those from the rural areas, there aren't too many of them there either. They may be included on the contributors list, but they haven't called and asked for this tax cut. They haven't called and asked for it.

But the people that are out there when we get back home during this work period, they will thank us for fighting to save what they think, what they used to be entitled to.

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

The Acting CHAIRMAN. The gentleman yields back the time to the gentleman from South Carolina.

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

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the outstanding gentleman from Washington (Mr. MCDERMOTT), a member of the Ways and Means Committee.

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Chairman, when I read through this budget, they are back again, folks. They are back again.

Just a few months ago the Republicans called a final vote on the budget bill that slashed funding for child support enforcement, foster care, student loans and health care coverage for low income families. Today, the nightmare continues. They are back again doing the same thing within 3 months.

□ 1445

Republicans propose another round of pain for Americans already suffering. The committee on which I serve is required by the Congress to cut $4 billion from the budget. Now, it will come out of my subcommittee, the one I am the ranking member on, because that is where the children are and that is where the weak and the old and the sick are. They are not going to take it away from the taxpayers. They are going to take it away for the poor and the weak.

When the Republicans send the high-income earners to the trough for more tax cuts, they will starve the Federal programs to help the poor.

I know it is Lent; so I am sure this is a faith-based initiative we have here, and the Republicans certainly understand the idea of sacrifice. This budget sacrifices one-third of the Social Services Block Grant, which funds assistance for abused kids, child care for working families, and vital services for the disabled and the seniors in this country. I asked the Rules Committee to allow an amendment to restore these cuts, but the Republicans said no. Mr. Chairman, why will you not allow this House to actually consider the effects of slashing programs to help the sick and the poor?

Now, I know some key Republicans have left, but the fix is still in in this joint. The Republican Congress will rubber-stamp the Bush agenda and provide for those who need it least. It is Lent, and the Republican majority is ready to sacrifice common sense, common decency, and common dreams.

The Republicans' budget sacrifices morality and a balanced budget for tax holidays for the rich, for the 1 percent. The party of the 1 percent is in charge in this House. Only the 1 percent at the top matters.

They're back, Mr. Chairman, and the Republican budget is no apparition. It is a real assault.

There is an irony that maybe some of you out on this floor may not think about, but some Members are running for higher office in State-level jobs. Some of those people are cutting the very programs that they, if they win their election in November, will have to go out and deal with the problems. If you are running for a State governorship or any kind of State office, think very carefully about how you stab yourself, because you are going to meet this when you get there after the election.

Mr. RANGEL. Mr. Chairman, I yield the balance of my time to the distinguished member of the Ways and Means Committee from Massachusetts, Mr. NEAL, who serves on our committee as well as the Budget Committee.

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Chairman, I want to thank Mr. RANGEL for yielding me the time.

But let us clear something up immediately. Let us not demean the intelligence of the American people when we hear waste, fraud, and abuse. Where has the spending gone? They are bragging on one hand about increasing military spending by 70 percent. Seventy percent for the military. We are fighting two wars, Iraq and Afghanistan. Have we forgotten about that? What about Katrina? Have we forgotten about Katrina? What about their prescription drug bill? Now, which of those qualifies for waste, fraud, and abuse? That is where the money has gone. The problem we have today in this House is their tax cuts that, by the way, went to the top 1 percent of the wage earners in America. The millionaires were taken care of with their largesse.

This budget takes the word ''compassionate'' out of ''compassionate conservatism.''

The Republicans would have the country believe that the budget cuts do not have any impact on Americans. There is not a family in America that will not be harmed by this budget. The President's budget was bad enough. I was honored as a Democrat to present the President's budget at the budget meeting. Do you know why? Because not one Republican would present the President's budget. The result, 39–0, we knocked down the President's budget.

But let us talk about what this budget does. It calls for freezing child care funding. It will eliminate a program that provides food for 420,000 poor elderly people, 50,000 poor mothers and their kids. It even ordered a 50 percent cut in housing assistance for people with disabilities. Their budget before us today takes an additional $100 million in cuts beyond what the President's budget proposed.

At a time when we ought to be concerned about families in America, this budget turns its back on those people. This budget is the polar opposite. Instead of throwing doors open for the American people, they offer less vocational training, fewer small business loans, less financial aid for colleges, less support for our veterans.

This budget lacks vision.

Mr. NUSSLE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), a member of the committee.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, as you know, I was absent from this House for 16 years, and I came back longing for some familiarity, but also hoping for some change. But as Yogi Berra said, when we have these budget debates, it is deja vu all over again. The same words I heard 18 years ago from the other side of the aisle still prevail: ''weaken,'' ''starve,'' ''slash,'' ''stab,'' ''kill,'' ''attack,'' ''assault,'' ''inflict pain.'' So I looked at the budget to see how much less it is than when I left here 18 years ago. It is so much larger now it is unbelievable.

When we had the head of the OMB, now soon to be the new chief of staff at the White House, appear before us, he said that if we do not start to control entitlements, mandatory spending, by the time my children are ready to retire, we will have no ability, he said, to spend anything on discretionary spending including the military. Think of that. We have come to a position now where the burgeoning of the entitlement programs is such that in another generation what the Constitution calls our first obligation, common defense, we will have no money for it. Now, how can this budget be so terrible? How can it be stifling?

When I left here before, if we had just frozen spending for a year, receipts would have caught up with spending. Now we are in a position that it would take 3 years of a freeze to catch up. This budget is not slashing, cutting. We are doing a little bit of trimming. Many Americans do not think we are doing enough.

And the whole idea on the other side is all we have to do is tax more. Look at what these tax policies have given us. We have a robust economy. We have lower unemployment rates. Our rates of unemployment now are below what economists told us when I was here before we could ever sustain. They talked about 6 percent unemployment being full employment. Now we are below 5 percent.

We should not sacrifice jobs on the mantra of increasing taxes, as my friends on the other side would have us believe.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the President sent us a budget that was woefully deficient when it came to homeland security, which is a pressing concern for all of us. The Republican budget, I will give them credit, to some extent corrects that woeful deficiency by $11 billion. But over 5 years that funding level for homeland security, a pressing, critical domestic need, is still $6 billion below current services.

We restore homeland security at least to the level of current services. Thus we would be funding programs that are critically needed to deal with what most of this House recognizes is a tremendous deficiency, namely, seaport security, which pales in comparison to what we have done for airport security; and it is one of the reasons for the outcry over the Dubai ports deal.

Mr. Chairman, I now yield 6 minutes to the gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Homeland Security Committee, to discuss the consequences and the differences between our budget and theirs when it comes to homeland security.

Mr. THOMPSON of Mississippi. Mr. Chairman, today I rise in strong opposition to the fiscal year 2007 House budget resolution, a resolution that shortchanges our critical homeland security programs.

The funding provided under this measure leaves dangerous gaps in our Nation's border, ports, mass transit, aviation, and critical infrastructure security. It also fails to address the preparedness and response deficiencies laid bare by Hurricane Katrina.

When Katrina struck the gulf coast, it was a frightening wakeup call to our Nation that we could not handle a response to a major incident, regardless of whether it was a terrorist attack or natural disaster. Regrettably, the House budget resolution, like the President's budget request, continues a 4-year trend of underfunding the Department of Homeland Security and homeland security programs across the Federal Government.

The most egregious cuts and eliminations are to programs that assist our local and State officials in preparing for and responding to emergencies. The budget slashes first responder funding by $570 million. The Local Law Enforcement Terrorism Prevention Program is completely eliminated. Communities across the Nation have come to rely on the program to help with information sharing among local law enforcement agencies as well as counterterrorism and security planning.

Like the President's budget, this budget unjustifiably cuts critical firefighter grant programs. The SAFER Act firefighter hiring program is eliminated. The FIRE Act grant program is cut by 50 percent. Together these programs are critical to ensuring that our local fire departments can recruit and retain firefighters and give them the tools they need to respond to emergencies and disasters. These programs should be increased, Mr. Chairman, not decimated.

Another grant program that is slashed under the budget is the Emergency Management Performance grants. This program is the singular Federal program for State and local all-hazards preparedness and readiness. Communities use this money to develop disaster plans, sheltering strategies, and evacuation routes.

In 2004, even before the name ''Katrina'' became synonymous with misery and loss, NEMA reported that this program faced a $260 million shortfall. Just 2 days ago, expert hurricane forecasters told America to prepare for another bad hurricane season. They predicted that the east coast chances of being hit this year had doubled to more than 60 percent. Yet here we are today considering a budget that slashes Emergency Management Performance grants. I hope the forecasters are wrong; but if they are right, Mr. Chairman, I for one do not want to be standing here 6 months from now if New Jersey, Long Island, or some other populated east coast center is hit, saying we could have done something.

Not only does this budget shortchange our communities, Mr. Chairman, but it also turns its back on them when it comes to covering the cost of keeping dangerous and criminal aliens incarcerated. The President's budget calls for the elimination of the State Criminal Alien Assistance Program. This resolution before us today does nothing to remedy that. With all the President's tough talk on border security, you would think that he would want to at least keep the most violent and dangerous illegal immigrants off our streets. Instead, this budget cuts the one program dedicated to helping our local cops and sheriffs put behind bars those who are breaking laws. Even Republicans last year disagreed with the President and joined Democrats in approving $405 million for the SCAAP program.

What has changed this year? They no longer want the criminals off the streets?

The budget also ignores the wakeup calls that came in 2004 and 2005 when terrorists executed coordinated rush hour train and bus bombings in Madrid and London. The budget does not provide dedicated funds to close known gaps in rail and mass transit systems to protect 14 million Americans, who use nearly 6,000 public transportation systems each day.

Under this budget, State and local transit agencies, which have already spent $2 billion to enhance security and emergency preparedness since 9/11 attacks, continue to be left largely to fend for themselves.

We are shortchanging the Coast Guard in this budget. That agency, which did the right thing in Hurricane Katrina, is using ships from the Vietnam era. In using these Vietnam-era ships, we put our Coast Guard at risk. This budget will ensure one thing: that the Coast Guard with need a lot of bubblegum, bailing wire, and buckets to stay afloat if it is approved.

Speaking of maritime security, this budget does little to ensure that ports can make the physical security improvements they need for high-risk containers coming to America.

I call on my colleagues to reject this budget for these reasons. Congress should no longer ignore the fact that homeland security begins at home, in our communities, towns, and in our cities. Let us do the right thing by the American people. Let us put a budget together that protects our Nation.

□ 1500

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the very distinguished chairman of the Education Committee, my friend from California (Mr. MCKEON).

Mr. MCKEON. Mr. Chairman, I rise in support of the fiscal year 2007 budget, and I would like to thank Budget Committee Chairman NUSSLE for his hard work and leadership, as well as the work of his committee and staff, in putting together this blueprint. This budget maintains our commitment to funding our national priorities while exercising fiscal restraint on behalf of American taxpayers. I think that is the thing that they should be doing.

This commitment is one that the Education and Workforce Committee has taken and continues to take seriously. As part of the last budget process, we placed our student loan and pension insurance programs on a more solid financial foundation. We expanded benefits for those attending college and saved taxpayers billions of dollars in the process. Just like last year, we fully intend to be key players once again.

My colleagues know that there is no higher priority for the Education and Workforce Committee than our Nation's students. In this Congress alone, this House has passed legislation to reform our early childhood education

programs, expand college access, and strengthen our job training and vocational education systems. These reforms have been backed in recent years by an equally impressive record of funding for our Nation's education priorities.

As you can see in this chart, over the past decade Federal education funding has increased by about 150 percent. Breaking these numbers down further, funding for No Child Left Behind has increased by one-third since it became law a few years ago, Pell Grants are funded at an all-time high, and Federal aid to low-income schools is consistently high as well. Those who claim that we are shortchanging any of these programs may have rhetoric on their side, but they do not have reality on their side. The reality is our education priorities are well-funded, and this budget continues that practice.

But we also must not lose sight of the fact that today's students are tomorrow's taxpayers, and it is unfair to leave them with exploding budget deficits. That is why this budget's ability to balance priorities and restraint is so important.

Mr. Chairman, American taxpayers have a right to know that our top priorities are well funded, but they also have the right to expect a return on their massive annual investment in Federal programs. This budget strikes a responsible balance between the two, and I urge my colleagues to support it.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I rise in strong opposition to this Republican budget which, of course, continues to take our country in the wrong direction. Not only does the Republican budget make harmful cuts to critical services for working families, it fails to live up to really any standard of morality.

By eliminating programs like HOPE VI and the Community Services Block Grant, and by slashing education training and social services funding, the Republican budget really is an all-out assault on millions of hard-working Americans.

Further, the issue of economic security which, of course, does not exist in this budget, economic security is really a critical component of national security, and the Republican budget even fails to adequately support homeland security priorities.

I represent one of the largest ports in the country, and I know firsthand how important port and container security is. Though the Port of Oakland achieved the ability to screen all cargo coming through last year, how many other ports are adequately funded to do this? Economic security and homeland security are put on the back burner in this budget, and that is simply unacceptable.

So I urge my colleagues to reject this budget resolution, because it is not a budget that we should be supporting.

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

Mr. Chairman, the Democratic budget resolution, I want to emphasize again; is exactly the same when it comes to dollar funding for national defense-national security, function 050. We are at the very same level, exactly the same as the House Republican resolution. That includes the $50 billion they provide toward the cost of operations in 2007 in Iraq and Afghanistan.

Our resolution also funds foreign affairs, function 150, a bit above the House Republicans, but below the Senate and below the President's request.

Though the funding levels are the same, the Democratic budget resolution calls for a better distribution of the defense budget. The Democratic budget resolution calls for, among other things, forgoing higher TRICARE fees on retirees under the age of 65, as the President and Pentagon have requested; not granting that request; increasing pay and reenlistment bonuses, badly needed to ensure recruitment and retention; increasing family support center funding, badly needed for troops who are deploying now, some for their third tour of duty, leaving their families behind; funding cooperative threat reduction and nonproliferation at higher levels; funding the Army National Guard at 350,000 troops, not 17,000 less than that; ensuring $115,000 in death gratuities, funded retroactively to May 5, 2005; funding free life insurance in combat zones at $400,000.

Then, to pay for these things, funding missile defense at a substantial, but lower, level, among other things; de-emphasizing space-based interceptors; funding transformational, next-generation satellite development, being pushed along a fast track, at a substantial, but lower, level; and, finally, implementing the financial management recommendations that the General Accounting Office has made in order to make the Pentagon and the Department of Defense more efficient, particularly in the acquisitions.

Mr. Chairman, I yield 6 minutes to the gentleman from Missouri (Mr. SKELTON), the ranking and long-time member of the House Armed Services Committee, here to discuss the budget for national defense.

Mr. SKELTON. Mr. Chairman, I need to share with the Members of this body the testimony we received at our Armed Services Committee hearing just yesterday. David Walker, the Comptroller General of the United States, told us we face a large and growing structural deficit. He testified as follows: ''Continuing on this path will gradually erode, if not suddenly damage, our economy, our standards of living, and ultimately our national security.''

Mr. Chairman, we have been warned. That is why I rise today in support of the Democratic alternative budget.

The Spratt alternative begins to put us on a sane fiscal path which will protect our national security. Furthermore, it provides funding for our critical national security needs that were left out of the President's and the majority's budgets.

The Spratt alternative would fully fund the end strength, the number of people, in the National Guard. If one supports the National Guard, one should vote for the Spratt alternative.

It reverses the cut to the Cooperative Threat Reduction Program. If one supports keeping weapons of mass destruction out of the hands of terrorists, one should vote for the Spratt alternative.

It rejects the TRICARE fee increases proposed by the President. If you oppose tripling the fees charged to military retirees, one should vote for the Spratt amendment.

It increases funding for family support centers. If one supports military families when mom or dad is deployed overseas, one should vote for the Spratt alternative.

It provides $400,000 of life insurance to servicemembers going into combat. If one supports taking care of our troops when they pay the ultimate price, one should vote for the Spratt alternative.

It increases funding for pay raises and reenlistment bonuses. If one supports rewarding our troops with higher pay, one should vote for the Spratt alternative.

Like the base bill, the Spratt alternative will extend the enhanced death gratuity to those families who were previously left out after September 11.

Mr. Chairman, in summary, I view voting for the Democratic alternative being offered by Mr. SPRATT as crucial to supporting our national security, and I hope that each of our colleagues who supports defense will vote with me and for the Spratt Democratic alternative.

Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank my friend for yielding.

Mr. Chairman, there are many reasons that the Spratt substitute is a superior alternative to the base bill, but I think among the most important reasons is the basic credibility and honesty of the Spratt alternative when it comes to the foreign entanglement issues our country finds itself faced with today.

The base bill essentially assumes that the conflict in Iraq will wind down very precipitously and require almost no resources in the coming fiscal years. I hope that is true, but I think it is wildly imprudent and recklessly irresponsible to build a budget on that assumption.

Mr. NUSSLE. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Iowa.

Mr. NUSSLE. Does the gentlemen know that the Spratt alternative does the exact same thing?

Mr. ANDREWS. Mr. Chairman, reclaiming my time, I also know that the Spratt alternative, by forgoing the reckless tax cuts of the majority's version, gives us the flexibility and resources to meet our true obligations in Iraq and Afghanistan.

Mr. NUSSLE. But is the money in there in this ''reckless'' plan the gentleman was suggesting?

Mr. ANDREWS. Reclaiming my time, the Spratt alternative, frankly, leaves room for the supplementals that would be necessary, because it does not opt for fiscally reckless tax cuts that have put the country in a position where it is borrowing $25 for every $100 that it spends.

It is true, as the chairman points out, that the Spratt alternative doesn't lay out the true costs of this adventure in Iraq. But it is also true that the supplementals that are inevitably coming, inevitably, that there are resources for those supplementals because of what Mr. SPRATT has done, and there are not resources beyond simply expanding the deficit because of what the majority has done.

Whether one agrees with the policy in Iraq or disagrees with the policy in Iraq, the reality is we have to pay for it. To put on the floor a budget that doesn't pay for it and then takes up resources that could be used in a supplemental and soaks them up for the majority's worship at the altar of tax cuts for the wealthy, I think is irresponsibility beyond compare.

There are a lot of debates one can have about the question of Iraq, but the debate we cannot have is whether we have to pay for what we are doing. The majority has put us in a position where we will only pay for it by borrowing money. Mr. SPRATT has put us in a position where we can follow a more rational path.

I urge adoption of the Spratt alternative.

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

Mr. Chairman, let me just say to start with, I cannot let that go. In this body we have had bipartisanship with regard to national defense for quite a long time, and I hope that continues. But the irresponsibility of the statement that was just made has got to be called on the carpet.

The Spratt alternative, everyone has a right to come to the floor with an alternative, and I have enormous respect for the gentleman from South Carolina. We are friends. We work together on budgets. He has the full right to come here. But don't come to the floor and tell us that we have an irresponsible plan, when your plan has the same numbers, number one; and, what is more, fills whatever gap you were just talking about with something called the ''tax gap,'' which is a $290 billion pipe dream that somehow you are going to collect money on past taxes from people who didn't pay them.

□ 1515

Good luck. I would like to see you try. But that is how you fill the hole, I would say to the gentleman from New Jersey. And what is more, and I will bet it is in your press release already, you claim balance by supporting the Spratt substitute.

There is only one way you can claim balance, only one way. Do you know what that is? The way you claim balance is if you spend no more money on Afghanistan, no more money on Iraq, no more money supporting troops in the field, no more money for body armor, no more money for any benefits to those troops that are serving us so well over there in the Gulf.

So for you to come to the floor, when we have bipartisanship on national defense 99.9 percent of the time around here, for you to come here and for you to suggest somehow that it is reckless for us to put that in our plan when you not only put it in the plan but then somehow claim balance, there is only one of two ways: You either have some secret plan to bring the troops home immediately, similar to evidently what was proposed by the gentleman from Pennsylvania here not that long ago, or you intend to have no money for those troops in Afghanistan and Iraq.

Now, my guess is that is not true, and my guess is I just went over the line. My guess is that is not what the gentleman intends, and my guess is that when the bill comes to the floor and when the very distinguished gentleman from Missouri, the Democrat ranking member and when the very distinguished gentleman from California, the chairman of the full Committee on National Defense and Armed Services comes to the floor, that that will not be the case whatsoever.

But for you to increase the rhetoric down here about some irresponsible defense plan is irresponsible.

I hope we can put that partisanship back in the bottle, because it ought to end at the shore when our men and women are fighting in harm's way, and I hope that the gentleman will check that rhetoric next time he comes to the floor, because we can have disagreements over a lot of things, but when the numbers are the same for the same reason because we have the same passion and concern about our men and women, please, I would ask the gentleman not to heighten the rhetoric so he can put out a press release.

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

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS) to respond.

Mr. ANDREWS. Mr. Chairman, perhaps instead of the rhetoric that the gentleman from Iowa ought to check is the rhetoric that refuses to ever consider scaling back the size of the sacred cow tax cut to meet the honest obligations that this government has to those men and women that he invoked just a minute ago.

The reality is there will be at least one supplemental on this floor; the reality is it is not accounted for in the underlying resolution; and the reality is that, as far as I can see from their past behavior, the majority would not even consider scaling back the size or scope of the tax cut in order to finance that supplemental.

Now, I would be thrilled to hear the chairman correct any of those three assumptions, but I assume that they are accurate. Or, Mr. Chairman, I would yield to you. Are any of my three assumptions inaccurate?

Mr. NUSSLE. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Iowa.

Mr. NUSSLE. Yes, they are. In fact, we put into the budget an emergency reserve fund for the purpose of funding that war, the same way Mr. SPRATT does, the exact same amount.

Mr. ANDREWS. Reclaiming my time, is that amount sufficient to meet the supplemental need, do you think? Apparently not.

The Acting CHAIRMAN (Mr. GILLMOR). The time of the gentleman has expired.

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

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I had intended to keep my remarks along the lines of the housing and community development concerns that I have as ranking member of the Subcommittee on Housing and Community Affairs, but I cannot sit here and witness what I just heard from the opposite side of the aisle without joining with my colleagues and certainly calling the Republican budget resolution irresponsible. And certainly we support the tax alternative, the Spratt alternative, the Democratic alternative, because not only do we have a more responsible alternative, we have said over and over again to the opposite side of the aisle, while the President of the United States has been spending like a drunken sailor, that you cannot, you cannot wage this war, you cannot spend the money that has been spent on the military and have the kind of deep tax cuts that he has imposed upon this Nation, over $2 trillion since 2001. And to add to that, the President of the United States promised us that we would get money from the pumping of the oil in Iraq, we would use that money to help rehabilitate, to rebuild Iraq. But instead they cannot account for $9 billion unaccounted for, and about $2 billion of that was stolen by Halliburton, and so to challenge us about responsibility is laughable.

As a matter of fact, when we take a look at this budget, aside from the disaster that has been caused by these tax cuts, we find that this budget is cutting the most vulnerable people in our society. When I look at the fact that persons with disabilities are going to be cut 50 percent in the housing budget, when I look at the fact that the elderly will be cut by 25 percent, then who are they to call us irresponsible?

Mr. Chairman, there is a housing crisis in the United States of America, and not simply because of Katrina and Rita. Those trailers down there under this administration are sitting, they remain empty, the public housing units have not been rehabilitated. We are confronted with a real catastrophe here.

Further, there is not a single metropolitan area where extremely low income families can be assured of finding a modest two-bedroom rental home that is affordable, and there are literally millions of people who are homeless.

I am also concerned about the $736 million in cuts this budget makes to Community Development Block Grant program. CDBG is an indispensable program to communities across the Nation for housing, neighborhood improvements, and public services. My own State of California will lose $119.7 million and Los Angeles County would lose $41.1 million in CDBG funding, especially if these cuts are enacted. And I want to tell you, little towns all over America depend on these.

Mr. NUSSLE. Mr. Chairman, I yield myself 1 minute.

First and foremost, we added $1.3 billion back into the budget for that very purpose on CDBG. So the gentlewoman is mistaken on that point.

Plus, I am glad the gentlewoman is at least one of the Members who have been willing to come here and be honest about her lack of support for the war and what that means for the budget priorities. If you do not support the war and you do not support the funding, it makes it clear why you would not put it in there and then claim balance.

We are not trying to pretend to anybody that there are not going to be expenses in the outyears. We just do not know what they are. And nobody on either side knows what they are going to be. The Pentagon does not even know what they are going to be. We hope that they are minimal, but we have at least put the funding in the budget to demonstrate that.

The difference is that in this alternative I think we are starting to see the glimmer of what the plan is really about, and that is a secret plan to bring the troops home, do it immediately, not fund in the outyears, claim balance, and as a result not support what we are doing.

That is fine if that is what you want to do. I am glad you are at least being honest about that and that is exactly what is being planned in this budget. By not putting the money in there, by claiming balance, it is clear that there will be no more money for the war in Afghanistan and the war on terror after this budget year.

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

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, in relation to Chairman NUSSLE's last offering, let me just repeat once again: the defense numbers in the two budget resolutions are equal.

In other respects, however, the Republican budget gives us the worst of two worlds. It takes us over the cliff fiscally, and yet it underfunds key domestic priorities.

You would like to think that if we are going into $400-plus billion worth of additional debt, at least we are getting adequate funding for our domestic needs. But we are getting neither fiscal responsibility nor an adequate addressing of our needs for investment.

The premise of the Republican budget as submitted by the President and as presented by our Republican friends seems to be that this country is going broke because we are doing too much cancer research. We are going broke because we have too many after school programs. We are going broke because we are opening up too much affordable housing. It simply is not true. To scapegoat these sorts of domestic expenditures is deceptive and reprehensible.

There are many reasons for the fiscal mess that we are in, starting with the President's tax cuts targeting the wealthiest Americans, defense and security spending above projected levels, a sluggish and sporadic economic recovery, and the expansion of health care entitlement costs. The one item not on the list is domestic discretionary spending, which is very close to projected levels. Yet that is the item that is being squeezed in this budget as though that were the culprit in our fiscal meltdown.

I am happy to say that our Democratic alternative balances the budget sooner and addresses these pressing domestic needs.

Mr. Chairman, our Federal budget, like our household budget, is a statement about our priorities, about what we most care about.

We ought to care about our obligation to future generations, to avoid placing a debt on them. We also have an obligation articulated in James' epistle in the scriptures. ''Suppose a brother or sister is without clothes and daily food. If one of you says to him, 'Go, I wish you well, keep warm and well fed,' but does nothing about his physical needs, what good is it?''

Mr. Chairman, we must take these dual obligations seriously: An obligation to be fiscally responsible, to avoid loading a burden on future generations, and at the same time to meet the needs of our communities, to open up opportunity, to be fair, to bring home the promise of American life.

Surely there is no better indication of what we really care about and what we aspire to for this country than the Federal budget that we enact each year. It is not just abstract numbers; it reveals what kinds of stewards we wish to be.

The Democratic alternative shows us the way past the President's ''worst-of-both-worlds'' budget, and I urge colleagues to give this alternative open-minded consideration and support.

Mr. SPRATT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in this budget the function for natural resources and the environment is not as large as defense, or some of the other functions, but it is important for the future of our country. In the function it funds, the natural resources and the environment, our Republican colleagues again match their President dollar for dollar.

For 2007 the Republican budget provides $28 billion in discretionary funding for a range of programs. That is $2 billion less than this year's level, $3 billion less than current services. Here are some of the cuts: Corps of Engineers cut $596 million, Environmental Protection Agency cut $304 million, Clean Water State Revolving Fund cut by $199 million, Land and Water Conservation Fund cut $42 million down to $86 million, the National Parks Service cut $102 million, State and private forestry cut $35 million to $244 million.

Our resolution, the Democratic resolution, restores all of those cuts and brings the budget for natural resources and the environment back to current services.

Mr. Chairman, I yield 8 minutes to the gentleman from West Virginia (Mr. RAHALL) to discuss the consequences of the cuts that the Republican resolution would make.

Mr. RAHALL. Mr. Chairman, I thank the distinguished ranking member of the Budget Committee for yielding me time.

Mr. Chairman, I do rise in strong opposition to this budget resolution for all the reasons that have already been said today, that will continue to be said this evening, that will be said all day tomorrow and into tomorrow night until the majority can get the necessary votes on their side of the aisle to jam it down our throats.

□ 1530

I want to highlight the negative impacts of the President's budget, as endorsed by this resolution, on the environmental and natural resources.

The President's budget for fiscal year 2007 provides funding for environmental programs which is 6.7 percent below the enacted level in fiscal year 2006.

That amounts to nearly a 10 percent cut below the level necessary to maintain current services at the EPA, the Department of the Interior, and other resource management agencies.

And to add insult to injury, these cuts would come on top of the previous years of stagnant funding under this administration for these vital domestic programs.

I also serve on the Transportation Committee, and let me briefly highlight one of the impacts of this budget on the EPA. Across the Nation, there is

a vast array of unmet clean water and safe drinking water infrastructure needs here in America. Yet the President's budget for the Clean Water State Revolving Fund calls for a 22.4 percent cut from the 2006 enacted level. If enacted, that would represent nearly a 50 percent decrease since 2004.

Whether it is in my district in southern West Virginia or any other Member's district in this country, it is obvious that we need to do more to ensure clean water and improve public health. Yet this budget disregards those obligations to the American people and falsely says, in effect, Mission Accomplished.

The inadequacies of the President's budget are equally detrimental to the programs administered by the Department of the Interior and other agencies under the jurisdiction of the Committee on Resources.

The vast majority of Americans treasure our national parks, national forests, national wildlife refuges and public lands. Along with the oceans, Great Lakes and inland waterways, they not only provide habitat for fish and wildlife, but they are economic engines as well for adjacent cities and communities.

Yet this constricted budget not only neglects to improve and enhance this vast array of vital resources and national assets; it fails to even maintain the status quo. For example, the administration is so desperate for revenue gimmicks that it has resorted to proposing to sell off our national forests and public lands in order to fund rural schools.

Instead of selling public lands to special interests, what Congress should be doing is increasing funding for critical programs such as the popular Land and Water Conservation Fund.

The administration proposes to effectively dismantle the stateside grant program and provide only $91 million, the lowest amount in more than 30 years, for Federal land acquisition under the Land and Water Conservation Fund.

In effect, this would deprive State and local governments of badly needed funding for local parks and recreation and would further undercut efforts to acquire new lands to enhance our national parks, forests, and wildlife refuges.

Ironically, the Land and Water Conservation Fund has an unspent surplus on the books in the Treasury of over $14 billion, and the authorized annual spending limit is $900 million.

The purpose of the fund is to dedicate a small fraction of the enormous revenues generated by drilling offshore on the Outer Continental Shelf to the conservation of our resources. Yet this flawed budget, to put it politely, breaks that promise to the American people and disregards the conservation needs of this Nation.

Mr. Chairman, in the budget reconciliation legislation last year, the Republican majority on the Committee on Resources proposed to expand drilling in Federal waters offshore coastal States. That proposal, along with other controversial measures to open up ANWR and sell off public lands to mining companies, were all stripped from the legislation prior to enactment. Fortunately, perhaps in light of that experience, the Budget Committee has not included any instructions to Resources in this resolution.

But there are legislative proposals pending before the Resources Committee that would seek to undercut the offshore oil and gas drilling moratoria restrictions and expand drilling off the coast of Florida and elsewhere. In fact, these proposals would seek to offer incentives to approve States to approve drilling based on sharing of revenues which would otherwise accrue to the Federal Treasury and to the Land and Water Conservation Fund.

But before Congress proceeds to consider opening wide swaths of protected coastal waters to the oil and gas industry, we should carefully evaluate the budgetary aspects of the current drilling in the Gulf of Mexico and elsewhere.

The failure to adequately appropriate the current Land and Water Conservation Fund surplus is one problem with the current system, but the broader problem is a failure to collect the Treasury's fair share of the value of the oil and gas produced on public lands and offshore.

At a time of high prices and record oil and gas company profit, it is an outrage, let me repeat, simply an outrage that companies are avoiding paying the 12 to 16 percent royalty on oil and gas that they extract from public lands and waters. In part, the underpayments are an administrative problem as the agencies have failed to aggressively audit the industry; but Congress also shares the blame for enacting unwarranted royalty relief, first in 1995 and again in 2005, in the Energy Policy Act.

Of all the industries seeking relief from their obligations to pay for the privilege of profiting from the extraction of publicly owned resources, I can think of none less deserving than the oil and gas industry in the current high price and record profit environment in which they thrive. Yet it is this politically powerful industry that the Congress has favored time and again with unwarranted subsidies.

According to an investigation by the New York Times and a recent GAO draft report, the costs of royalty relief to the Treasury are staggering. Over the next 5 years, the cost to the Federal Government will be at least $7 billion in lost revenues and more than $28 billion if the industry is successful in a pending legal challenge.

And GAO estimates that the losses to the Treasury could range over the next 25 years from at least $20 billion to as much as $80 billion, depending on the outcome of industry litigation.

Mr. Chairman, if the Republican majority were serious about the deficit, it would put a halt to the royalty relief outrage, but this budget resolution is the worst of both worlds. It does nothing to improve the collection of revenues from the extraction of resources on public lands and at the same time it puts a fiscal squeeze on funding vital environmental programs that cannot effectively function if cut further.

Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD), a valued member of our Resources Committee.

Mr. BAIRD. I thank the gentleman.

I just briefly want to put something that average Americans can see firsthand in this budget. Like me, most Americans love our national parks, but this budget would cut $102 million from the national parks budget.

Parks are not only a cherished national treasure; they are a source of great local economies for communities surrounding and inside the parks, supporting more than 248,000 jobs and providing annual revenues of nearly $12 billion.

But the Park Service's annual backlog of operating deficit is $600 million, and the maintenance backlog is now over $6 billion, and the cuts will only make that worse.

When Americans travel to their parks and are unable to find rangers to take their kids on nature walks, when trails are unpaved, when roads are in disrepair, it is the budget and appropriation processes like this that make that happen.

I urge my colleagues to defeat this budget and fully fund our national parks and to eliminate over time backlogs in maintenance that we have there now.

Mr. RAHALL. Mr. Chairman, I appreciate the gentleman from Washington's comments, a very important member of the Budget Committee, although we wish you were on the Resources Committee.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. GARRETT), a distinguished member of the committee.

Mr. GARRETT of New Jersey. Mr. Chairman, I thank the chairman of the Budget Committee, and I come to the floor today to speak to a very important issue, and that is the issue of port security.

I have been listening to the debate, and much of the debate is on the positive impacts that this budget will have on the economy and on the family budget, which is where the focus should always be in our lives here and not so much on the Federal budget. The positive impact that this budget will mean is it will have more money in the family budget, more money that the families have to decide where they want to spend it, as opposed to where Washington wants to spend it.

But let me suggest, as secure as a family can be in their economic situation, that truly is of no moment if they are not secure at home and in their business from a physical point of view,

if we do not have strong homeland security in all that we do, if economic security does not rise to that merit of importance. That is why I support what we have done in this House and in this Chamber and in this conference and in this budget with regard to homeland security and with regard to border security as well.

When it comes to the overall perspective of homeland security, look at what we are doing in this budget. While other aspects maybe have been frozen, as far as spending on homeland security, we are seeing a 3.8 percent increase in spending; and that is as it should be because we are setting the priority in the right manner.

Now, I do represent the Fifth Congressional District of the State of New Jersey, the nice part of New Jersey, the very top of it, from river to river, from the Hudson River to the Delaware River. My district is one that lives in the shadows of the Twin Towers and 9/11. Mine is a district that overlooks the Hudson River. Mine is a district that overlooks that river with two significant ports, Port of Newark and Port of Elizabeth.

So anything that occurs with regard to homeland security is of paramount interest to my security. Anything that occurs with regard to our ports obviously is of paramount interest in my district as well, whether it is the fact that the people in my district work at those ports or that the containers come through our district. What happens there is important.

What happens overall to our security is important in my district. What happens overall to security of our borders is important, but the ports are the gateway into this country; and for that reason, we have to do everything we can to make sure they are secure. This budget does do that.

As I say, a 3.8 percent increase in homeland security, plus specifically on ports, we are seeing the Container Port Security program, that is the CPS program, has grown from $61 million in fiscal year 2004 to $137 million in fiscal year 2006.

What does that mean? That means an average annual increase of 49.9 percent, almost a 50 percent annual increase, in port security, appropriately setting where the priorities should be.

Really, Mr. Chairman, that comes down to what we are talking about here. What this budget does do is set priorities. It sets priorities in what is important, economic security, homeland security; and I congratulate the chairman for setting the appropriate points.

Mr. NUSSLE. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. MCHENRY), a very distinguished member of the committee.

Mr. MCHENRY. Mr. Chairman, I thank the chairman.

I want to commend the Budget Committee Chairman, JIM NUSSLE, on his hard work in crafting a strong document that puts our priorities in line and in order for the coming fiscal year and lays us on course to reduce the deficit by cutting it in half over the course of 5 years.

Mr. Chairman, I quote the ranking Democrat on the House Budget Committee: A budget is a statement of moral choices, and this budget makes the wrong choices, cutting education, Medicare, and Medicaid and barely funding the bold initiatives that the President set out in his State of the Union address. Its greatest moral flaw is it that it leaves our children a legacy of debt and even heavier burden to bear as the baby boomers begin to retire.

It is wonderful rhetoric, high and mighty rhetoric, indeed befitting of maybe this day and this budget debate that we have, but I think it is disingenuous in terms of what we try to do here on the Republican budget that we are trying to pass, that we have crafted in our committee.

I want to tell you about what we are doing in terms of discretionary, nonsecurity spending. As we well know, we are fighting the war on terror. We are trying to fund our homeland security and our defense. It is the necessary and proper thing for a great Nation to do to defend itself. But what do we do in nonsecurity spending? We hold it to a near freeze. That is not a cut. It is a near freeze. That is about zero growth in nonsecurity discretionary spending. I think that is a good thing, especially when we have priorities that we have to meet in terms of defending ourselves from enemies around the world. It is better than the previous year's 1.3 percent growth in this area, and it is better than the 5-year previous average of about 6.3 percent growth.

So that helps us reduce the deficit and come closer to balance, which is what we should be all about.

The Democrats, through the rhetoric that I mentioned outlining the gentleman from South Carolina's quotes, talk about moral choices. Well, they have moral choices outlined and what they are going to submit for their Democrat budget. And what do we have there? Well, certainly it is the old liberal trick, a tax and spend and spend and tax. That is a moral choice. They want to take more from every American's pocketbook and spend it here in Washington, D.C., in the name of government. I think that is wrong, but let us see what they do.

Total outlays over the next 5 years, $139 billion. More in spending with the Democrat alternative. But look at this, what do they do? How do they spend that money? There are zero increases for defense, veterans benefits or for science, which they actually cut.

And I will tell you something, let us look at their moral choices. They do not want to fund research, but they talk about it. They scream about it on the House floor, the Republicans are cutting needed health care services and research. That is wrong and that is wrong rhetoric. It is not even correct in terms of the facts on it.

What are they doing for defense? They are not spending more than Republicans. They are not spending it wisely either.

Beyond that, you have certain Members that come out here and scream that we are not doing enough for veterans benefits. Let us look at what we have done. We have doubled veterans benefit over the last 10 years. That is a good thing, and this is a necessary thing for a great Nation to do. What does their budget alternative do? Nothing for veterans.

□ 1545

Mr. SPRATT. The gentleman is absolutely wrong. I have sat here and listened to his misconstruction of my budget for as long as I am going to take it. He is absolutely, dead-set wrong. He doesn't know what he is talking about.

Mr. MCHENRY. You can use some of your time, Mr. SPRATT.

The Acting CHAIRMAN (Mr. GILLMOR). The gentleman from North Carolina controls the time.

Mr. MCHENRY. Like I said, Mr. Chairman, you can't teach an old liberal new tricks. It is all about tax and spend.

The CHAIRMAN. The gentleman's time has expired.

Mr. SPRATT. I am not even going to deign to respond to that. You got my responses so wrong, I don't know where to start. We provide exactly the same amount of money for defense. We just had that debate out here. You weren't on the floor. But I am turning to other topics worthy of debate.

Mr. Chairman, I now yield 3½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I hope the gentleman from North Carolina stays on the floor.

You know, I am dismayed because this is the first time in a long time that this branch has upped the President's ante. This budget, the scheme that you defend, might be the only budget proposal in the world which actually manages to be worse than the President's original budget. I want to congratulate you. And that is exactly why the American people have no confidence in your ability to govern any longer.

This 5-year budget scheme will only exacerbate the current regressive tax policies which tax income at a higher rate than assets. You talk about productivity in the last 5 years? Yes, productivity has increased by 8 percent, and wages are flat, flat, flat. Income from work from average Americans can easily be taxed at twice the marginal rate as the income from wealth from millionaires.

You sit there and you stand there and you defend those millionaire tax cuts. Donald Trump is taxed less on all of his investments than Barry the accountant is taxed on his middle income wages.

I am a member of Homeland Security, Mr. Chairman, and let me tell you

something, I just heard this budget defended in terms of port security when we know that CBO says that all three major programs are underfunded and the goods that are coming into this country are not screened or examined properly. We had a meeting on it yesterday in case you missed the news.

The reckless tax policies of this budget will only continue to balloon our national debt, which currently stands at over $8 trillion. And they stand and defend this, these austere conservatives. This budget scheme will add an additional $2.3 trillion in debt over 5 years. And by the way, there is no scientific evidence, none whatsoever, that documents any essential relationship between the tax cuts you have defended to those making over $200,000 and the improvement in the economy. Nada, nothing, zero. And yet you keep on referring to this great economy. Why don't the American people feel this great economy? Why do just you feel this great economy?

In total, extending the President's tax cuts for the wealthy will cost $196 billion over only 5 years and $2.5 trillion over 10 years, the end result of which is fiscal madness; that a millionaire gets a tax cut of over $150,000 a year while middle income taxpayers only get a few hundred dollars.

We support those tax cuts to the middle income and to those who are the working poor. We support increasing the strength of the EITC, the Earned Income Tax Credit, which your President Ronald Reagan put together and this President has tried to zero out. You don't want to help people working.

You don't want people to work. You want to harp about public assistance. We want to keep people at work. The Earned Income Tax Credit has not increased, and you should be ashamed of yourselves what you have done to the middle class and what you have done to the poor and burdened their children for generations to come.

I thank the chairman for his courtesy.

Mr. NUSSLE. Mr. Chairman, I yield myself 1 minute.

I am sure I misunderstood what the gentleman just said. You mean to tell me he supports tax cuts? My goodness. He supports cutting taxes for people? I can't believe my ears. At a time of deficits? At a time of national debt? At a time where we are not meeting our obligations the gentleman is supporting cutting taxes?

My goodness. There is not a scientific scintilla of evidence that cutting taxes is right, he says, but yet he supports cutting taxes? My, my goodness. Why would the gentleman be supporting cutting taxes for people at this desperate time in American history? There must be a reason.

Mr. PASCRELL. Will the gentleman yield?

The Acting CHAIRMAN. The gentleman from Iowa controls the time.

Mr. PASCRELL. Can I respond, Mr. Chairman, since he is referring to me?

Mr. NUSSLE. I believe I have the time, Mr. Chairman.

The CHAIRMAN. The time belongs to the gentleman from Iowa.

Mr. NUSSLE. I just am shocked. There is no scientific evidence, Mr. Chairman, but we are understanding that the gentleman, and that there might even be in the Democratic substitute tax cuts? Why would we do such a thing when there is no science, when we have desperate times, when we have deficits? Why would we do that?

Mr. PASCRELL. Will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

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

I hope my colleagues understood what I was trying to point out, and that is it seems very convenient for Members to come to the floor and decry the irresponsibility of tax cuts and yet propose them themselves. Isn't that interesting? Oh, but they are targeted, the gentleman will say. They are targeted. They are targeted for the exact right one person they want to target it for.

Our tax cuts reduce taxes for every taxpayer in America. We didn't pick and choose the winners. We didn't decide who was appropriate and who wasn't appropriate. Every taxpayer in America, every taxpayer in America got tax relief under this plan, and it is working because, as the gentleman fails to understand, last year alone there was a 15 percent increase in revenue.

Because there is scientific data to show that when you allow people to spend their own money, as opposed to having to come crawling to you to have a little bit of it back for the dignity that they seek from a big government; when they make those decisions for themselves, they make better decisions, and the economy grows and it expands.

We have had 18 quarters of economic growth and expansion with 5 million new jobs created. There is your proof, and that is the reason why the gentleman comes down now and says, yeah, I am kind of for those tax cuts; kind of like them now. I don't want them for everybody, I will pick and choose who I want. I have decided who the winners and losers in America are going to be because I can make that decision. I am smart enough to do that.

Well, on this side of the aisle, we believe everybody in America is a winner. Every taxpayer deserves that kind of respect, and that is the reason why we reduce taxes for every American. Every American is a winner in our vision of America.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Chairman, I certainly want to thank the gentleman for yielding. I wish to associate myself with his comments and his remarks. I certainly want to commend him for his remarkable leadership on the budget.

Mr. Chairman, what an interesting debate that we have witnessed today, really a fascinating exchange here on the floor today. And let me say that the Budget Committee has certainly performed its very difficult duty I think extraordinarily well. Is the budget we are going to vote on absolutely perfect? Probably not. But is it a step in the right direction, a huge step in the right direction? Absolutely, yes.

I find the Democrats' rhetoric today really difficult to understand. Been following the debate today. I do find it very difficult to understand. First of all, they don't support the budget because the deficit is too large. But yet they also don't support the budget because we don't spend enough. So which is it? Not sure you can have it both ways.

And what would their answer be? Well, bigger government, that is for sure. That would be part of their answer. And dramatically higher taxes. That is for certain as well. And do you think that families who are struggling to pay for education or child care or home heating bills or gasoline can afford a tax hike? Do you think that seniors who are living on a fixed income can afford a tax increase?

Well now, they say they only want to raise taxes only on the rich. We have just heard that rhetoric. But if past experience means anything at all, the Democrats' idea of rich is anybody who gets a paycheck. Absolutely anybody who gets a paycheck is rich, in their views. Or anyone who is getting a Social Security check. Because we can all remember that the last time the Democrats had control of this House they actually raised taxes on seniors' Social Security. Yes, that is right. If you are getting a Social Security check, the Democrats think that you are rich and they want to raise your taxes.

Well, Mr. Chairman, we absolutely have to get spending under control, and this budget is a start but we do need to do more. The American people are demanding it. We have to keep taxes low because hard-working families simply cannot afford a tax increase. And I would urge my colleagues to support the budget resolution and to reject the tax and spend alternative of the Democrats.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, it is appropriate on this floor that we all be entitled to our own opinions, but it is not right that we should all be entitled to our own set of facts. The facts are that if this budget passes it will be 5 straight years of the largest deficits in American history.

Do you know in the last 5 years we have raised the Federal debt limit four times? It is now over $9 trillion. What does that mean to the average American? It means that every American owes $28,110 of that debt. That means

that every child born in America today starts off their life owing $28,110. That is a fact, but it is not fair.

And it is not fair that we continue to cut revenue that this country needs to invest in its physical and its human infrastructure. This budget includes another $228 billion of tax cuts that go overwhelmingly to the people who need it the least. And yet, we have got 13 million children in America living in poverty today; we have got over 43 million Americans without any health insurance. And yet look at the priorities in this budget: You reward those who need help the least and ignore those who need help the most. That is not fair. That is not American. That is why this budget shouldn't pass.

Mr. NUSSLE. Mr. Chairman, at this time I yield 3 minutes to a distinguished member of the committee, the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Chairman, let me start out by thanking the chairman for the leadership he has exhibited for so long on this budget, and certainly wish you well in your future endeavors.

I would like to return the discussion to the veterans discretionary portion of the budget and thank both Mr. NUSSLE and Mr. SPRATT for their bipartisan support of my amendment which increased the overall budget authority by $800 million in this year's budget so that we could make sure to send an extremely strong message that as a committee, on a bipartisan basis, we do not support the proposed drug copayment fee increase or the proposed enrollment fees.

To go back to some of the numbers over the years, because they are very illustrative of the significant increases that veterans health care has experienced over the years, last year's appropriated dollar level was $33.6 billion. This year, under the budget authority that Chairman NUSSLE established with my amendment, we move that up to $36.9 billion, which, by my calculation, is a 9.8 percent increase in 1 year's spending alone. This is a significant increase.

Well, beyond just the veterans health care portion of the budget, let us talk about some of the other things that have happened over the last several years. In the veterans health care portion of the budget, this year we recognized that our troops are coming home from Iraq, many of whom have post-traumatic stress disorders, and so 10 percent of the budget authority and the spending that the VA does on health care is related to this very significant issue that is affecting so many of our Nation's veterans.

The health care facilities, which we have all visited as Members of Congress, are among the best in our country, and that is because over the last several years we have almost doubled the amount of discretionary money that is going into the veterans health care system.

□ 1600

Not only have we nearly doubled the amount of money, but we have doubled the number of veterans that are being treated by the VA center from roughly 2.5 million a decade ago to 5 million today. That is increased by 1 million veterans in the last 4 years alone. And this year, as I noted, we are moving from $33.6 billion to $36.9 billion, an increase of almost 10 percent and we do so without increasing the drug copayment fee or the enrollment fee.

But beyond just the discretionary portion of the Veterans Administration budget, we have done an awful lot of other things over the last several years that are indeed noteworthy. We have more than doubled the GI education benefit that veterans are entitled to since 1995.

We recently increased the death benefit to $100,000 and increased the SGLI benefit to $400,000. Since 2001, the VA Home Loan Guarantee Program has increased by 67 percent. We have dramatically expanded the number of national cemeteries and their capacity.

We have increased back to the appropriate level of 55 percent benefits for surviving spouses. It had been 35 percent, and over the next 5 years and actually phased in by April 2008 it will go back to the promised level of 55 percent.

Lastly, the whole issue of concurrent receipts, that being when a military officer, somebody who has served our country for 20 years, has a disability as a result of their military service, they were the only Federal employees unable to collect both their disability which they received as a result of that military service and their retirement pay which they have earned. We have over the next 10 years, will phase in that benefit for those who have a disability of 55 percent or greater. This is indeed an extraordinary record.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Chairman, this has been one of those periodic weeks where a lot of people in the country turn on the television and they look at this institution and they wonder if we live in another world.

They see us, or at least one of us, going down the hallway giving high-fives the day after announcing the end of a career in disgrace, they hear us obsessing on all kinds of things that do not matter to the American people, and then they hear this budget debate. And they hear the gentleman from Iowa (Chairman NUSSLE), for whom I have a great deal of respect, announce that under his budget everyone in America is a winner.

They must wonder if we live in the same world because I wonder if the 13.5 million American families on Medicaid who have to pay more money under last year's budget, and more money under this year's budget to go to the doctor, really think they are winners.

I wonder if the veterans who have served our country who are looking at cuts in years 2 through 5 under Mr. NUSSLE's budget think they are winners.

I wonder if the Guard and Reservists who still will not get a fully funded TRICARE program think they are winners.

I wonder if the 45 million uninsured that Mr. MORAN talked about think they are winners.

I wonder if the 13.5 million children living in poverty think they are winners.

The reality is under this budget proposed by the chairman's mark, some people win under this budget: people who have already been winning and who have been winning for a very long time. People who need a little bit of generosity and have counted on a little bit of help from this city are not winners at all.

I remember the first year I stood in this Chamber as a relatively new Member when the President of the United States stood in the well and gave his State of the Union. The one thing I remember this President saying is this President and this Congress will not leave for other generations and for other Congresses, I wonder as the President stood here it occurred to him that all these problems that plague this country involving the old, the sick, the poor and the young, did he mean for us to leave those problems for another Congress and another generation, because the budget of Mr. NUSSLE does that. It leaves all of these problems unaddressed by the richest country in the world, and I think it makes this budget so fundamentally wrong.

Mr. NUSSLE. Mr. Chairman, I yield myself 2 minutes just to compliment the gentleman on his turn of phrase. There isn't anybody in the body who does it better, and I have enormous respect for him as well.

But let me suggest that it is an attitude about who are winners. I certainly understand as the gentleman knows very profoundly that there are people who struggle in America. No question.

But if you have an attitude about them being successful, about them being able to be successful and being able to be winners without crawling to you, without crawling to me, without having to crawl to anyone or be dependent on any government or any government check, that is a different attitude than the one I hear so often from colleagues who come here saying that the only way they will ever survive is if government is there, and that is not how our country was founded, as the gentleman knows better than anyone. That is exactly why we believe everyone in this country is a winner.

Let me also suggest to the gentlemen that when the President spoke from that well saying he would not pass off to a new generation the challenges of this generation, that speech was given approximately 8 months before September 11, 2001. In those 8 months before and in the 5 years since, we have learned a lot, haven't we.

I would suggest that we are working hard together, often in a bipartisan way, to ensure that we do not leave terrorism to the next generation, to ensure that we do not leave Katrinas to the next generation, and to ensure that we leave prosperity in our economy to future generations.

Certainly there are short-term challenges and there are short-term deficits that we need to deal with. But to suggest that the President somehow woke up today with the same challenges he woke up with the day he made that speech is either trying to not be honest about history or forgetting it, or trying to suggest that it did not happen, and I don't believe the gentleman would suggest that one way or another.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), who is not a member of the committee.

Mrs. BLACKBURN. Mr. Chairman, I just love this debate. I love this day of the year when we come to the floor and we talk about our budget and we go before the American people to talk about the priorities that we have, what we see as being important to this Nation, where we place our hopes and where we place our dreams and where we think about opportunity.

Another great thing about this day is that this is the day when big spenders don't have anywhere to hide.

You know, as my colleague from Michigan said, they cannot have it both ways. We have now watched liberal Members come down here, and this budget is too fiscally conservative. They say we are not spending enough. We have to spend more. And then they say you are spending too much.

If you were a parent, you would go pull out a copy of ''Goldilocks and the 3 Bears'' and start reading, because nothing is ever going to suit them.

I know people back home are looking at this debate, and they are probably scratching their heads because the Democrats say it is too conservative, it does not spend enough. So let's cut through the rhetoric and look at what we have got. What they want, what it really means is that they want to pretend to support spending reductions while they turn around and they call for more spending. For big spending.

Their stance really doesn't make any sense; but what it does do is prevent them from having to take a stand for spending restraint. Did they choose to vote with us for the Deficit Reduction Act? No, they did not. They chose not to vote for reducing the deficit.

This budget will continue to hold the line on spending. It will continue to find savings in mandatory spending. We all know this government spends too much. That is why we have a huge, enormous bureaucracy in this town that the other side has built as a monument to themselves. After 40 years of control, 40 years of growing a big old budget, 40 years of trying to continue to fund it, and they are still making the same tired, worn-out arguments. They cannot have it both ways. We are either for reducing spending and getting this under control, or we are for growing it.

We can make some reductions in spending. We can freeze some things, hold the line, and that is what we are doing. As I said, they chose not to support the Deficit Reduction Act. They chose not to support across-the-board cuts. And because of that, they have chosen not to be leaders in this issue. So they ought to decide whether they are for more spending or less spending before they come down here to the floor and certainly before they go home.

Mr. SPRATT. Mr. Chairman, I would simply inform the lady that we voted for the full budget act that put the budget in balance in 1998 for the first time in 30 years and then again in the year 2000, put it in surplus by $236 billion.

Mr. Chairman, I yield 2½ minutes to the gentleman from South Carolina (Mr. CLYBURN), chairman of the Democratic Caucus.

Mr. CLYBURN. Mr. Chairman, I thank the gentleman for yielding me this time, and let me begin by yielding to the gentleman from Alabama.

Mr. DAVIS of Alabama. Mr. Chairman, I thank my friend from South Carolina, and I would say to Mr. NUSSLE, you could have had 35 or 40 of us on this side of the aisle if you had done one thing, if you had combined some of these cuts with some retreat on these tax cuts, not getting rid of them all together, not getting rid of them in their whole, but simply pulling some of them back for the wealthiest Americans. You could have had 35 or 40 of us. You left it on the table, and it is one of the last things you could have done in your chairmanship.

Mr. CLYBURN. Mr. Chairman, I thank Mr. SPRATT for the tremendous work he has done on this budget.

Franklin Delano Roosevelt in his second inaugural address said: ''The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have too little.''

This is a significant test of our Nation's values, and it is a test that the Republican budget fails. Let us just skip the rhetoric and read the bill. The Republican budget increases the budget deficit, and it explodes our debt. It cuts port security and funds for first responders. It cuts education, cuts health care, and cuts veterans programs. In fact, this budget puts a squeeze on working Americans, and all in exchange for more tax cuts for the wealthiest few.

Democrats offer a clear alternative and new directions. Our budget that Mr. SPRATT is putting forward will balance the national budget by the year 2012. It rejects the harmful cuts that Republicans have put forward, and it creates a $150 billion reserve for middle-class tax cuts.

Democrats believe that a stronger America begins at home. It starts with budget priorities that secure families and our borders, strengthens our Nation, and gives hope to those who inherit the products of our labors.

Mr. NUSSLE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, thank you for allowing me to be part of this historic debate.

I want to thank you, Mr. NUSSLE, and commend you for including the ''sense of Congress'' in the bill that revenues collected through closing the ''tax gap'' should be applied to the deficit and for debt reduction.

The tax gap is the difference between the total amount of Federal taxes owed versus the total amount of Federal taxes actually collected. The tax gap is caused by unlawful tax evasion when individuals and businesses fail to report income or fail to file a tax return or report information which is false.

In 1988, the IRS estimated that this figure was $105 billion. A recent estimate puts the gross tax gap at approximately $300 billion. The budget before us today assumes a fiscal year 2007 deficit of $348 billion. Mr. Chairman, the answer to balancing our budget is eliminating this tax gap and not increasing the taxes on hardworking Americans.

Does the Federal Government spend too much? In many ways we do. Do we always get value for our dollar? Sadly, no, we don't always.

But again, I thank Chairman NUSSLE for putting together a budget that holds the line on discretionary spending growth. But instead of increasing taxes on hardworking Americans or adding new taxes to hardworking Americans, we should concentrate on collecting taxes already owed under the current tax system.

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Mr. Chairman, one final note. The mere tripling of the tax gap between 1988 and today shows that the Tax Code has become much too complex and susceptible to tax evasion. This shows a need for simplifying the Tax Code and for fundamental tax reforms.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, he who oppresses the poor shows contempt for their Maker, but whoever is kind to the needy honors God. Words from Proverbs.

Mr. Chairman, the Republican budget is unfair to the neediest and most vulnerable Americans. In addition to being unfair, the Republican budget is also immoral. Through its cuts to CDC, NIH and veterans health care programs, this budget ignores the health care crisis that our Nation faces today.

Mr. Chairman, the Republican budget is not only unfair and immoral, it is also unreasonable. Pell grants and public school programs get no new funding.

Assisting our neediest and most vulnerable Americans is not a choice, it is

a moral obligation. By reducing funding for public housing and food stamps, the Republican budgets falls short of this moral obligation.

The Republican budget is unfair, immoral and unreasonable. Both the Democratic and the CBC alternative budgets provide a better way, a more excellent way to help all of our people. I urge all of my colleagues to vote ''yes'' on the Democratic and CBC alternatives, to vote ''no'' on the Republican budget resolution.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama (Mr. BONNER), a member of the committee.

Mr. BONNER. Mr. Chairman, since I was over here a few minutes ago speaking about what this budget does to protect our homeland security, Mr. Chairman, I went back to my office and turned on the TV and listened to some of the comments, and so I came back over to thank you, thank you for having the patience of Job and the wisdom of Solomon, because you would have to have both to know the difference between some of the allegations and distortions that have come out from our friends on the other side. And they are our friends. They love this country like we do. They just see things in a slightly different way in their view of America versus the facts and reality that this budget is helping to set the record straight.

One program in particular, Mr. Chairman, I also want to thank you for listening, is the Community Development Block Grants. Several weeks ago the mayors of America, the county commissioners and other community leaders came to this body and said, this is a program that works. It allows the Federal tax dollar to go to communities and put the money where it works for the people that live in these communities, that pay those taxes that allow us the privilege of working up here.

And so whereas there had been a proposal to make cuts last year and this year in the budget, your budget, our budget, the budget we passed last year and the budget hopefully we will pass this week not only takes those cuts and puts them aside, but restores additional funding. Last year it was $1.1 billion more, and this year under your mark, Mr. Chairman, it is $1.3 billion more to a program that we know has great merit in the cities and counties throughout this country.

So really I just came back over, Mr. Chairman, to say thank you. Thanks for listening to us as you have. This will be your last year to chair this process. But the legacy you leave behind is one that makes all of us who have worked with you proud, and I know it especially makes the people of Iowa very proud of the work you have done. Thank you very much.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the distinguished lady from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, the last time the American people had chicken feathers it was President Hoover who promised a chicken in every pot, and his economic policies collapsed.

Today I tell you that the resolution and budget that is offered by the outgoing chairman and the Republican Party is collapsing on the American people. Republicans increased the debt limit by $3 trillion, families without hope, women and children without hope, and a tax cut that breaks the backs of all Americans.

What this budget does, it cuts affordable housing, it cuts higher education, Medicare, and for the veterans who are coming home injured from the war in Iraq there is no light at the end of the tunnel. There is no door open for them.

And so I ask my colleagues to support the Democratic substitute and the CBC alternative budget because you know, in fact, we are not worried about an America who is willing to help those who are in need. We believe that is a good America. I am sorry to say that Republicans believe that those Americans are un-American.

A $3 trillion debt. You know that this budget is a bunch of chicken feathers.

Mr. Chairman, I rise today to join many other colleagues of mine in expressing disappointment in this budget resolution.

What we have under consideration today is a budget that forgets the American people in the name of supposedly American ''values.'' How can we say to our children, to our elderly mothers and fathers, to our neighbors, to those who reach out to us as Members of Congress to secure and protect their rights under the constitution—how can we say to them that we are engrossing a budget that cuts their healthcare, their education, their livelihoods, and resources to their communities? What do I tell my constituents when they call to say that their safety net has shrunk?

I fiercely believe that Congress must speak on behalf of those who most desperately need a voice. I speak today not only as a Member of Congress, but as an American woman on my own behalf. This budget ignores many of my concerns, and the concerns of American women.

There are 20 million women in this country who struggle to make a living, who struggle to find adequate health care, who struggle to raise their children into upstanding citizens, who struggle to either attain education for themselves or educate their children.

Our country is a great nation among nations, and although we must be more informed, measured, and wise in how we pursue our foreign policy, we are also committed to bringing stability to many regions and countries around the world. However, we should not pursue our foreign policy ambitions at the expense of our families and communities. One does not substitute the other.

ECONOMY AND WELFARE

Nearly 70 percent of adult food stamp recipients are women, and the budget we are now considering would leave 300,000 women vulnerable to a loss of their food stamps. Food stamps are not handouts—food stamps are economic exchange for staples such as bread, and milk, and eggs. What message are we sending when we cut the assistance our most needy population receives to purchase food?

The Commodity Supplemental Food Program, which provides nutritious food packages to low-income seniors and pregnant women, infants and children, has been identified as one of many programs to be completely eliminated.

The President's budget cuts $6.3 billion in Social Security benefits over 10 years by eliminating the survivor benefits safety net for women and children. This benefit can make the difference between subsistence and destitution, and it is heartbreaking that Congress could even consider pocketing funds rightly earned and needed by our constituents and their families.

The budget also completely eliminates the Women's Educational Equity Act, which has funded hundreds of programs to expose girls to careers from which they have traditionally been excluded. The Women's Educational Equity Act was introduced in Congress by Representative Patsy T. Mink in 1973 as a complement to the proposed equal rights amendment, ERA, and to title IX. This program, which only received $3 million this year, provides educational materials to help schools comply with title IX, research and information to help schools promote equality between boys and girls, and technical assistance.

HEALTHCARE

Unfortunately, Medicare will also suffer under this budget, getting slashed by $36 billion over 5 years and $105 billion over 10 years. It is a fact that over 56 percent of Medicare recipients are female, and many of these women have very limited means of income to support themselves. Medicare is supposed to be the crutch for the elderly, even though we do not yet have a plan to address their primary concerns: chronic illness and long-term care. And yet this budget continues the misguided policy of dissolving this crucial program.

We are also looking at a proposal that consists of gross Medicaid cuts, including both legislative and regulatory cuts, of $17 billion over 5 years and $42 billion over 10 years. On top of the deep Medicaid cuts that Congress enacted in 2005, Republicans are willing to stifle State programs that help children get healthcare. It sounds heartless, and I have not heard a convincing argument to the contrary.

The administration's budget would increase funding for abstinence education programs by $89.5 million for a total of $204 million in fiscal year 2007. I agree that the most effective way to prevent the transfer of STDs and the occurrence of pregnancy is abstinence. However, time and again, it is proven that abstinence education is not effective, and that the emphasis needs to be on birth control and safe sexual practices. Just this week, the GAO criticized the Bush AIDS/HIV program in Africa for diverting needed funds and focus—in fact, U.S. coordinating officers actually stated that the abstinence focus undermined previous education efforts and confused communities. Abstinence is a fine message in some cases, but must not be the primary message, and must be supported by factual and clear information.

EDUCATION

For a President who insists that he cares so much about education at every level and for every child, it is a strange thing to realize that the Republican 2007 budget resolution cuts spending on education by 29 percent.

The Bush budget freezes Head Start funding at this year's level, meaning that 19,000 children will have to be cut from Head Start next year. Similarly, the budget cuts Even Start, a program targeted to combat low literacy, to encourage family supported programs, and help children with limited English proficiency. We have strong indications that these programs give underprivileged children access and exposure that helps them succeed in school a year or two later. Perhaps if this program had ever been fully funded, we would know definitively that this program has the potential to launch every child toward educational and life-long success. It is a shame that the President is more interested in Scantron fill-in-the-bubble standardized tests rather than a nurturing and effective education.

Over the past several years, Congress has slipped backward in its commitment to fully fund IDEA, from a high of 18.6 percent in fiscal year 2005 to the proposed level of 17 percent in President Bush's fiscal year 2007 budget proposal instead of the promised 40 percent. Under the budget, IDEA would receive $10.7 billion, a $1.2 billion decrease below fiscal year 2006. Of that amount, $380.8 million would be available for preschool grants and $436.4 million would be available for grants for infants and families.

Funding for vocational education programs would be eliminated under the fiscal year 2007 budget. Congress allocated $1.31 billion for vocational education in fiscal year 2006. The unfulfilled promises are countless, and each more self-defeating than the last.

At 4-year public universities, tuition and fees increased by 7 percent this past year and 57 percent since President Bush took office. About 40 percent of African-American students and 30 percent of Hispanic students depend on Pell grants, compared to 23 percent of all students. Two-thirds of Perkins loan recipients are from families with annual incomes of $40,000 or less.

Yet, the Perkins loans took a hit on the Republicans' fiscal year 2007 budget resolution and would recall $664 million from Federal Perkins loan funds from nearly 1,800 colleges in 2007. As a result, 463,000 college students would lose a key part of their financial aid.

Six years ago President Bush promised to increase the maximum Pell scholarship for all college freshmen to $5,100. Unfortunately, this budget is now the fourth time that the President and Republicans in Congress have frozen the maximum Pell grant. About 40 percent of African-American students and 30 percent of Hispanic students depend on Pell grants, compared to 23 percent of all students. These numbers indicate the need and the demand for assistance to achieve a higher education and a greater chance at lasting success.

I share the fear and concern that every Member of Congress and every American citizen feels in regards to defending our homeland, but what kind of homeland are we defending? What do we want it to be? Each of these programs is designed to enrich our society and fulfill our obligations as a civilized nation to our citizens.

Even the youngest school-children are sensitive to dishonesty, and by breaking our word and cutting funding to mandated programs, we are teaching our children to distrust their government. We need them to grow into the upstanding citizens we know each of them has the potential to be.

We want our Nation to be educated, confident, capable, internationally competitive, and safe. This budget undermines each of these. I ask, urge, cajole, and demand that we reconsider this budget, that we remember who our greatest priority is—the American people.

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

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Ladies and gentlemen, Mr. Chairman, what are the priorities of the Republican majority? This is the greatest deficit in the history of the United States. How are they going to pay for the tax cuts? They are going to borrow the money from India and China to pay for tax cuts.

What is the difference between Democrats and Republicans? Democrats say middle class and working class people can use tax cuts. But in a time of war, the greatest deficit in our history, the richest people in the country don't need tax cuts. If you have $1 million a year income or $10 million a year income you don't need your tax cuts.

The gentleman says everybody should have them. But in a time of scarcity, when you cut funds for veterans, you cut funds for kids going to college, you cut funds for people with children with disabilities, you don't continue to give the money away to the richest people in the country.

That is the difference between Democrats and Republicans.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, it is time the American people got a refund because what they are getting out of this Congress they didn't pay for.

In every war, from Lincoln with the land grant colleges, Kennedy during the Cold War, who built literally NASA and put a man on the Moon, to Roosevelt, who thought of during World War II the GI Bill of Rights, every President in the middle of a war has thought about how to bring home the peace and invest in our future. It is only this President with this Congress, in the middle of the war, who cuts education while Americans are trying to get their kids to school, who cuts health care while we face skyrocketing costs in health care, who cuts the police program while cities are facing a shortage of police.

It is only this President in the history of his predecessors who stands on their shoulders and does exactly the opposite with this budget. It cuts back our investments in the future of America in a time of war where every President prior to him thought of America post that war and invested in its future, putting a man on the Moon, a GI Bill of Rights, an Atlantic to Pacific railroad system, at every point in our history.

President Kennedy said that leadership is about priorities. To govern is to choose. The majority has made its choices, and their priorities are clear for all to see. Now it is up to the American people to demand change.

This budget by the Republican majority is a status quo budget that says, if you liked the last 6 years of working harder, making less, costing more for education, costing more for health care, costing more for your retirement, then vote for this budget. It maintains the status quo.

It is time for new priorities. It is time for a change.

The Acting CHAIRMAN (Mr. BISHOP of Utah). Does the gentleman from Iowa have further speakers?

Mr. NUSSLE. Mr. Chairman, I have no further speakers, and we are prepared to close. I believe I have the right to close the general debate, and we are prepared to close debate at this point.

The Acting CHAIRMAN. The gentleman from South Carolina has 30 seconds.

Mr. SPRATT. Mr. Chairman, I will use those to say one thing that I haven't said, and that is, in reading this entire resolution which we offer, you will find four separate reserve funds for the improvement of health care. For example, we provide a reserve fund to cover an increase in Medicare payments to physicians to avoid a cut, a sustainable growth rate cut of 4.6 percent. We say that if you can bargain down the price of prescription drugs, you can put the savings in a reserve fund and use it to improve coverage under Medicare for prescription drugs, closing the donut hole, for example. So I would commend that to everybody's attention. There is a real difference between our budget resolution and theirs, and I ask support for ours.

Mr. NUSSLE. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman and colleagues, this is always a challenging debate because what, unfortunately, is not part of the discussion, in the debate back home in particular, is that numbers very rarely demonstrate results; that when you talk about a budget, when you hold up a document which, it is interesting, I have heard so much debate today about we are cutting this, we are cutting that, we are slashing, we are eliminating, all sorts of things.

The budget of the United States basically is 43 legislative pages long, and you can't find those in here because what the budget does is it sets a framework, is all the budget does. It sets a framework, no different than what families do around their kitchen tables every day. They set a framework, a budget. And then as the bills come in, they apply those bills to that framework and determine whether they are over, whether they are under, what

they can afford, what they can't afford, if there is an emergency what they are able to borrow, how much they are going to be able to invest in their kids' college or whatever it might be. Those are budgets, and we have no different course of budget right here.

It is a framework. Within that framework many decisions will be made this year, decisions about education, decisions about homeland security, decisions about national defense, decisions about what we are going to do in order to meet many needs, many challenges, some choices, some circumstances that we know will rise this year and years to come.

We have decided that in order to write this budget we had to anchor it to some pretty important principles, and that is what we tried to do.

First, what are our strengths? As a nation, the most important strength we have is our people. I mean, that is what this is about. Those are the three first words of our Constitution, ''We, the people,'' not government, not bureaucracy, not government programs, not entitlements, not any of that, but ''We, the people.'' That is what is the strength.

And our people, I will tell you what, when you allow, when you unleash them, when you empower them, when you give them the incentive of American ingenuity to go out and do things, I have got to tell you, it is unbelievable to watch.

In my own home State, you see farmers produce the food for the world. You see that in so many places around our country. You see small businesses, I am sure in the gentleman from South Carolina's district, my friend, create jobs and opportunities and services and manufactured goods that not only supply the United States but supply the world. And when you unlock the economy, when you allow people to make those investments for themselves, I will tell you what, it is a wonderful thing to watch. And that is something beautiful about our country that has really been the reason why we are the economic wonder of the world, why we are the economic leader of the world.

There is no question that there are other places around the world that would love to be like the United States when it came to our ability to invent, our ability to create, our ability to serve so many people, not only here in the United States but around the world. But if we don't continue to build on that strength, it could very well be lost, and that is the reason why as part of this budget plan we continue the work to grow the economy, because that is number one.

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The second item that this is built on is our military strength, our strength of power, our strength of being able to defend freedom here in this country and around the world. And there is no question that there will be differences of opinion on every side about this conflict or that conflict, but there is bipartisan agreement always on the fact that our United States military is number one. It needs to stay number one. When we put a man or a woman in uniform and ask them to go away from their family or their community, we make sure and we ensure and we do everything we can within budgets like this and like the budget that Mr. SPRATT is presenting and like all budgets, we ensure that they have the best, that they can be the fastest, they can be the strongest. And certainly there are going to be differences of opinion of exactly how that can be accomplished; but the goal is the same, and our budget accomplishes that.

We also believe that we need to defend our Nation differently than we ever have before. I understand that there are some people who come to the floor who think it is pretty easy to write a budget. Just do this, just do that. Try to do it after 9/11. Try to do it after wars in Afghanistan and Iraq and the global war on terror. Try to do it after Katrina. Try to do it when 13 million people are crossing our borders unchecked.

We have enormous challenges with regard to homeland security. We meet those challenges as part of this budget. Will there be differences of opinion in priority of how to meet those challenges within the rest of the process that we will engage in this year? Yes, of course, and there should. But we ought to also limit that spending and say this is how much we are going to dedicate to that, and, again, our proposals are similar.

But in addition to that, we also know that the government can overstep its bounds. It can spend too much. And just like every year, we hear about pork barrel spending. We hear about earmarks. We hear about those special projects. Part of the reason that we have those is when we have unlimited funds to spend, people get pretty creative on how to spend it. Either as a constituent coming from Iowa or as constituents from around the country, I have never had a constituent come into my office and say, Jim, this project I am about to show you is not worthy of funding. In fact, they never tell me that we are spending just enough. They almost always say we would like a little bit more.

So what a budget does is it says there is the top line; that is the most we can spend. And while there are certainly worthy projects that we need to fund this year, there are also projects that need oversight, scrutiny, need to be reformed, need to be changed, need to be put off until next year, or here is a word that we rarely say particularly in an election year: How about ''no,'' we are not going to fund that; it is a crazy idea. And to look them in the eye and be able to tell them that is certainly a difficult job, but it is one that we have to do. By setting that top line on spending, we accomplish that. Again, this is what this budget does.

Finally, let me say that we do one more thing that we believe is very important, and it is a lesson that I learned one of my first years here in Congress during the great Mississippi flood of 1993. But, unfortunately, I and every one of my colleagues have relearned it almost year after year after year, and that is, regardless of what we have put in these budgets, there are unforeseen circumstances that will occur whether we like it or not. It could be an earthquake. It could be a flood. It could be the biggest hurricane in our history hitting almost a direct hit on one of our most cherished cities.

No matter what we put in this budget, we may have a war. We may have a terrorist attack. We may have things happen that are outside of our control. But we know that they are probably out there and that they are lurking, and so what we have put into this budget is not only a fund in an emergency way to deal with that war, but, also, for the first time we have set money aside recognizing that we may have that earthquake, we may have that flood, we may have the tornadoes like we had this last weekend, and we had darn well better set some money aside for that rainy day, just like that family sitting around that kitchen table saves just a little bit to deal with what might be a leaky roof or a refrigerator that goes on the fritz.

We have got to deal with those problems, and I believe this budget accomplishes that. And it does so in a way that recognizes what I tried to say in this debate. We believe in those people that we represent. We want them to be winners. We know there are challenges. We know there are people who need our help regardless of their ability to help themselves. And even though that is certainly the compassion of this country, we ought to respect the fact that dignity does not start with a government check. Dignity does not start by somebody crawling to a Federal agency and saying please help me. That is not dignity in America. Dignity does not start with a government check or with a big government bureaucracy.

Dignity starts by recognizing our personal freedom granted to us by our Creator, not granted to us by a government bureaucracy or granted to us by the United States Congress. We fought a revolution over the fact that we are free and that our dignity starts in our heart because it is given to us by God, not by government, not by anybody else. And for us to continue to perpetuate the myth that the only way to distribute compassion in this country is by handing out freedom or handing out government or handing out a check to people, that that is the only way they will get it, I believe that is an unfortunate juncture that we find ourselves in in this country.

Our budget does not continue to perpetuate the belief that in order for you to have dignity, it is found in these pages or it is found on this floor or it is found somewhere in Washington,

D.C. The most dignified things that happen in this country are the decisions that are made by people and families in freedom in the United States of America, and the only way that can continue is if we continue to perpetuate that freedom.

So while there is certainly going to be a lot of rhetoric about how for some reason we are cutting programs, we are slashing this, we are gouging that, when it comes right down to it, it is because we do not believe that these programs measure our compassion as a Nation. The only way that is measured is by getting people to be able to help themselves and creating the opportunities to pass on to the next generation. That was done for me by my parents. That is something that I hope to do for my kids, and it is something that we all hope for. And it is not something we look for from government.

So I hope that we, over the course of the next days or time, pass this budget, which sets a blueprint down that not only measures our ability to deal with certain challenges. It sets resources aside to deal with challenges that may be unforeseen, and it recognizes that freedom starts with the individual. It does not start in this Chamber or in this document.

Ms. DELAURO. Mr. Chairman, women understand the difference this budget can make in improving their lives and, their families' lives. Everyday, whether it is ovarian and breast cancer research, college loan assistance, or nutrition program, for low-income seniors, women are reminded how our sense of opportunity is in so many ways inseparable from our Nation's health, education and labor infrastructure.

But when it comes to this budget, our investment in each of these areas is cut. Pell Grants, Head Start, housing programs, child care, even the president's own No Child Left Behind education program—all fall victim to Republicans prioritizing tax cuts for the few over investments in the future of all Americans.

Republicans had an opportunity to show their commitment to women and families when I offered an amendment that would have simply restored $7 billion of funding to our communities, our community health centers and hospitals, our school districts and one-stop employment centers. It would have restored funding for lifesaving research at the NIH—research that saved this woman's life nearly two decades ago. This funding would have impacted every woman and her family at all levels of income in one way or another. But Republicans turned it aside on a party-line vote.

Mr. Chairman, women deserve a budget that supports them—a Congress that supports them. And as women are increasingly realizing, they are getting neither.

Ms. ESHOO. Mr. Chairman, I rise in opposition to the Republican Budget Resolution and in favor of the Substitute offered by Representative SPRATT.

Despite record-breaking deficits and a skyrocketing national debt, the Budget Resolution before us continues the Majority's 'spend now/pay later' policy which has gotten us into a historic fiscal mess.

Former House Republican Leader Dick Armey accurately described the Republican's fiscal management when he told the Wall Street Journal in 2004, "I'm sitting here, and I'm upset about the deficit, and I'm upset about spending. There's no way I can pin that on Democrats. Republicans own this town now."

I think it's important to note that there's always been a choice. Every year for the last 5 years, Democrats have offered alternate plans to balance the budget. Every year we've been defeated by the Majority.

Over that time, the Majority's budgets have turned a projected 10-year surplus of $5.6 trillion into a projected 10-year deficit of nearly $4 trillion, posting record annual deficits over that period. The single largest cause of this turnaround has been the tax cuts enacted in 2001 and 2003. The tax cuts, by themselves, represent approximately half of the deficits we've accumulated since 2001.

What we see again in this year's Republican budget is more of the same. Passage of their budget will increase the deficit by $348 billion in Fiscal Year 2007 and by a total of $1.1 trillion over the next 5 years. Although it never achieves a balanced budget, this Republican plan insists on more tax cuts.

That's not the whole story. This budget masks the true cost of the deficit because it continues to spend every cent of the Social Security Trust Fund. Without dipping into the Trust Fund, the Republicans would post a deficit of more than $600 billion in Fiscal Year 2007.

The costs of the debt and deficit are huge. In Fiscal Year 2007, the United States will spend $243 billion to cover the interest payments on the national credit card. This represents the fastest-growing part of the budget.

The Republican budget also presents the false claim that its spending cuts will reduce the deficit. Over the next 5 years, the proposal cuts $5 billion from mandatory programs (such as Food Stamps and Unemployment Insurance) and $127 billion in domestic discretionary programs, such as education, veterans benefits, environmental protection, and scientific health care research, but instead of paying down the debt, these alleged 'savings' will partially pay for $228 billion in tax cuts.

We've seen this bait-and-switch before. Just two short months ago, the President signed into law the so-called Deficit Reduction Act. The $40 billion in cuts in this legislation came from reductions in student aid programs ($12 billion), Medicaid ($7 billion), and Medicare ($6.4 billion). At nearly the same time, the House passed a tax cut bill at a cost of $56 billion. Provisions in this bill will give anyone who earns $1 million or more a year an average tax break of $32,000.

The cuts in services will be painful and unwise. Over the next 5 years, this budget will cut veterans' healthcare services by $6 billion, education by $45.3 billion, healthcare by $18.1 billion, and environmental protection by $25 billion. Once again, these spending reductions will cover only part of the $228 billion in additional tax cuts, guaranteeing deficits for at least the next decade.

The net result of this budget are more tax cuts for the wealthy, a reduction in social services for working families, and never-ending debt for future generations. This fiscal policy is not only unsustainable, it's immoral.

As in past years, we have a choice. The Substitute offered by Mr. SPRATT reduces the deficit year-to-year and reaches a balanced budget by 2012. The Substitute re-establishes pay-as-you-go (PAYGO) rules so that any new tax cuts and any new spending are paid for by spending cuts or revenue increases.

The Substitute also proposes $160.5 billion more than the House Republican budget for key areas, including education, health, veterans, and environmental protection while maintaining funding for defense and providing more funding for key homeland security priorities, such as port security.

Within the context of a balanced budget, the Substitute provides funding for tax relief for low and middle income taxpayers.

I urge my colleagues to oppose this budget and instead support the Democratic alternative that will restore fiscal responsibility and honor the best of who we are as Americans.

Mr. LANGEVIN. Mr. Chairman, today I rise in support of the Spratt budget substitute and in strong opposition to H. Con. Res. 373, the Republican budget.

Our sons, daughters, and neighbors are bravely fighting wars abroad. Unfortunately, when they return home, they will find a country that has lost its way. We pay lip service to shared sacrifice, but while they risk their lives for us, Republicans in Congress are providing tax cuts for the richest 1 percent of Americans, slashing programs for working-class families, and turning their backs on the middle class. The budget before us today continues these policies. It does not represent the priorities of the American people, nor does it respect the values our soldiers are fighting to protect.

For too long, Republicans have racked up charges on the national credit card, while passing the bill on to future generations. Now is our chance to set this country on the proper course to ensure America's economic success and protect our grandchildren from having to pay for today's irresponsible decisions.

There is a better way. Despite the horrible fiscal outlook facing our Nation due to Republican policies, the Spratt substitute still manages to balance the budget in 6 years, cut taxes for the middle class, and provide realistic funding for education, health care, and veterans programs, all of which are shortchanged by the Republicans.

The Spratt substitute has a better bottom line than the Republican budget every year. Fiscal responsibility today will lead to lower deficits, smaller interest payments, and less national debt in the future. Most significantly, after the budget is balanced, we can finally begin to pay off the trillions of dollars in debt that have accumulated since President Bush took office.

Unfortunately, the budget proposed by House Republicans does nothing to improve the quality of life in America. It would add $348 billion to the national debt next year alone. Under Republican stewardship, the 5 years between fiscal year 2003 and 2007 will provide us with the five largest deficits in American history. This is not a legacy worth continuing. We cannot afford to borrow additional money to continue paying for failed economic policies.

Not only does the Spratt substitute match the President's request for defense spending, but it also includes additional needed funds for homeland security programs, including port security. As a member of the Homeland Security Committee, I am concerned that the Republican budget closely mirrors the President's

budget, which proposes to eliminate several programs important to the safety of all Americans. Programs on the chopping block include the COPS Interoperability Grant Program, the SAFER Program for firefighting equipment, the Metropolitan Medical Response System, the Law Enforcement Terrorism Prevention Program, and Justice Assistance Grants. In 2005, these programs provided more than $13 million in grants to help Rhode Island's first responders keep my constituents safe. Since September 11, we have asked our police and firefighters to do so much more, but this budget fails to provide the resources they so badly need.

In addition, the budget would freeze or cut all non-homeland security discretionary spending. If the Republicans have their way, 5 years from now, education and health programs will receive less than they do today. Cuts to social programs would place a larger burden on the working class at a time when they can least afford it.

Even with all of these cuts, the Republicans still have no plan to balance the budget. Instead, they want to give away the savings to the wealthy by making permanent tax cuts on investment income. As the New York Times indicated yesterday, "Americans with annual incomes of $1 million or more, about one-tenth of 1 percent of all taxpayers, reaped 43 percent of all the savings on investment taxes in 2003." At the same time, those earning less than $50,000 saved an average of only $10 on the same capital gains and dividend tax cuts. The wealthiest Americans are doing fine on their own, and we should not be borrowing money to give them tax cuts.

Deficit spending has stymied job growth and is plaguing our economy. No Rhode Islander would write a check without sufficient funds to cash that check. Neither should the government. I urge my colleagues to join me in supporting the Spratt budget substitute and opposing the underlying Republican plan.

Mr. BISHOP of New York. Mr. Chairman, I rise in opposition to the budget resolution and in support of the Democratic substitute.

The President and the Republican majority like to take credit when there's a better statistic to report about the economy. Those stats might mean something to the fortunate few in the top income bracket.

But middle-class families struggling to keep up with soaring tuition, health care and gas prices don't have much to celebrate. And a budget that builds on a strong economy for all Americans shouldn't be one that allows more pensions to evaporate and tears more holes through the safety net.

Is there any doubt today that this Administration's first priority has been—and continues to be—tax cuts for the wealthiest at the expense of education, health care, scientific research and other middle class priorities, all of which are being cut to pay for these tax cuts?

But my main concern is the hypocrisy of this budget—that extending dividend, capital gains, and tax cuts for millionaires and corporations are like a rising tide that lifts all boats. We've already proved more needs to be done than just hope that sooner or later tax cuts will reach Americans who need our help the most.

Why, for instance, are we saddled with recordbreaking deficits exceeding $400 billion; $3 trillion in new debt since 2001; a debt limit now over $9 trillion; and deep cuts to hospitals, schools, and security? If our tax cuts performed as our friends on the other side of the aisle had promised, an exploding economy would have wiped out this debt.

How can we possibly justify a budget that cuts taxes for millionaires worth more than President Bush requested for the Department of Education and more than twice his budget for the Department of Veterans Affairs?

The answer is that we can't justify the choices made to produce this budget. Under this resolution, Mr. Chairman, those who need our help the most must get in line and hope that the benefits of tax cuts for millionaires and corporations will ultimately trickle down to them.

Mr. Chairman, middle-class Americans deserve much better.

Ms. CORRINE BROWN of Florida. Mr. Chairman, "I believe that the current budget proposal does not accommodate really crucial city safety net needs, education needs and health care needs . . . (and) I have tried as clearly as I could to lay out my concerns, which frankly are shared by a significant number in this caucus." Now, you might think that this quote was taken from someone in the Democratic leadership, or the Congressional Black Caucus, but no: This is a quote from a Republican Member of the House of Representatives. And I ask, why, my colleagues, was this said? Well, the answer is simple.

The Republican leadership is robbing from the poor to give tax cuts to the rich. That's what this budget, and this debate, are all about. We are talking about priorities here folks, and this Republican budget certainly makes it clear who the party in power supports, and who they don't.

Who do they support? That's easy: big insurance companies, HMOs, millionaires on Wall Street, the oil industry and huge defense contractors, that's who. And who don't they support? Well, that question is easy too, just look at who gets the short end of the stick in this budget: teachers, police, first responders, students, our veterans, and the elderly. Yes, since the Republican takeover it's the same old story folks: drastic cuts in vital social service programs, and going so far as to eliminate food programs for poor children and their mothers! This is a mean, mean spirited budget, my colleagues, and we need to send it right back to the smoky back room where the lobbyists and Republican leadership wrote it!

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

The Acting CHAIRMAN (Mr. BISHOP of Utah). All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BURGESS) having assumed the chair, Mr. BISHOP, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (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, had come to no resolution thereon.

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

Mr. CARDIN. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. BISHOP of Utah). The Clerk will report the motion.

The Clerk read as follows:

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

(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.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Maryland (Mr. CARDIN) and the gentleman from Pennsylvania (Mr. ENGLISH) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

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

Mr. Speaker, people of this country are looking to our leadership for change. They want us to move in a different direction. They are tired of our spending money and going further into debt. They want to see us do something about the national debt and the deficit here in Washington. They want us to stop digging the hole deeper. They want to see a commitment to reduce the debt. They want to see tax fairness. They understand that the tax bills that we have passed in recent years provide average tax relief for those under $50,000 of $435 a year while those between $500,000 and $1 million enjoy $22,000 of tax relief. They want to see tax fairness.

They want economic opportunity so this economy can grow. They know that the R&D tax credit that allows companies to invest in the future needs to be made permanent. And they certainly want to see more savings in America. They understand that we have a negative saving rate. We know that young people and people of modest income have a very difficult time putting any money away for their retirement savings and too many companies do not offer incentives for their employees. They want to make sure that we extend the saver's credit that allows them to put money away.

Mr. Speaker, my motion to instruct the conferees on H.R. 4297 deals with these opportunities.

When I noted this motion last night, I was not aware that the conference is close to an agreement, and I use that word reluctantly because, as I understand it, there has been no conference. It is basically the Republican members of the conference committee have been negotiating; and according to the most recent Congressional Daily, tax writers are within striking distance of a reconciliation deal.

We have received a red alert from the Concord Coalition. The Concord Coalition, which is a nonpartisan body whose sole purpose is to try to bring some sense in this Congress in dealing with the deficit, says watch out. The deal that is being struck, ''instead of choosing among competing priorities,'' and I am quoting from the Concord Coalition, ''identifying revenue offsets or otherwise scaling back the cost of the tax cuts to comply with the budget, Congress is considering gimmicks and legislative maneuvers to circumvent budget limits and increase the deficit even more than the budget already allows. Evading the limits in the budget resolution would make a bad budget worse.''

I could not agree more with the Concord Coalition.

So what does my motion do with the tax legislation that is in conference? It provides for four instructions to our conferees:

First, it says to the maximum extent possible within the scope of conference, insist that a conference report will neither increase the Federal budget deficit nor increase the amount of debt subject to the debt limit. I would think that every Member of this body would endorse that instruction to our conferees.

I was just listening to the debate on the budget resolution and heard how we need to rein in the deficit. Well, this is our opportunity to act on that intent. This motion makes it clear that we want to rein in the deficit and the debt to the maximum extent possible. The 2006 budget had a deficit of $371 billion. The 2007 presented budget will increase the deficit by $423 billion, and I am not even counting the surpluses from Social Security that should not be counted in this.

□ 1645

According to the Joint Tax Committee, the conference may very well bring out a report that could increase the deficit by another $80 billion.

Enough is enough. Let's make a commitment to America's future. Let's recognize how dangerous this deficit is to America's future. Let's understand that in order to pay our bills, we have to ask foreign governments to buy our bonds, governments that don't agree with our foreign policy, who buy our bonds not because it is a good investment, but because they want to make sure that the exchange rate between their currency and ours is favorable so they can send more products into America, taking more jobs away from America.

Yes, this is a matter of national security, and that is why this motion speaks to this bill that could make the circumstances much worse. Let's tell our conferees not to do that.

The second part of the motion to instruct deals with two very important tax credits that are scheduled to expire. One is the savers credit. The other deals with the R&D credit. I mention both of those because it is important that we deal with these two credits that are scheduled to expire.

My motion tells us to take the longer period that the other body agreed to. Let's extend for 3 years the savers credit. I want to make it permanent. At least let's make it 3 years. The R&D that allows businesses to reinvest to create jobs, we should make it permanent. Let's make it at least 2 years.

But, Mr. Speaker, let me tell you my fear. I would urge my colleagues to support this motion. Let me tell you my concern. The Concord Coalition is admonishing us that they believe that we will be keeping these politically popular tax cuts hostage to new legislation, that it won't even be in this legislation, in this conference. Instead, we are going to put it in another bill to make the deficit even greater.

This should be our priority, extending these tax credits. This may be our last opportunity to speak to that. So I urge my colleagues who profess to support the savers credit and R&D credit to support this motion.

This motion also deals with the Alternative Minimum Tax, to make it clear we need to extend the Alternative Minimum Tax. If we don't, taxpayers will soon be getting information from the IRS, instructions to let them know that their taxes for 2006 are going to be substantially higher than they are for 2005. For you see, Mr. Speaker, if we don't correct the alternative minimum tax, and let me remind you the bill that passed this body did not include that, if we don't include it at this stage, because this is the bill that is going to be on the way to the President, we are going to find in excess of 15 million of our constituents across the country are going to wake up and find they now have tax liability they didn't expect, not because they are trying to avoid taxes, but because of action taken by us which increased liability for the Alternative Minimum Tax.

So it is critically important. This is our last opportunity to say before the conference is likely to take action that the Alternative Minimum Tax is our priority.

Then the fourth thing, Mr. Speaker, is that we have to make choices. We can't do everything. I was listening to the chairman of the Budget Committee tell us that we can't give everything to everybody that everybody wants. Well, I hope he will vote now in the first vote after his speech to carry that out. We can't do everything that everybody wants and still bring the budget deficit down.

The capital gains and dividend provisions, they are not set to expire until 2008. Let me remind my colleagues of that. We have plenty of time to take that issue up. So my instruction includes holding off on that issue so that in fact we can bring in a conference that is in compliance not only with the letter, but the spirit of our commitment to deal with the budget deficit.

Mr. Speaker, I urge my colleagues to support this motion. I believe this is what almost everyone in this body has been speaking about. Now let's see how they vote.

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

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is a real privilege to appear opposite the gentleman from Maryland. I realize he is not seeking reelection this year and is aspiring to move up to a higher level. I may say at the outset it has been a privilege working with him on the Ways and Means Committee for the last 12 years. I have come to admire his talents, even when they are enlisted on behalf of something as weak as the instruction before us today. I look forward to debating the point.

Mr. Speaker, we have a motion to instruct that has been put before this body that sends exactly the wrong message. It is a message that is essentially against economic growth and against job creation, and it would put Congress on record, on the brink of our success in a tax conference in favor of things that we have in the past voted against. This instruction in some areas is amorphous, and elsewhere is perverse, and in effect it is an instruction that leads us inevitably to a tax increase.

Mr. Speaker, it is important for us to recognize that since 2003 our gross domestic product has seen its fastest growth in 20 years, averaging a robust 4.4 percent per quarter. This is extremely important, because as we have grown the economy at this clip, we have generated new revenues, new revenues that we had not anticipated in our budget, new revenues that have held down our deficits, new revenues that have created an opportunity for us to finance our social needs. And as we show restraint, as we do in the budget resolution we are voting on today, it holds forth the promise of our getting back to a balanced budget, something that the other party was never able to achieve when they were in the majority.

This growth is important to note, because it is attributable in part to the reduced rates on capital gains and tax dividends.

We have a pro-growth tax policy in place, which has allowed us to expand the tax base and generate revenues outside of the estimates in our budget. I would like to point out that ultimately the path to a balanced budget has to be through high growth rates and ultimately through the financial discipline that today's budget resolution will suggest. Yet, the motion to

instruct conferees before us in effect puts off to a date in the future the opportunity to continue to extend the current tax rates on those pro-growth parts of our existing tax policy, with potentially perverse results.

I would like to also point out, since we have heard so often and we have heard on the floor today that the tax policies we have in place only benefit the affluent, I would like to point out who in the real world has been receiving the reduced rates and therefore whose taxes will we will be raising if we fail to extend the current rate.

Mr. Speaker, it is notable that 54 percent of those families receiving dividend income had incomes of less than $75,000 and they received an average of $1,400 in dividends. That is very significant for those families. Together, families with incomes under $100,000 have more than $20 billion in dividend income.

In 2005, an estimated 10.3 million families in the 10 and 15 percent brackets will save on their taxes because of the 2003 law. So the rhetoric that this tax relief only benefits the wealthy is vacant ideological posturing.

If we let these rates expire, it would be in effect a tax increase on many Americans, including a lot of middle-class Americans. Not only would the lapse of the reduced rates impose a tax increase, it would particularly discourage equity ownership among working families, among whom we have seen a stunning 91 percent increase in stock ownership. To turn back the clock on policies that have more American workers owning a stake in their future is simply the wrong thing to do today.

Our side also strongly supports extension of the savers credit and the research credit, which is why both of these policies were extended in the House-passed bill. That is already in there. Unfortunately, almost every single member of the minority voted against extending those incentives when the House voted on the bill last December.

I should further point out that our side also strongly supports extending relief from the AMT. In fact, I am a co-chairman of the Zero AMT Caucus and I have been vigorously advocating repeal of the AMT since I came to Congress, an ugly tax legacy of the previous majority. The House has spoken on this issue, and it is worth noting that we voted overwhelmingly in December to extend AMT relief as a stand-alone bill. By moving this relief outside of reconciliation, we can shield millions of families from the AMT without having to raise taxes to do so.

Mr. Speaker, this motion to instruct is asking for a tax increase on effectively the seed corn of the economy. It is asking us at a critical time to put a brake on economic growth when we need it most.

If we are serious about maintaining the forward motion in our economy, I would suggest that we need to maintain our current tax policies and not undercut our efforts to maintain them. I am calling on the House to vote against this motion. It is the right thing to do.

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

Mr. CARDIN. Mr. Speaker, I yield myself 30 seconds just to correct the record from my friend from Pennsylvania.

If AMT relief was a priority, you would have put it in budget reconciliation, because you know that is the only legislation that stands a chance of passage to the President. You have had 12 years to fix it and you have not. There is a statute of limitation on how long you can go back to when the Democrats were in control.

In regards to the $1,400 you referred to for families under $75,000, I question your numbers. I will tell you, their share of the national debt as a result of your fiscally irresponsible policies will far exceed the $1,400 in tax relief.

Mr. Speaker, I yield 7 minutes to the gentleman from Michigan (Mr. LEVIN), my colleague on the Ways and Means Committee.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I would say to Mr. ENGLISH, if you are serious about the AMT, you would vote for this motion to instruct. You can join any caucus you want. It is what happens on the floor that matters.

You talk about the path to the balanced budget. The Republican path to a balanced budget is more deficits, and your notion is more deficits will help growth and eventually we will grow out of the deficit. The trouble is, it isn't working.

When you talk about growth figures, you don't mention that for the typical family in this country, there hasn't been an increase in income. Median income in this country has essentially been flat these last years.

You say if you vote for the motion to instruct it leads to a tax increase. That makes no sense at all. The present provision lasts through 2008. What you are doing is extending it several years from now.

Why does Mr. CARDIN come here again? How many times have we raised this issue? The main reason we bring this is because you distort the facts when you make your arguments. Pure distortion. That was true the last time we debated this.

I read the New York Times article of just this last Wednesday that picks up the pure distortions by the Republicans. I think you have repeated them again. Essentially what was said last time in defense of your position was this: ''Nearly 60 percent of the taxpayers with incomes less than $100,000 had income from capital gains and dividends.'' The New York Times story goes on to say, ''IRS data show that among the 90 percent of all taxpayers who made less than $100,000, dividend tax reductions benefited just one in seven and capital gains reductions one in 20.'' So you either get your distortions out of thin air or from some other source.

You try to say that this is a matter of a tax benefit mostly from the nonwealthy. I just want to read again from the New York Times article, and this traces the 2003 investment income cuts.

□ 1700

The investing income cuts. And here is what happened: The average tax cut for people making less than $50,000 was $10. For people making $50 to $100,000, the average tax cut—this is again in investment income—was $68. For the family $100,000 to $200,000, the average tax cut was $268. For someone making $200,000 to $500,000, $1,489. For those $500,000 to $1 million, $5,491. For those making $1 million to $10 million, $25,450. And, again, in contrast to $10 for less than $50,000 and $68 for $50,000 to 100,000. On those who are making $10 million or more, the average cut is $497,463.

The conclusion in this article, I think not refuted, is that the top one-tenth of 1 percent of taxpayers got 43 percent of the benefit. And you have the gall to come here and talk about these two tax cuts or decreases benefiting the majority of the American people. That is not true.

Now, another myth that you perpetuated is that more people will really benefit from this change in investment income taxation than if we act on AMT. Mr. CARDIN has talked about this, we have talked about this before, we have heard your mythology in the Ways and Means committee from the very beginning. There are going to be 17 million people or more affected by the AMT if we do not act compared to several million now. And you throw your lot in with the millionaires instead of people who are in middle income situations. That is whom you are benefiting, basically.

So that is why we come forth here. You distort the record. We want to tell the truth to the American people. Whose side are the Republicans on? It is the millionaires. I think it is fine if people make a million bucks, but they do not need a tax cut. What is needed is some actual civility and sanity when it comes to the deep deficits here, and also some honesty with the American taxpayer, and not helping a very few and hurting the very many. That is what you are doing.

That is why Mr. CARDIN is coming forth once again, once again, and we are putting you to the test. If you vote wrong today, expect to hear from the American people tomorrow and tomorrow and in November.

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

Mr. CARDIN. Mr. Speaker, I yield myself 1 minute to emphasize a point that Mr. LEVIN made.

There is no question that the overwhelming amount of relief provided by

the tax cuts from 2001 and 2003 go to the highest income people. That is not tax fairness. There is modest relief that goes to middle income families, very modest relief. Every dollar and more of that will be eaten up by these increased debts and deficits. The interest costs alone, the share of the National debt all will make whatever relief is provided in here meaningless. And when you take a look at the impact that the deficits are having on our economy and you look at how middle income families are struggling in order to meet their needs, in order to be able to afford the increase in college education and energy costs and health care costs, they are falling further and further behind.

So for the sake of middle income families, I would urge my colleagues to support this motion in the conference to bring back a responsible product.

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

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

Mr. CARDIN. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. ROTHMAN), a distinguished member of the Appropriations Committee who is known for his commitment to tax fairness and fiscal responsibility.

Mr. ROTHMAN. Mr. Speaker, what are the priorities of the Democratic Party? And what are the priorities of the Republican majority, the Republican majority who have been in power in the House and the Senate for 5½ years with a Republican President for 5½ years, with their policies, leading to a greater and greater difference, disparity in incomes between the very rich and the middle class and the working poor and the poor, and the greatest deficit in the history of the United States. That is the result of the priorities and policies of the Republican majority. That is a fact. I believe they are the wrong priorities, and they put us continuous on the wrong track, but that will be up to the voters in November to change.

But what about the comments you hear about these tax cuts that are spurring the economy in unprecedented revenues? Hogwash. Hogwash. The Secretary of Treasury, John Snow, from the Bush administration came before our committee this week and said, Secretary of the Treasury under President Bush said, these tax cuts are responsible for one-third of this deficit. They are responsible for one-third of this deficit, the greatest deficit in the history of the United States. That is what these tax cuts have caused.

He said, by the way, for every dollar in tax cuts we give, we do not get back more money than we gave out in tax cuts. We get 30 to 40 cents for every dollar in tax cuts which means we lose in the Treasury 60 to 70 cents on every dollar we give out. We only get back 30 to 40 cents.

Well, if we could afford that I suppose it would be great to give people back more money. Then the question is who should get the tax cuts? People on the Republican side of the aisle say boldly, everybody should get a tax cut. Well, I do not know about you but in a time of war, in a time when we have natural disasters like Hurricane Rita and Hurricane Katrina, when people are working harder and not making any more money, they have growing health care bills and are worried about their retirement, they are having their college tuition costs increased by the Republican majority, veterans are paying more than ever because the majority says they do not have the money, they do not have the money, they say, even to inspect more than 5 percent of the containers coming into America, then say we do not have the money.

Hong Kong inspects 100 percent of the containers. What are they doing with the money? They are giving it to the very richest people in the country, and they say it boldly. Yes, we are doing that. Everybody should have a tax cut. Well, you know these same folks have been getting the benefit of trillions of dollars of tax cuts since President Bush took office.

The recession has been over for 3 years. Do they still need the money when we have the biggest deficit in history? And you tell veterans and college kids and seniors, we do not have the money for your program, or parents with kids who have disabilities, we do not have money for your program? They say, well, there they go again, those Democrats, class warfare. Hogwash.

We have to make a decision about what to do with our tax dollars. Should we spend it on people who need it, the middle class, by getting rid of this Alternative Minimum Tax. The Republican majority says no, we do not have the money to get rid of the Alternative Minimum Tax that affects primarily the middle class. They say they do not have the money. They did not put it in the budget.

What they did put in their budget were huge tax cuts for people making over $500,000, $1 million, $10 million, up to the sky. Forty-five percent of the tax cuts under their bill here, 45 percent of the revenues go to people with incomes of $1 million a year. Is that the country you want to live in where we allow the Republican majority to give our money to the rich and tell everybody else go jump in the lake, pull yourselves up by your boot straps, but the rich should get the money?

There is a difference, Mr. Speaker, between the Democratic Party, who says let's fix that Alternative Minimum Tax that hurts the middle class. Let's spend the money on that, not tax cuts for the very rich.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. KUHL of New York). The gentleman from Pennsylvania (Mr. ENGLISH) has 23-½ minutes remaining.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, I assure you I will not use the balance of that time.

Just to point out something that is a continual pet peeve of mine, I am not on Ways and Means and I am not on Appropriations but it seems to me that if you are going to give money to someone it comes through the appropriations process, not through taxation.

Government spends what it takes while people spend what they make. In the final analysis, to provide tax relief to the American people is not an act of giving them anything from the government's largess. What it results in is an act on the part of the government to refrain from taking people's hard-earned money in the first place.

Now, as to the rhetorical question that was asked, if I may turn it into an actual query that was put to us, I would prefer to live in an America where I know that if I work very hard and I follow the law and I want to work and improve my quality of life for myself, my children, and my community and country, is that the fruits of my labor will not be taken from me by the government. And that attempts to make sure that the fruits of my labor are left in my pocket are not considered a giveaway by the Federal Government. Because the fact is it is the confiscation of private property, the act of taxation. The only thing that does to render it criminal is the fact that we have the consent of the governed. In a duly elected country, if the consent of the governed is through their elected representatives not to take that money in the first place, it is not a giveaway.

Mr. CARDIN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Mr. Speaker, I just want to respond to the gentleman. Maybe it is a question of religious values, but I thought every major religion in the world said that those with extreme wealth should not be living high on the hog while everybody else is suffering. I thought that that is what every major religion talked about.

If I am correct in my American history, the income tax does not say ''give the money to the rich and they do not have to pay any more than the poor.''

Our income tax system is a progressive system under the American belief that if you are incredibly wealthy you should be paying a little more in taxes, not only in dollar amount but in percentage of your taxes. That has been our tax policy in this country since there was an income tax at the beginning of the 20th century.

□ 1715

So we know as Americans, as good moral people, Mr. Speaker, that this is the right thing to do. You do not give your money to the people who need it the least.

Now, they say they earned it and you are not giving them back their money. However you want to describe it, how much money do we get in from those taxes? We get in enough money to still have the largest deficit, not pay for education costs and veterans costs and other costs, unless we say to those who got trillions of tax cuts since 2001, you know, you are making over $500,000 a year, you have got tens of thousands, maybe hundreds of thousands, of dollars in tax cuts since 2001, perhaps during this time of war; perhaps during the time of the greatest deficit in the history of the United States, we are going to say this year, let's give the money or take your taxes and use that money to help the middle class by getting rid of the alternative minimum tax.

Mr. Speaker, I said this before. I will say it again, it is worth repeating. There is a difference between the Democrats and the Republican majority. The Democrat minority, hopefully to be the majority after November, we believe the money that is collected in taxes should be spent wisely, prioritized to meet the needs of our country, the middle class, the working class, to give incentives to people to work.

If you are making $1 million, $10 million, you are going to have to pay your fair share, and you can afford to allow your taxes to be used to help the middle class. Your kids are going to have plenty to eat. Your kids are going to college, and you will drive your Rolls Royce and get it filled up every week with gasoline. That is the difference, not class warfare.

What do we do with our money? Give it to the rich or give it to the middle class who are the heart and soul and lifeblood of this economy and this country?

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I yield 2 more minutes to the gentleman from Michigan (Mr. McCOTTER) in order to steer the discussion away from religion and back toward economic literacy.

Mr. McCOTTER. Mr. Speaker, I thank you; and before I steer on to that path, I would refer the distinguished gentleman to Pope Benedict XVI's encyclical because it shows where the government is involved in taxation for the purposes of, quote, unquote, leveling, which is trying to discern what is the proper level of material equality in a free society, that the compulsory act of government of taking that money from people and then expending it on someone's behalf vicariously is certainly not tantamount to the moral good in a virtuous society that is achieved by the individual donating that money directly to charity and engaging in the life of their community to help their fellow citizens who are less fortunate.

But I am sorry, I will not continue to go down that path.

It is also interesting, the gentleman talks about not wanting to have class warfare or class envy at the very time he engages in it. I find that disingenuous, and I will not do the same.

At the end of the day, what I would like, I think, to help frame my debate is, what level of taxation is enough? What level is enough? What is optimum for your particular, I assume hypothetical, level of material equality in this country that would be dictated by the government's confiscatory tax policies and arbitrary policies in appropriation? I want to know what that level is. I want to know the level then would be attained. If I am going to ask people to give their private property to government, I have to show them the end of the line. I have to show them how high it is going to and I have to show them what the concomitant benefit to this country is going to be. I never seem to hear that. For purposes of clarity, I would be interested, what is your ultimate goal?

I also would like to add, just as personal disclaimer, as someone who is middle class, as someone who pays the AMT, who gets notes from their accountant asking if there is anyone who he knows, i.e., me, what can they do about the AMT, I would like to see it gone, and I would also like to see the taxpayers not pitted against each other if we do not have our choice.

I suppose the final analysis, and I will close on this, is that the Republican Party believes that a free people, a free, virtuous people, which we are in this country, will take care of those who are less fortunate and will also ensure that the civil society we live in endures.

I believe that the minority party believes that they can best determine how to control your life, conduct your affairs, and reach some hypothetical abstraction of equality which does not exist.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, if I might inquire of the gentleman on the other side if he has no more speakers, I am prepared, since I believe he has the power to close, I am prepared to make a closing presentation, and I will yield myself accordingly such time as I may consume.

Mr. Speaker, there are obviously a couple of things on the record that need to be corrected.

One of the earlier speakers made a comment about it being hogwash, I think was his elegant term, that the pro-growth policies that this majority put in the Tax Code have helped the economy, have helped economic growth in this country which has achieved record rates, have allowed us to generate new revenue that in turn would bring down the deficit, and yet, in the contrary position, Chairman Greenspan just a few months ago, when he was still in office, testified before our Joint Economic Committee and made very clear that the tax policies of this majority, particularly as they apply to the more dynamic side of the Tax Code, have been successful in generating economic growth and have been successful in helping the economy. It is precisely about maintaining these tax policies and not doing a tax increase that we consider this motion to instruct.

I think this motion to instruct would be perverse. It has been challenged here whether this motion to instruct, in fact, represents a tax increase. It is curious that some in Washington still argue that when you have put rates into place and the market has adjusted for them, that if you allow those rates to lapse, somehow that is not a tax increase. Only in Washington is that kind of fantasy engaged in.

What is fairly clear is the tax policies that are our majority and our majority's budget resolution attempt to preserve are tax policies that have been beneficial to the economy, and the alternative is clearly a tax increase.

Let us consider the AMT for a moment, and I think this is very important.

To listen to the other side talk about the need to deal with AMT relief through this budget reconciliation overlooks the fact that the House passed an AMT bill by a margin of 414–4 a few months ago. At that point, clearly an overwhelming majority, over 400 Members of this body, felt that passing a bill specifically to deal with the AMT was the right way to go.

So when we had another Member on the other side suggest that it was essential for someone to vote for this instruction if they are serious about dealing with the AMT is absurd. The House has already dealt with the AMT and in a manner that I think is appropriate.

It is appropriate for our tax conference to be in a position to deal with other issues, including extending existing tax policies.

Now, the gentleman from Maryland pointed out at the beginning of his remarks that the current tax rates are going to be in place until the year 2008 on capital gains and on dividend income, and that is, quote, unquote, plenty of time. I would suggest to the gentleman that the markets may disagree with him. The markets are assuming that we are going to extend current rates, and certainly in the past we have never scheduled a tax increase in these areas in advance and telegraphed the punch. I would suggest that markets might respond to this in a very strange way; and by adopting this motion to instruct conferees, in fact, I would suggest it would send exactly the wrong message at a time like this to the markets.

Some might argue that going back to the old higher rates, raising taxes in that manner, might generate revenue; and yet we have heard testimony before the Ways and Means in recent years that suggests that the revenue-maximizing rate in capital gains, according to one expert, might be between 20 percent and 15 percent, but in the next order of probability might be between 15 percent and 10 percent.

I would suggest, since the gentleman from New Jersey raised the question of

morality, there is not really a coherent morality in setting tax rates in a particular area that are above the level at which they will generate the most revenue. I think that the current rates on capital gains clearly have been beneficial, and it is not clear that we are going to generate additional revenue if, as the gentleman on the other side would like to do, we increase those rates.

We have generated revenue that was not captured in our calculations by lowering these rates. Our experience with raising capital gains rates over the years is that the revenue that was supposed to occur rarely does, and that suggests to us that perhaps the 15 percent rate might be an ideal place to generate the most revenue, not that there is ever really a compelling argument for setting a rate at the revenue-maximizing rate.

I think there are also some things that we ought to consider about some of the figures that were thrown out here. I, in my initial remarks, pointed out some of the clear benefits to the middle class that have accrued from the current tax policies, and the gentleman on the other side of the aisle challenged that and trotted out some figures.

I should simply point out for the record that the joint committee has given us different figures, and the other gentleman's argument I found to be a saturnalia of static analysis. So I think that those who are following this debate can listen and make up their own minds. I think that clearly the current tax policies are justified on the facts, and the other side has not really offered a coherent position for adopting a new tax policy.

My feeling is that workers who have taxable assets, who have seen the value of those taxable assets which they are holding toward retirement increase because of the growth, increase because the market has gone up, may I suggest that they have seen a real benefit from our tax policies, one that is not captured in the static analysis used on the other side, but one which is important and is a real measure of wealth and is a real measure of their satisfaction.

I was intrigued by some of the rhetoric on the other side in which, on one hand, a speaker called for us to use civility and then accused us of siding with millionaires. That is an unusual approach to civility, but I would suggest to the speaker that by supporting the current tax policies and supporting the growth that so clearly is their result, we are siding with entrepreneurs. We are siding with workers who depend on small businesses and the people who run them to create the jobs that they need. We are siding with the capitalist economy that has created more wealth and more opportunity in this country than anywhere else in the world. We are siding with the dynamic side of our economy and that part of our economy that we think offers the promise of new opportunities throughout America.

I believe that we have a great opportunity in this tax conference to move forward and to continue this House's policy of supporting pro-growth tax policies. I certainly hope that the House tonight makes very clear that we continue to support those policies; and on the eve of this tax conference, I hope that we come together to send a clear message by rejecting this instruction.

I think there is a clear philosophical difference here. We believe in growth. We believe in expanding opportunity. We believe that the capitalist economy can create those opportunities. We believe that American workers and American companies, where given the opportunity and where the Tax Code and the taxman does not get in their way, can compete anywhere in the world.

Mr. Speaker, with that I call on my colleagues to reject this instruction, perhaps well-meaning, but poorly conceived and clearly a tax increase at the wrong time and at the wrong place.

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

□ 1730

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

Mr. Speaker, let me make it very clear. I offered this amendment not as a Democrat, and I don't ask you to vote for it because you are a Democrat or a Republican. I offer it as an American who is concerned about the debt of this Nation. I want to see this Nation change direction. I don't think we are heading in the right direction on our economic policies. I think this debt is very dangerous and I want to change direction.

Let me also just say to my friend from Pennsylvania, words have consequences, so please be careful obviously the words we use in this body. We have a responsibility. It is wrong to say that this motion increases taxes. You are using that because we don't extend in our motion a tax provision that will expire in 2008. Well, Mr. ENGLISH, I could say that you are raising taxes by voting against it because you are only extending the R&D credit to 2007, where that is even shorter than 2008. And I would acknowledge to you that would be a wrong thing for me to say. So please be careful with the language you use. You know that this motion does not increase taxes whatsoever.

A question was asked: What is the appropriate level of taxation? Well, this motion asks: What is the appropriate level of debt? Is anyone going to be concerned about the bottom line debt of our Nation? Isn't there a limit? Now it is $8.9 trillion. Whether we lose revenues through taxes or spend it through the appropriation process, it costs the people of this Nation the same burden to their economy.

No, I am not happy about the economic progress that we have had over the last 5 years. I am not happy about our trade deficit of $720 billion. I am not happy about how many jobs we have exported to other countries. You look at the loss of jobs in America, good jobs, and you look at the job creation, and it is not equal. This has been the worst performance of any administration in modern times as far as the growth of good jobs here in America. So, no, I am not happy about our economic performance.

But what I do ask my colleagues to do is look at this motion that is before you. Read it. It says that we don't want to increase the debt. I would hope all my colleagues would agree with that. It says we want to extend the R&D and the saver's credit to the maximum extent possible. I would think, using my friend from Pennsylvania's argument, that voting against that you are voting for a tax increase. And I don't believe you are, but I just point out the illogic of that argument.

And then it says, yes, we have to make choices, and the Alternative Minimum Tax should be our top priority. Why? Because that expires this year. If we don't correct it in 2006, our constituents are going to have to be paying the Alternative Minimum Tax. And you can keep on saying you will pass legislation to do it, but you know if it is not in the budget reconciliation, if it is not protected by a point of order, we are not going to get it done. We know that. That is why we are saying let's put it in the bill that is going to make it to the President's desk that is going to be signed into law. Let's not play games with this. Let's do what is right for the people of this Nation.

So if you read this motion to instruct, you are going to find that if you are for reducing the debt, if you are for the saver's credit, if you are for the research and development credit, and if you really want to provide Alternative Minimum Tax relief, and then lastly, if you want to avoid a calamity that may in fact be happening if the reports are correct about what is happening in the tax conference, where it is even going to be worse than what we thought, that we are going to be using gimmicks and accounting procedures in order to say that we fit within the budget reconciliation when in fact we don't. I have been told one of the provisions is the RSAs, the retirement savings accounts, which is going to count money as had, even though we are going to lose revenue in the long term.

That is not what we should be doing here. Let's act responsibly. Let's act in the best interest of all the people in our community. Let's not just vote one way or the other because you are told that that is the partisan thing to do. Let's do what is right for this country. Let's speak out about this deficit. Let's speak to the priorities that should be in our Tax Code.

This is our opportunity to do it, and I urge my colleagues to support the motion.

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

The SPEAKER pro tempore (Mr. CONAWAY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maryland (Mr. CARDIN).

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

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

The yeas and nays were ordered.

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

## MOTION TO INSTRUCT CONFEREES ON H.R. 2830, PENSION PROTECTION ACT OF 2005

Mr. GEORGE MILLER of California. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. George Miller of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2830 be instructed to agree to the provisions contained in the Senate amendment regarding the prohibition of wearaway in connection with conversions to cash balance plans and the establishment of procedures affecting participants' benefits in connection with the conversion to such plans and not to agree to the provisions contained in title VII of the bill as passed the House.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I offer a motion to instruct conferees on H.R. 2830, the Pension Protection Act. The Senate appointed conferees on March 3 and the House on March 8, and yet 1 month later it appears almost no progress has been made. In fact, I actually would say that the conference seems to have gone backwards. Senator ENZI, the conference chair, promised that there would be an open and bipartisan conference; Mr. Leader BOEHNER promised the same. Instead, both meetings have been held in secret by a small group of Republican conferees.

There are a lot of important issues pending in the pension conference. Every day employers are dumping their pension plans and millions of workers are deeply worried about their retirement security and whether or not they will have sufficient funds for their retirement to support their families. One of the key issues pending in the conference is whether or not older workers will be protected when employers convert their traditional defined benefit plans to a so-called cash balance plan. It is a critical issue for millions of American workers, and it is not a new issue to this House.

During the 1990s, hundreds of large employers switched to these cash balance plans, including IBM, whose conversion was ruled illegal. As many as 8 million workers have been affected by these conversions, many of them, perhaps half of them, experienced deep cuts in their pension benefits as a result of these conversions.

Let's be clear. Companies promised these benefits to these workers. These workers earned these benefits. Then with some paperwork and a little fancy accounting footwork, companies slashed the benefits of these workers. How did the companies do it? First, the benefits of the traditional pension plan are based upon the worker's pay at the end of their careers and when they are earning the most. Cash balance plans, on the other hand, are based on worker's average pay over the course of their career.

With just a simple change on how benefits are calculated, companies can devastate the retirement nest eggs of hard-working employees, workers who gave up wages, who gave up vacation days, who gave up all kinds of benefits as they balanced out their pension plans. Yet we now see companies unilaterally essentially destroying the pension benefits that those workers are entitled to.

Older workers under these conversions can lose up to half, half of their expected retirement benefits. Don't take my word for it. That is according to the Government Accountability Office. They tell us that that is what happens to older workers. This chart shows exactly what happens. This is what would happen to the workers who went into the workforce at age 25 and worked for a company. They would see their traditional retirement benefits continue to go up. With a cash balance plan, the retirement benefits go down.

For the older workers, this is what they stand to lose. For anyone over about the age of 46, 47 years old, they have a substantial change in the pension benefit that they were counting on. Obviously, for these workers out here, at age 55, it is very difficult, if not impossible, to see how they would recover a sufficient amount of savings to provide for the retirement that they were planning on at that time.

And it gets worse if you are 60 years old. So anybody after 45 years of age is greatly disadvantaged under these plans. And that is what is going on in the pension conference committee, is whether or not we will have the opportunity to provide for those older workers.

What we now see is that IBM did this and the court stopped those conversions in 1999. The House voted overwhelmingly on several occasions in support of amendments urging the protection of older workers. The Bush administration first tried to lift the moratorium and legalize these conversions. But after 218 Members of the House or the Congress urged the President to reconsider, he withdrew that proposal. The Bush administration changed its position and has submitted proposals that do more to help the older workers.

As part of the pension funding reform legislative debate, Senators Baucus, Kennedy, Frist, Grassley, Hatch and Lott brokered a compromise. The compromise largely follows the Bush administration proposal and was passed by the Senate 97–2. This motion to instruct that I am offering today urges the conferees to support the Senate compromise on protecting older workers in the cash balance conversion.

The House-passed bill contains no protection for older workers and would actually legalize some of the worst employer practices that jeopardizes worker retirement security and their retirement nest eggs.

The AARP, the AFL–CIO, the National Committee to Preserve Social Security and Medicare, the National Legislative Retirees Network, and the Pension Rights Center all support this motion. The AARP opposes any pension funding reform bill that does not protect older workers affected by these cash balance conversions.

The House of Representatives has already voted three times to require the Treasury Department to protect older workers from age discrimination in cash balance conversions. In 2002, the amendment passed by a vote of 308–121; in 2003, it passed 258–160; and in 2004, it passed 237–162. Mr. Speaker, obviously this House has recognized the unfairness of the cash balance plans to older workers and that older workers ought to be protected.

We believe that older workers ought to be given a choice. That is what the Congress did when it changed its pension plan. That is what Secretary of Commerce Snow said that he did when he was running his company, when he sat on the board of other companies, because he said that was the fair thing to do. The Bush administration has come around to that position. The only place where we don't hold that position is under the Republican-passed bill on the pensions that is now in the conference committee.

That is why this motion to instruct is important, so that we can make sure that, at a minimum, we can exit that conference committee with the Senate-passed provisions that passed 97–2 to help protect, not perfect, but to help protect older workers who are subject to these dramatic changes by their employers, and who have very little opportunity to recover that nest egg of retirement benefits that they were counting on, that they worked hard to earn, that they negotiated with their employers and now simply, by a unilateral action, are ripped away from them.

It is not fair, it is not ethical, it is not right, and this Congress ought to

stand up and change it to protect those older workers. I urge my colleagues to support the motion to instruct.

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

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

Mr. Speaker, hybrid pension plans represent an important component of worker retirement security. In fact, more than 9 million workers today rely on these benefits for a safe retirement. Unfortunately, some continue to paint a misleading picture about these pension plans.

Despite these claims, hybrid plans actually provide more generous benefits for the majority of workers than do traditional plans.

□ 1745

These conclusions emerge from a growing body of independent research by economists and academics at some of the Nation's most respected institutions, including the Federal Reserve Board, the Urban Institute, the Brookings Institution, and the Wharton School of Business.

Not only are hybrid plans especially advantageous for women and lower-paid workers, but they also comprise the only part of the defined benefit system that is growing. Hybrid plans now provide the PBGC with approximately 25 percent of its premium income. And because the total number of defined benefit plans has declined significantly over the last 20 years, it is now more important than ever to encourage employers to stay in the defined benefit system and offer these benefits.

The threat of liability is creating ongoing legal uncertainty and undermining the retirement security of American workers, however. A few conversions from traditional plans to hybrid plans have raised policy questions about whether such conversions are age discriminatory. But notably, the vast majority of conversions have been handled properly within the rule of law and to benefit the workers.

In a typical hybrid plan, a participant's account is credited each year with pay and interest credits. Hybrid opponents have argued that benefits for younger workers are ultimately higher than benefits provided to older workers because younger workers accrue interest and earn benefits over a longer period of time. This is tantamount to arguing that the concept of compounding interest is age discriminatory, which would make the most basic savings account illegal. In short, the argument holds no water.

Recent court decisions made clear that no age discrimination occurs with these plans if the pay and interest credits attributed to older employee accounts are equal to or greater than those of younger workers. And the majority of courts have ruled that hybrid and other hybrid plans are not age discriminatory.

Moreover, under the Employee Retirement Income Security Act and the Internal Revenue Code, benefits earned under a traditional plan cannot be reduced when they are converted to a hybrid plan. That is right, in spite of assertions to the contrary, vested benefits earned by workers are never reduced in a hybrid conversion.

The Pension Protection Act which was approved by a bipartisan majority in the House last December helps resolve the legal uncertainty surrounding hybrid plans and ensures they remain a viable part of the defined benefit system. The measure establishes a simple age discrimination standard for all defined benefit plans that clarifies current law with respect to age discrimination requirements on a prospective basis. And it prohibits the reduction of any vested benefits workers have earned during a conversion to a hybrid plan.

Mr. Speaker, our ultimate goal is to ensure hybrid plans remain a viable option for employers who want to remain in the defined benefit system and workers who prefer the portable and secure benefit this option provides. The Pension Protection Act provides a balanced approach that protects the benefits workers have earned and provides the legal certainty needed to encourage employers to continue offering these benefits.

This Democrat motion to instruct would place harsh mandates on those who voluntarily offer these pension benefits, which is particularly harmful at a time when so many are leaving the defined benefit system altogether. I urge my colleagues to vote ''no'' on the motion to instruct and reject this attempt to obscure progress on pension reform.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 1 minute.

I want to make clear I think the gentleman misunderstands the nature of the motion. This is not about whether you have hybrid plans or cash balance plans. We made that very clear. We simply want those plans to protect the older workers that stand to lose a great deal of benefits.

For younger workers there is some suggestion these plans may be better. It is interesting that 40 percent of the workers in these plans never get to a benefit even under this. But at a minimum, it ought to be clear that older workers are not going to suffer irreparable economic harm in terms of their retirement.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I thank my friend and ranking member for yielding.

I appreciate the comment he just made, but the debate here really is not about whether the law should authorize hybrid plans or cash balance plans. The issue is how should the law authorize those plans and what kinds of protections should be included for pensioners and workers.

I think Mr. MILLER's approach in this motion to instruct takes us down the right road, and I would urge my colleagues to vote ''yes'' and support it.

There are three issues that we have to resolve here. The first is what steps should be taken to prevent the wearing away of benefits for workers that have started in a pension plan and then find themselves in a different position because of a hybrid plan being adopted.

Mr. MILLER's approach I think uses the most conservative assumptions and therefore the fairest assumptions for those workers to make sure that they will not lose benefits.

The second question that has to be addressed is what are the conditions under which a conversion will be treated as legal. In other words, if an employer has a traditional pension plan today and he or she wants to switch that plan to a hybrid plan, what are the ground rules for a fair conversion. I think Mr. MILLER's approach is the fair and just one in that regard as well.

The third question which is raised in neither bill, but which I hope the conference could at least touch on, is what about conversions that have already taken place, and what should the ground rules be for those with respect to any lingering issues that may have happened with respect to them.

Chairman MCKEON I think is right, there does need to be a recognition of the proper place of hybrid plans in the defined benefit world. I think the House and Senate agree that is the case.

The issue, though, as Mr. MILLER raises, is what are the proper rules to ensure fairness in those hybrid plans. I think Mr. MILLER takes the proper approach, and so I urge a ''yes'' vote on this motion to instruct.

Mr. MCKEON. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. KLINE), a member of the committee.

Mr. KLINE. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, in all of the days and weeks and months that we in the committee were debating the state of pensions, defined benefit pensions, it was clear to all of us that we are losing more and more of those plans. More and more employers are going out of business, going into bankruptcy, terminating their plans or simply not starting them.

As has been pointed out, we passed in the House, and I think the gentleman from California called it a Republican, but I think it was a bipartisan bill with 70 Democrats joining us in that vote, including provisions for these hybrid and cash balance plans.

My fear is that as we put more and more mandates on employers, we will lose more and more plans. Without some legal certainty from Congress, employers will stop offering these benefits, and cash balance plans will simply fall by the wayside like so many other pension options.

This Democrat motion and the Senate bill mandate particular pension

benefits which could have a devastating effect of accelerating the demise of the defined benefit pension system, and I do not think any of us want that.

Consider that in 1986 there were 172,642, that is, 172,642 defined pension plans, and that number dropped to 29,000 in recent years. That is the wrong direction.

Greater mandates on employers will only increase this trend. Mandates would create enormous problems for employers. For example, a mandate would determine pension designs instead of allowing employers to decide what is proper for individual businesses, and that would result in more plan freezes and terminations if employers are denied the flexibility to adapt their plans to business circumstances and employee needs.

Again, we are faced with the specter of more and more plans going away. Employers should be encouraged to offer pension plans, and the government should not mandate the vehicle by which to offer such benefits to their employees. Mandating a particular type of conversion would be harmful to workers. More workers receive higher benefits from their cash balance plan than benefits earned under the traditional defined benefit plan.

In any case, we want a solid pension plan and more businesses for more workers, and my concern is that this motion to instruct in the Senate provision would work the other way. Let's not drive out more pension plans. I urge my colleagues to reject this motion to instruct.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 30 seconds.

I would just say that this is about whether or not we continue in the direction that the Republican pension bill takes us where the Pension Benefit Guaranty Corporation said the bill made the system less secure, where the Congressional Budget Office said it made the system less secure, and now what we do not have are the protections on cash balance plans which make it less secure.

If we keep going in that direction, if we keep following the Republicans, America's retirement benefits will be less and less secure. Their retirement will be in greater and greater jeopardy. We can change the direction. We can go in another direction. The Senate voted 97–2 to provide these kinds of protections. This is not some crazy partisan idea. This was a big bipartisan bill with Senator LOTT and others on this bill, and it is about protecting people's pensions.

Mr. Speaker, I yield 4 minutes to the gentleman from Vermont (Mr. SANDERS) who has been working this issue longer than anyone else in the House.

Mr. SANDERS. Mr. Speaker, the middle class of this country is being assaulted in so many ways. Millions of Americans are working longer hours for low wages. In the last 5 years, 6 million Americans have lost their health care. We have lost 2.8 million good-paying manufacturing jobs. New jobs being created are low wage and low benefits.

But of all of the attacks taking place on the middle class, I think the most unspeakable is the assault by corporate America against the pensions that were promised to American workers. Just think about it. There are millions of people today who have worked for a company for 20 or 30 years, and one of the reasons they worked for that company is that they were promised that when they retire, they are going to have a certain pension. And then suddenly out of nowhere a company says thank you for working for us for 30 years, thank you for not going to another company when you had a better opportunity, but we have changed our mind and we are going to cut your pension by 20, 30, 50 percent. It is too bad you are 60 years of age and you have no place else to go, that is the reality. That is unspeakable, it is unacceptable. When those workers have no place else to turn to, it is the job of the United States Congress to stand up for them.

Mr. Speaker, I rise today in strong support of the Miller motion to instruct, and I commend the gentleman from California for his leadership on this issue.

Mr. Speaker, pension anxiety is sweeping this country. Millions of Americans are worried that the pensions they have today will not be there for them when they retire, and with good reason.

Over the past two decades, large corporations have been breaking the retirement promises they made to their employees, and that is wrong. Some companies are declaring bankruptcy for the sole purpose of breaking those retirement commitments. Other companies are freezing pension plans in order to slash retirement benefits of older workers.

Congress must tell corporate America in no uncertain terms that when they make a promise to workers about their pensions, they must keep that promise. That is what Mr. MILLER's motion is all about.

Mr. Speaker, last December the House passed a so-called pension reform bill that was hundreds of pages long. Included in that bill was an obscure provision to legalize age discrimination in cash balance plans prospectively. No floor amendments were allowed to strike this provision or offer any alternatives to it. Members were forced to vote up or down on the entire bill, but the Senate did the right thing. In their bill they provided important protections for older workers who would be negatively impacted by cash balance schemes. The Senate language is supported by the AARP, the AFL–CIO, the National Committee to Preserve Social Security and Medicare, the National Legislative Retirees Network, and the Pension Rights Center.

Today, unlike last December, we have an opportunity to do the right thing for American workers. We can and should instruct the conference committee to adopt the Senate language on cash balance plans.

Mr. Speaker, there are some who support cash balance schemes. They argue that these plans benefit employees. Well, interestingly, a couple of years ago I asked the Congressional Research Service a simple question: What would happen if Members of Congress had their pensions converted to cash balances?

If it is a good idea for millions of American workers, it must be a good idea for us, right? We want to lead. Well, guess what, very few Members of Congress thought it was a good idea for this institution. So if it is not good for the Members of Congress, I think it is not good for the American working people, and I urge strong support for the Miller amendment.

□ 1800

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH), a member of the committee.

Mr. KUCINICH. Mr. Speaker, I strongly support the Miller motion to instruct conferees. This motion to instruct supports the bipartisan Senate compromise language that will protect older workers.

Now, H.R. 2830 does a great disservice to older workers by denying the reality that conversions from traditional defined benefit plans to cash balance plans harm older workers. A report released in early November by the GAO found that a majority of older workers experienced deep cuts in their pension when converted from a traditional plan to a cash balance plan without transition protections. This is not only unfair, it is wrong. Providing transition protections for older workers should not be a choice for employers. It should be a requirement. Any change in plans must protect the accrued benefits of employees, and the conference report should reflect that reality.

It is a myth to believe that cash balance plans are innocuous. For older workers especially, these plans are hazardous. A pension plan is worth nothing if it does not provide security for employees, and these plans translate into increased vulnerability for workers as they retire.

Hard working employees should not be rewarded for their service with a denial of pension benefits. I urge my colleagues to help ensure that workers' pensions are protected by supporting the Miller motion to instruct conferees. Let's stand up for people who work a lifetime and were told at the beginning of their work experience the money was going to be there to enjoy their golden years. Support the Miller amendment and put some teeth behind that guarantee.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I serve on the Ways and Means Committee, and I rise in support of Mr. MILLER's motion to instruct conferees.

Eliminating wear-away, or the fact that dollars for older workers under a cash balance plan tend to wear away in value, is very important. We need to ensure that when an employer converts from a traditional defined benefit plan to a cash balance plan, workers receive their full benefits. But we also need to ensure that we draft rules that protect older workers, because they could be vulnerable during such conversions.

But more importantly, I want to talk about the issue of retroactivity. Addressing retroactivity is important to the retirement security of many American workers in my congressional district.

Employers that sponsor cash balance plans and other hybrid plans have been hanging in limbo for almost 7 years.

The Internal Revenue Service has felt it necessary to temporarily stop issuing determination letters for converted hybrid plans, and litigation throughout our court system has left the legality of all cash balance plans up in the air.

In my congressional district, I have four major employers that offer pension benefits to their employees through either a cash balance or other hybrid pension plan. Some of these plans were acquired through mergers/acquisitions while some were adopted through conversions.

The employers treated their employees fairly, giving them the choice whether or not to convert the plans, and ensuring that worker benefits were not diluted, and these four employers are not alone. There are a lot of good actors across the country.

According to a recent AARP-funded study, 23 of the largest 25 cash balance plans, or 92 percent, provided transition protections for their older employees when converting from traditional defined benefit plans to cash balance plans.

Nonetheless, the four employers in my district, as well as 1,100 others across the country, are caught in a web of legal uncertainty. We are in an era where companies are eliminating their pension plans, including hybrid plans; not fixing this problem will only perpetuate that trend.

A recent survey of planned sponsors by Watson Wyatt showed that more than 25 percent of our employers who offer a hybrid pension plan either froze their plan or were actively considering terminating or freezing their plan.

A cash balance is a defined benefit plan, and it is the future of our defined benefit system. It allows people to move from one employer to the other employer. But we need to give them protections in that process.

If Congress does not resolve the legal uncertainty that cash balance plans currently face, employers will continue to terminate their pensions. That would not be beneficial to the retirement security of hard working Americans.

The conferees need to address retroactivity and establish benefit accrual standards and establish benefit accrual standards as it relates to age discrimination and that encourage employers to retain their cash balance plans and not dump them.

For Congress to not resolve this issue would be unwise public policy and would put the retirement security of thousands of workers at risk. This is our chance to fix the problem. We must seize it. On behalf of the workers and companies, let's clear up this confusion and put workers back in the right place.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, there are a lot of issues we talk about here on the House floor where Members don't know much about the issue they are talking about. This may be one for me. But I did serve on the Pension Commission of the State of Minnesota and I know something about defined benefit plans. I know something about defined contribution plans, and I understand how pension plans in general work, and so I rise in support of the Miller motion.

The reason this issue is here, and my colleague from Ohio just described it very well, the reason we are here is that we are now in the process where many employers are converting their pension plans from old defined benefit plans to this new hybrid plan called a cash balance plan. And I am not opposed to that basic notion.

But what happens, Members, and you need to understand, is many older workers show up for work one day and their pension plan has changed.

Now, the employers say, well, that is our pension plan and it is our money. Well, that is not exactly true. That money is being held in trust, and this has been a very craftily done procedure to allow many employers or some employers to take money from the pension plans and convert it to their bottom line, and that is wrong. This is not their money. That is the first point everybody needs to understand.

The second thing people need to understand is the Senate did a better job of writing their bill. This is all here because of a few bad actors, and the Senate said we are not going to protect those bad actors, and so the Senate did a better job. We wouldn't even be talking about this if we had all agreed on some language that would have protected those older workers.

Members, this is the right thing to do, and I want to say to my Republican colleagues, what we are talking about here is language that was inserted by the Senator from Iowa, who is a Republican. Okay? This is not a Republican issue. It is not a Democrat issue. It is not right versus left. It is right versus wrong. It is wrong to allow a certain number of employers to get their hands into the pension funds and to change these pension plans without talking to their workers. It happened at IBM and they were taken to court and Federal court ruled that this is age discrimination. And do you know what? I agree with that Federal court.

So Members, please support the Miller motion to instruct. All we are saying is we want the Grassley language in the final product when it comes back from conference. If we do that, we will have served the best interest of working Americans, and I think we will have served those employers who are doing the right thing, and we will send a clear message to those employers who either have done the wrong thing or want to do the wrong thing, that we are not going to put up with that.

This is a good motion. It is not a Republican motion. It is not a Democrat motion. We are simply saying, let's keep the Grassley language in the final product.

I rise in support of this motion to instruct conferees. The motion instructs the conferees to adopt the Senate provisions on cash balance plans in S. 1783 written by Senator GRASSLEY and his Committee and passed by the Senate by a vote of 97–2.

These are common sense reforms supported by the vast majority of the Senate and AARP.

I supported H.R. 2830, the Pension Protection Act of 2005, when it passed the House. At the time, I noted it contained a weakness that I wanted to see addressed in conference committee. The weakness of the House bill is that it does not have strong rules regulating the conversion of defined benefit pension plans into cash balance plans. On the other hand, under the Senate bill, employees would be given added protections so that older employees are not put at a disadvantage when conversions take place.

Millions of Americans are currently vested in defined benefit pension plans. Even though they may be working for a very profitable company, they could show up for work one day and learn that their promised benefits have been dramatically reduced with the sweep of a pen. This is what happened to thousands of employees in my district.

Millions of Americans will be affected by this legislation. It is important we get it right. I ask my colleagues to support the Miller motion to instruct.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), a member of the committee.

Mr. TIERNEY. Mr. Speaker, I would like to add my words in agreement with the gentleman from Minnesota, that this is not a partisan motion in any sense of the word. This is something that Members of Congress, I think, can get behind and clearly feel comfortable that they are just serving the interests of their constituencies.

This particular motion does take the language from Senator GRASSLEY, on the other side of the House, that puts it into the bill that it would prohibit the wearing away, the practice by which

some employers have discriminated against older workers when they offset the benefits that were already earned against their ability to earn new benefits under these new cash benefit plans. They can result in no new benefits being added, actually, for workers' pensions for up to 10 years.

And they provide for a fair transition for rules to protect workers' pensions when they do convert the traditional pensions to those so called cash balance pension plans.

We critically need this. You only need to talk to the people in your districts, my colleagues, and you will find a growing sense of insecurity in this country as corporations back off their responsibilities for health insurance, back off their responsibilities for retirement plans, and now come up with a cash balance plan which is supposed to be a plan melding two different types of retirement programs and ends up hurting some.

One of my constituents talked about having worked for AT&T for 30 years. After 30 years of loyal work, the conversion of her pension to a cash balance plan reduced her benefits by 46 percent. It is not fair. It is not right, and it shouldn't be acceptable to Members of this Congress.

The Government Accountability Office released a major report on cash balance plans last November. They found that workers of all ages experience significant cuts to their retirement benefits when their employers switch from the traditional pension plan to the so-called cash balance plans without first protecting employees rights.

Over 85 percent of 30-year-olds, 90 percent of 40-year-olds and half of the 50-year-olds experience deep cuts in their retirement benefits if they are shifted from a traditional pension plan into a cash balance plan without protections for retirement benefits.

The GAO study did not find a single case, not a single case in which the cash balance plan provided the same level of retirement benefits that a typical defined benefit plan provided.

Without transition protection, almost all workers, including younger workers, will lose up to 50 percent of their expected pension benefits. And, Mr. Speaker, we can't allow that to happen.

I ask my colleagues to join with Mr. MILLER in this attempt to make sure that we do protect this group of pensioners.

Mr. MCKEON. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. POMEROY), my friend from the other side of the aisle.

Mr. POMEROY. Mr. Speaker, I am going to oppose this motion to instruct. I certainly think there is a good intention behind it. Clearly, all of us have been concerned when we have had some of these conversions from a traditional pension plan to a hybrid plan, and older workers have suddenly found that they have been terribly disadvantaged in the conversion, seen their pension benefits and expected pension benefits reduced significantly.

But here is why I don't like this motion. It fails to really address this issue in the context of what is in the marketplace. You have got defined benefit pensions that pay an annuity for as long as the employer lives. I think we should work together to make sure defined benefit pensions continue in the marketplace to the extent possible.

To the extent we don't have a defined benefit pension, alternative employee benefits relative to retirement include a 401(k) plan, which is essentially a savings account, and then there is something in between, a hybrid plan that does capture the annuitized feature of the pension, calculated in a different way than the traditional pension calculation.

Now, it is important that we have best practices and fair treatment in the conversion of a pension to a hybrid plan. But guess what? If we overly regulate the conversion from the pension to the hybrid plan, the employer will simply say, okay, we will go from the pension to the defined contribution plan. We are not going to make this intervening stop in the hybrid option, the cash balance option. We are just going to either scrap the benefit altogether or go right to the defined contribution plan.

I am convinced that that is not in the interest of workers, and that is why I am convinced that the Senate approach, which is advanced by this motion to recommit, actually does not help the very workers that we care about and we intend to help.

There is no question about the sincerity of the language by the proponents of this motion. They care about protecting older workers. It is just that, technically, what they have put before this body in a motion to recommit does not do that. I believe it actually may disadvantage the very people they hope to help by instead of moving to cash balance hybrid plans that at least preserve some features of the pension, they will just scrap that option altogether. I don't see anybody winning under that proposal. I urge a ''no'' vote.

□ 1815

Mr. MCKEON. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. FOLEY), member of the Ways and Means Committee.

Mr. FOLEY. Mr. Speaker, let me start by suggesting that I know all of us in this room are concerned about the viability of pensions. We want people who have worked their entire life to get the benefit of those investments. What we are also, though, trying to do is ensure that employers, corporations find a way in which to bring about the new realities of the marketplace, providing options.

For years people who worked in America relied on the standard fixed pension provided by, say, General Motors or another corporation. Over the years evolved opportunities to create hybrid plans, plans personally that I enjoy, an IRA account, a 401(k) offered through Congress, Thrift Savings, Keogh plans, and you can go on with all of the acronyms, Roth IRA, all designed to give people options in a marketplace, to give them some degree of certainty and some opportunity to provide these benefits.

Nine million workers today rely on the benefits for safe and secure retirement, which is an important number to note. What we are trying to figure out is how to create plans, cash balance plans, that provide both the liquidity and the opportunity to continue.

Adelphia is claiming bankruptcy. GM is on the verge. Large corporations are all suggesting that they are going to file based on their pension benefit problems that they are experiencing. We have seen it in the airline industry. So I think it is more important now than ever that we come up with an opportunity to both solidify and provide options. Distorting the facts will not help. Painting a misleading, inaccurate picture will not help. Suggesting somehow that we are chasing people out of defined pensions and creating this uncertainty I do not think is a true portrayal of the actions today.

The conclusions emerging from a growing body of independent research by economists and academics at some of the Nation's most respected institutions, and I quote this from Mr. MCKEON's opening statement because I think it is important to underscore, including the Federal Reserve Board, the Urban Institute, the Brookings Institute, and the Wharton School, not only are hybrid plans especially advantageous for women and lower-paid workers, but they also comprise the only part of the defined benefit system that is growing. Hybrid plans now provide the Pension Benefit Guaranty Corporation with approximately 25 percent of its premium income. And I need only remind our Members of Congress PBGC is sliding on thin ice. So if they are actually getting derived revenue from this opportunity, we should not only be encouraging it. We should hopefully be expanding it.

As we know, those that are paying into the system like airlines and others no longer can make contributions because they have specifically filed for bankruptcy to take away those obligations and foist that obligation back on PBGC, which is why I believe we are all working on a solution. We are trying to find answers. And the total number of defined benefit plans has decreased significantly over the last 20 years, so that tells you people are moving away from defined benefits, looking for options. If we foreclose this option, make it more difficult for this option and disparage this option and give people an uncertainty, then fewer and fewer people will have any type of benefit to look forward to after years of work.

The threat of liability is creating ongoing legal uncertainty and undermining the retirement security of American workers. So I think and suggest that the conversions are appropriate, that this bill is appropriate, and I urge my colleagues to focus on the facts. And I think they will agree, as they see the success of hybrid pension plans, that these are, in fact, working for America, for both middle income, middle management, and upper management to find ways to create a secure and safe retirement for people who are investing in those companies, their workplaces, so that they can then take care of their golden years with some comfort.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from California for his leadership.

I do not know why we have this controversy. I do not see anything controversial about protecting, if you will, the rights of older workers. And I might remind my colleagues that the House of Representatives has already voted three times to require the Treasury Department to protect older workers from age discrimination and cash balance conversions.

This motion to instruct is simple. It provides protection for older workers under cash balance conversion; but more importantly, it is part of a negotiated Senate bill that has a bipartisan approach.

Mr. Speaker, I come from the city of fallen pensions, and that is, of course, the city of Houston. I am reminded of the tears and the disaster that occurred after the Enron collapse that showed that the lack of security for pensions in general and certainly those of older workers can be the actual collapse of a family.

This motion to instruct provides for prohibiting discrimination against older workers by the practice of offsetting previously earned pension benefits. I would only say we have voted for this before. Uncloud the issue and vote the right way, for the Miller motion to instruct to protect older workers' pensions.

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

Mr. Speaker, for the benefit of all those who are watching this debate, let me just kind of let everybody know where we are. The Senate passed a bill, a bipartisan bill. The House passed a bipartisan bill with a vote of 294–132, some of the Democrats voting for the bill. During the debate you have seen, we have had Republicans speak for the Democrat side. We have had Democrats speak for the Republican side.

We are all concerned, as Mr. FOLEY said, about the workers of America. Where we are now is we have each passed bills. A conference has been appointed. Senator ENZI is chairman of the conference. We have had a couple of meetings of the whole conference, and he is continuing to work with all members of the conference, or most of the members of the conference, to see that we get a bill out that will benefit the workers of America.

As was already mentioned, in 1986 there were 172,642 defined benefit plans. We are now down to 29,000. That is not a good direction. And the problem is we have not had meaningful pension reform in over 20 years. We are close now. This is a motion to instruct the conferees, to tell them how to function in this conference that has been set up. These motions are not binding, but they do give direction to conferees, and I think it is important that we do this. It is a good process for all of us to get to talk through this system. But the defined pension system is a voluntary system, and those offering these benefits have been leaving the system at an accelerating and alarming rate, and we are concerned about that. If we continue to burden those providing pension benefits with more and more mandates, that pace will increase even more.

And who loses? The men and women depending on these pensions for their retirement security. Simply put, shortsighted and politically motivated mandates intended to help pension plan participants only end up hurting them. And that is just what this motion to instruct would do.

For the sake of both employers and employees alike, we need to provide legal certainty for hybrid plans. The Pension Protection Act will provide that. This motion to instruct will not.

I urge my colleagues to reject it and protect the portable and secure benefits provided by hybrid plans to nearly 10 million Americans.

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

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

It is very simple. There are millions of Americans that are caught in this trap, the gap between what they would have gotten and what they will get under a pension conversion. You know what is in this gap? The dreams, the aspirations of hardworking Americans about their retirement, their plans for their grandchildren, their plans for themselves, their health security. That is what they were planning on paying for out of this gap. That is what they lose in a conversion.

All we are saying in this effort is to simply provide these people the additional protections that the Senate provided by 97–2. Now, we know this is a very partisan Congress, but 97 people came together and decided to try to help these individuals. They still allow for the conversions to cash balance. They provide the certainty that the employers want, and they provide the protection that the employees need.

Now, this House can continue to follow the Republican bill, the Republican direction on pensions that has made the pension plan less secure, made the pension plan more in jeopardy, whether it is the taxpayers who are at risk or the employees who are at risk. That is the wrong direction. Finally, on a bipartisan basis, a choice was made to go in a different direction, to stop this failed policy.

Pick up your USA Today. Read your USA Today today, and you will see that they make it clear that the bill that is currently in conference, the House bill, puts pensions in greater jeopardy with greater risk, that it will raise the risk that these people will lose their pensions. Why? Because the Republicans continue to let you manipulate the pension data. You can say that your employees are going to die younger so you will not have to pay out as much money. Whether they will or not has no bearing in fact.

So what are we doing here? We are trying to go in a different direction. We are trying to go in the direction of pension security, of retirement security, of peace of mind for people who are working hard, understanding that these employees earn these pensions and they should not lose them because some accountant can just come along and change it with the whisk of a pencil. It is not fair to those individuals. That is about the values of those people who are working hard. It is about young people knowing that their parents will be taken care of, that they will be able to have that retirement security.

Millions of Americans are watching as pension plans are crashing to the floor, as conversions are made and older workers are jettisoned in terms of these protections.

But you can change that with this motion to instruct. You can change it along the lines of a bipartisan consensus in the Senate which said you can both protect these workers, have the certainty of your conversions, and allow employers to choose to have conversions or defined benefit plans. It is the best of all worlds. It is the fairness.

The other reason Republicans can vote for it tonight is because I understand the Republican leadership said go ahead and vote your conscience. Well, tonight we will find out about the Republican conscience. Do they really want to take care of older Americans who are terrified about their retirement security? We will find out tonight, won't we? Because you do not have to jeopardize cash balance. You do not have to jeopardize the certainty of discrimination. But you do get to take care of the retirees, and you can do it all in one vote: a motion to instruct here.

So I suggest you come on down and let us change the direction of retirement security from insecurity that is now being presented by this conference committee, by the Republican bill, to one of security for America's workers, for America's retirees, to make sure that they will have the ability to take care of themselves and their families in

the future. It is fundamental. It is basic. It is about fairness. It is about the direction of this country. We have got to change it.

The SPEAKER pro tempore (Mr. KUHL of New York). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. 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, this 15-minute vote on the motion to instruct conferees on H.R. 2830 will be followed by 5-minute votes on the motion to instruct conferees on H.R. 4297 and on five motions to suspend the rules previously postponed.

The vote was taken by electronic device, and there were—yeas 248, nays 178, not voting 6, as follows:

[Roll No. 93]

YEAS—248

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Forbes
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gonzalez
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kucinich
LaHood
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reyes
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wolf
Woolsey
Wu
Wynn

NAYS—178

Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
English (PA)
Everett
Feeney
Flake
Foley
Fossella
Foxx
Franks (AZ)
Gallegly
Gibbons
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Green (WI)
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—6

Buyer
Evans
Langevin
Schwarz (MI)
Tanner
Watson

□ 1856

Messrs. BARRETT of South Carolina, PICKERING, NEUGEBAUER, RADANOVICH, BOOZMAN, MARCHANT, REHBERG, POMEROY and FOSSELLA changed their vote from ''yea'' to ''nay.''

Messrs. GARRETT of New Jersey, WAMP, BACA, RUSH, NEY, WHITFIELD, JOHNSON of Illinois, BASS, RYAN of Ohio, DAVIS of Kentucky, HALL and FORBES, Ms. BEAN and Mrs. JO ANN DAVIS of Virginia changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SCHWARZ of Michigan. Mr. Speaker on rollcall No. 93 I was unavoidably detained. Had I been present, I would have voted ''yea.''

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

The SPEAKER pro tempore (Mr. REHBERG). The pending business is the vote on the motion to instruct on H.R. 4297 offered by the gentleman from Maryland (Mr. CARDIN) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 196, nays 232, not voting 4, as follows:

[Roll No. 94]

YEAS—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon

Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—232

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

NOT VOTING—4

Evans
Langevin
Tanner
Watson

□ 1904

Mr. BOEHNER and Mr. FITZPATRICK of Pennsylvania changed their vote from ''yea'' to ''nay.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## CONCERNING THE GOVERNMENT OF ROMANIA'S BAN ON INTERCOUNTRY ADOPTIONS AND THE WELFARE OF ORPHANED OR ABANDONED CHILDREN IN ROMANIA

The SPEAKER pro tempore (Mr. REHBERG). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 578.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 578, 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 428, nays 0, not voting 4, as follows:

[Roll No. 95]

YEAS—428

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 (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, 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
Payne
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
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney

Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—4

Evans
Langevin
Tanner
Watson

□ 1917

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.

## CALLING ON VIETNAM TO IMMEDIATELY AND UNCONDITIONALLY RELEASE DR. PHAM HONG SON AND OTHER POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 320, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 320, as amended, 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 425, nays 1, not voting 6, as follows:

[Roll No. 96]

YEAS—425

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 (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, 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
Payne
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
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—6

Evans
Gohmert
Langevin
Tanner
Watson
Weller

□ 1926

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SUPPORTING THE GOALS AND IDEALS OF FINANCIAL LITERACY MONTH

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 737.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and agree to the resolution, H. Res. 737, 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 423, nays 1, not voting 8, as follows:

[Roll No. 97]

YEAS—423

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 (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett

Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, 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
Payne
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
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Flake

NOT VOTING—8

Deal (GA)
Evans
Hastings (WA)
Langevin
Stearns
Tanner
Watson
Wicker

□ 1933

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.

Stated for:

Mr. STEARNS. Mr. Speaker, on rollcall No. 97 I was unavoidably detained. Had I been present, I would have voted "yea."

## EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES THAT A NATIONAL METHAMPHETAMINE PREVENTION WEEK SHOULD BE ESTABLISHED

The SPEAKER pro tempore (Mr. REHBERG). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 556.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and agree to the resolution, H. Res. 556, 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 421, nays 2, not voting 9, as follows:

[Roll No. 98]

YEAS—421

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 (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
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
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
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
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney

Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—9

Buyer
Deal (GA)
Evans
Langevin
Marchant
McCrery
Tanner
Thomas
Watson

□ 1940

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.

## CONGRATULATING NASA ON THE 25TH ANNIVERSARY OF THE FIRST FLIGHT OF THE SPACE TRANSPORTATION SYSTEM

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 366.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 366, 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 422, nays 0, not voting 10, as follows:

[Roll No. 99]

YEAS—422

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 (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
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
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
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
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Deal (GA)
Evans
Langevin
McCrery
Oxley
Radanovich
Tanner
Thomas
Waters
Watson

□ 1952

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4542, H.R. 4881 and H.R. 2646

Mr. FORD. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor to three pieces of legislation: H.R. 4542, H.R. 4881 and H.R. 2646.

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

There was no objection.

## PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. BOEHNER. Mr. Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 382) providing for an adjournment or recess of the two Houses and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 382

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on the legislative day of Thursday, April 6, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 25, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, April 6, 2006, through Sunday, April 9, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 24, 2006, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the

House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## CONDITIONAL ADJOURNMENT TO MONDAY, APRIL 10, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at 2 p.m. on Monday, April 10, 2006, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 382, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, APRIL 26, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday, April 26, 2006.

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

There was no objection.

## RECOGNIZING AND HONORING FIREFIGHTERS FOR THEIR MANY CONTRIBUTIONS THROUGHOUT THE HISTORY OF THE NATION

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to consider in the House the resolution (H. Res. 764); that the resolution shall be considered as read; and that the previous question shall be considered as ordered on the resolution and its preamble to its adoption without intervening motion except 10 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, pursuant to the order of the House today, I call up the resolution (H. Res. 764) recognizing and honoring firefighters for their many contributions throughout the history of the Nation, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 764

Whereas in 1736 Benjamin Franklin founded the Union Fire Company, the first volunteer fire company;

Whereas there are more than 1,100,000 firefighters in the United States;

Whereas approximately 75 percent of all firefighters are volunteers who receive little or no compensation for their heroic work;

Whereas career and combination fire departments protect 3 out of 4 Americans;

Whereas there are more than 30,000 fire departments in the United States;

Whereas approximately 100 firefighters die in the line of duty each year;

Whereas Congress recognizes that Christopher Nicholas Kangas was a heroic firefighter;

Whereas more than 340 firefighters died responding to the terrorist attacks on September 11, 2001;

Whereas firefighters respond to more than 24,000,000 calls during an average year;

Whereas firefighters also provide emergency medical services and life safety education; and

Whereas it is estimated that on April 6, 2006, more than 2,000 firefighters will attend the 18th Annual National Fire and Emergency Services Dinner and Seminars: Now, therefore, be it

*Resolved*, That the House of Representatives honors and recognizes the more than 1,100,000 firefighters in the United States for their contributions to and sacrifice for the Nation.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. HOYER) will each control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in support of H. Res. 764. Each year in this country heroic firefighters respond to more than 24 million calls. These brave men and women provide all kind of lifesaving services such as emergency medical care, life safety education and fire prevention education. Many of these firefighters are volunteers and risk their lives every day. For this reason it is important that we adopt this resolution and honor the bravery and perseverance of these individuals that they show on a daily basis.

I congratulate the gentleman from Pennsylvania on bringing forth H. Res. 764.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise to thank my distinguished friend and chairman, Mr. DAVIS, who is a cosponsor of this legislation, and my good friend and partner, the distinguished minority whip, Mr. HOYER, for their leadership in bringing forth the resolution to pay proper tribute to the 1.1 million men and women across the country in 32,000 departments that protect our communities.

The Fire Service of America is older than America as a country. The fire service is in every community, both large and small. They are the backbone of our country, the heart and soul of the Nation. They are the people that make this country great.

Tonight, 2,500 of these brave leaders are assembled at the Washington Hilton, and they are looking forward to this recognition, which we will take to them as Mr. HOYER and I travel to the Washington Hilton and pay our respects.

In addition, this resolution goes one step further. In recognizing a recent Federal court decision that junior firefighters are in fact fire fighters, this resolution is affirming the Court decision that a junior firefighter is in fact recognized when the States in this country allow junior firefighters to be so designated. This is an important piece of legislation.

In honor of one of my constituents, Christopher Kangas, I am happy to have this bill come up so that all of us can provide true support for all of those men and women, including those younger junior firefighters, who aspire to take over the protection of our towns and cities across America.

I thank my colleagues for their support.

Mr. HOYER. Mr. Speaker, I want to thank my good friend, Mr. DAVIS, the chairman of the committee, for bringing this resolution to the floor in such a timely fashion.

I certainly want to thank my good friend, CURT WELDON, the cochair of the Fire Service Caucus, who has been the leader of the Fire Service Caucus, and the Fire Service of America and emergency medical response teams have no better friend than CURT WELDON in the Congress of the United States or, frankly, in any place else.

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I am pleased to rise in support of our Nation's firefighters on this day that 2,100 of them from around the country are gathered in Washington for the annual National Fire and Emergency Services Dinner.

As Mr. WELDON said, we will be bringing them this resolution in just a few minutes as we go down to the Hilton to address them. I am proud to have cosponsored this resolution.

And I want to say that the Fire Caucus has long championed initiatives to improve the safety and well-being of our Nation's firefighters. Specifically, we have worked to establish and fund the assistance to the Firefighters Grant program, which has provided more than $3 billion in equipment and training grants for career and volunteer departments across the country.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, it gives me great honor to enthusiastically stand before you, Mr. HOYER, and to join with the two outstanding co-Chairs of the Fire Caucus to acknowledge our brothers and sisters who are now being hosted at the

Hilton Hotel to say thank you. Thank you to the 1 million firefighters, who every single day, and emergency operators, stand up and fight for the American people and protect the American people.

Coming from a city of firefighters and a district of firefighters and a district that has a number of devastating fires because we are elderly and we have old housing, never have we had a situation where a firefighter has not been willing to put their life on the line.

So let me simply thank you for this Resolution 764. Thank you again for acknowledging that we will never forget, and not on our clock will we forget to say thank you to America's firefighters. Congratulations to you both. Thank you for your leadership. And I hope to see you down at a great celebration for all of these great men and women.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for her comments. I again thank the chairman and Mr. WELDON for their leadership on this issue.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I just would add that I want to give my thanks once again to Mr. WELDON for bringing this to our attention today and to Mr. HOYER for his continued leadership on this issue. We are happy to expedite this and move it through the House, and I urge its adoption.

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

The SPEAKER pro tempore (Mr. SODREL). All time for debate has expired.

Pursuant to the order of the House of today, the resolution is considered read and the previous question is ordered on the resolution and on the preamble.

The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH APRIL 25, 2006

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

HOUSE OF REPRESENTATIVES
*Washington, DC, April 6, 2006.*

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 25, 2006.

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

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

## ANNOUNCEMENT BY CHAIRMAN OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE REGARDING AVAILABILITY OF CLASSIFIED ANNEX AND SCHEDULE OF AUTHORIZATIONS

Mr. HOEKSTRA. Mr. Speaker, I wish to announce to all Members of the House that the Permanent Select Committee on Intelligence has ordered the bill, H.R. 5020, the Intelligence Authorization Act for Fiscal Year 2007, reported favorably to the House with an amendment. The committee's report will be filed today.

Mr. Speaker, the classified schedule of authorizations and the classified annex accompanying the bill will be available for review by Members at the offices of the Permanent Select Committee on Intelligence in room H–405 of the Capitol beginning anytime after the report is filed. The committee office will open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House. I anticipate that H.R. 5020 will be considered on the floor of the House after the recess, as early as the week of April 24.

I recommend that Members wishing to review the classified annex contact the committee's director of security to arrange a time and date for that viewing. This will assure the availability of committee staff to assist Members who desire assistance during their review of these classified materials.

I urge interested Members to review these materials in order to better understand the committee's recommendations. The classified annex to the committee's report contains the committee's recommendations on the intelligence budget for fiscal year 2007 and related classified information that cannot be publicly disclosed.

It is important that Members keep in mind the requirements of clause 13 of House rule XXIII, which only permits access to classified information by those Members of the House who have signed the oath provided for in the rule. Members are advised that it will be necessary to bring a copy of the rule XXIII oath signed by them when they come to the committee offices to review the material.

If a Member has not yet signed that oath, but wishes to review the classified annex and schedule of authorizations, the committee staff can administer the oath and see to it that the executed form is sent to the Clerk's office. In addition, the committee's rules require that Members agree in writing to a nondisclosure agreement. The agreement indicates that the Member has been granted access to the classified annex and that they are familiar with the rules of the House and the committee with respect to the classified nature of that information and the limitations on the disclosure of that information.

## ACTIONS SPEAK LOUDER THAN WORDS

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

Ms. FOXX. Mr. Speaker, our national security depends on strong border security. We need to know who is coming into our country, where they are from, and what they are doing here. Without properly securing our borders, we are vulnerable to terrorists and others who may come here seeking to harm Americans. And nothing is more important than maintaining the safety and security of our citizens.

I am proud of House Republicans for taking the lead in finding solutions to this very serious problem. Last year my Republican colleagues and I passed the Border Protection, Antiterrorism and Illegal Immigration Control Act. Republicans also passed the REAL ID Act, which would establish rigorous proof of identity requirements for driver's licenses and ID cards in order to help keep terrorists from having easy access to fraudulent IDs like they had on 9/11.

Now, the Democrats apparently have a newfound commitment to increasing our border security. That is great, but the American people sure could have used their support when the House was taking up these border security bills last year: 164 Democrats voted ''no'' to the Border Security Act, and 152 voted ''no'' to the REAL ID Act. Actions sure do speak louder than words.

## EMPLOYEES OF THE DELPHI CORPORATION

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. GEORGE MILLER of California. Mr. Speaker, last week the Delphi Corporation, a key auto parts supplier which employs 33,000 workers in the United States and has been in bankruptcy for several months, filed motions with the bankruptcy court to cancel its labor contracts and impose massive wage and benefit and job cuts on its workers and cut 21 of its 29 U.S. plants.

And yet the House of Representatives has failed to hold a single hearing on this crisis. Unable to engage this crisis in an official hearing, I was joined by over a dozen Democratic colleagues in holding an e-hearing this past December to ask the workers and retirees at Delphi and General Motors to testify on the Internet about how this crisis impacts them and their families. We swung open the virtual doors of Congress to make sure that their voices could be heard. Over 700 witness statements poured in. The workers' testimony was deeply personal and heartfelt. And I want to share it with the House.

From Rena Miller, a Delphi worker from Tanner, Alabama. From William J. Conrad from Dagsboro, Delaware.

Danny Carter, a 49-year-old Delphi employee who has been working in the Anaheim, California plant since he was 21 years old. And from Roger Smith, a retired Delphi worker now living in Hernando, Florida. Norbert Fuhs, a retired GM employee from Mitchell, Indiana. And Roger Talaga, a Delphi employee from Bay City, Michigan, who explained how the crisis would affect him and his family and the country.

## DISPLACED VOTERS IN NEW ORLEANS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, today the Attorney General appeared in the hearing of the Judiciary Committee for an oversight hearing, and we raised the question again about the protection of those displaced voters in New Orleans who have now the responsibility of casting their vote for a local election.

Ordinarily, Mr. Speaker, we would ask the involvement of the Federal Government, but the Voting Rights Act, section 2 in particular, guarantees protection of certain States and persons of the right to vote. Therefore, we cannot understand why the Justice Department precleared a system that will not work.

Today I have introduced with 42 cosponsors legislation to express the sense of Congress that the State of Louisiana and the Department of Justice must create outside satellite voting for the more than hundreds of thousands of displaced, disheartened Louisianans who have no way of going back to their home State at this time to be able to cast their vote for their city. They are, in essence, trying to come home. But with the little resources they have, today they cannot head home to cast a vote.

I hope the Attorney General and the State of Louisiana understand the Voting Rights Act and create outside satellite voting so that we can have the constitutional right to vote.

## MEDICARE PART D DEADLINE

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

Ms. CARSON. Mr. Speaker, I rise today to warn our seniors, a tax for your health will soon be upon you. The tax will be placed on those of you who have not signed up for Medicare part D by the President's arbitrary deadline.

The changes to the system are confusing to lawyers, seniors, and Members of Congress. We are forcing seniors to navigate unnecessarily confusing new programs and telling them do not pick the right program, just pick any program to prevent yourself from being faced with large penalties for joining late.

We must step back and extend the deadline until the end of the year to ensure that seniors do not pay the price for a poorly laid out part D program through higher premiums for life.

I have had several town hall meetings in my district in Indianapolis dealing with this whole Medicare quagmire. Over 1,000 seniors participated; and, unfortunately, they left just as confused as when they came. These are not the questions that we should have had our seniors asking.

I would encourage all seniors not to get taxed further by failing to meet the May 15th deadline.

Mr. Speaker, thousands of seniors came to a series of town hall meetings in my district alone and their stories were almost always one in the same, what must I do, how can I get that done and how much will it cost my already taxed budget. These are not the questions we should have our seniors asking as they lie awake in bed at night. We must not add another tax onto the budgets of our seniors. We have to deal with this already failing system but we should not penalize the people for the failure of Congress to create an easy to understand and comprehensive system. Stop the tax and extend the open enrollment period. As I mark another day off of this calendar I warn all Seniors don't allow yourself to fall into this tax trap, be prepared to submit your paperwork by May 15th.

## SPECIAL ORDERS

The SPEAKER pro tempore. 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.

## ENDURING MILITARY BASES IN IRAQ

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

Ms. WOOLSEY. Mr. Speaker, last month the House surprised us all by unanimously agreeing to an amendment to the Iraq supplemental spending bill declaring that the United States has ''no intentions of maintaining a permanent military presence in Iraq.''

Who knew this Republican-controlled Congress would make such a positive statement?

The lead authors of the amendment were my colleagues and the Progressive Caucus co-Chair, Representative BARBARA LEE from California and Representative TOM ALLEN from Maine, both of whom have been instrumental in demanding that the United States not maintain any permanent military bases in Iraq.

Unfortunately, however, some people working inside the Bush administration are doing their very best to make sure that last month's efforts will be for naught.

One of the senior spokespersons at the U.S.-led coalition headquarters actually in Iraq had this to say about our lasting presence there: ''The current plan is to reduce the coalition footprint into six coalition bases, four of which are operated by the United States.''

So there you have it. The administration is not even hiding the fact that we are planning on maintaining four permanent bases on Iraqi soil, something they bureaucratically call ''the coalition footprint.''

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This appallingly casual reference to what the rest of us call an occupation is deeply insulting. Anyone who has heard the President tell the American people that we will leave as soon as Iraq is secure and we won't stay a single day longer should be equally offended, because the evidence on the ground suggests that this statement is deeply misleading.

Mr. Speaker, last fall I traveled to Iraq as a part of an official congressional delegation. I visited the Green Zone and the Balad military base, and I had the privilege of meeting with our soldiers serving overseas.

There were two powerful lessons that I took away from my visit. First, I saw that the troops stationed in Iraq are the very best that America has to offer. They are brave, they are intelligent, they are loyal, loyal to their country, to their mission and to each other. They are profoundly committed to this mission, even those who told me privately that they do not support the policy that underlies it.

The second lesson I learned in Iraq is that the perception among the military generals on the ground is that we will be there for a very long time. The military bases that we are building are like little cities. They have their own restaurants, supermarkets, and even their own gyms, theaters and bus routes. The troops deserve no less during their stay in Iraq, but our stay there must be for the short term. Our troops need to come home to their communities and these bases must be given over to the Iraqis.

The U.S. has already spent $280 million to construct the four biggest bases in Iraq, and the supplemental spending bill that the House passed in March provides nearly $200 million more to enlarge these bases. This is the real Iraq policy, not those phony platitudes and nicely worded sound bites about standing down when the Iraqis stand up, platitudes that President Bush and Donald Rumsfeld want the people to believe.

In fact, it is becoming increasingly clear that the Bush administration's intention all along was to secure a lasting foothold in the Middle East. Forget all that stuff that you heard about going to war because Iraq possessed weapons of mass destruction, which we all know wasn't true. Forget about Saddam Hussein's supposed ties to al Qaeda. We know that wasn't true either. And forget about freeing the Iraqi people from the thumb of a brutal dictator. My guess is that right now most Iraqis feel brutalized after more

than 3 years of a preemptive war that now the President charges was about democratization.

The real rationale for going to war in Iraq is much more sinister and much more dangerous to our long-term foreign policy. It has become clear that the U.S. needs to end the war in Iraq and bring our troops home. Our soldiers need this, their families and loved ones back home need this, and of course the Iraqi people need this. But in order to truly end the occupation, we need to leave no lasting American presence in our place. That means no coalition footprint, nothing even close. That means bringing our troops home and giving Iraq back to the Iraqis.

The SPEAKER pro tempore (Mr. SODREL). 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.)

## HONORING RALPH HAUENSTEIN, MEMBERS OF THE HOPE COLLEGE WOMEN'S BASKETBALL TEAM AND COLONEL JOSEPH MAZUREK

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent to use my 5 minutes now.

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

There was no objection.

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

### HONORING RALPH HAUENSTEIN

Mr. HOEKSTRA. Mr. Speaker, I rise today to honor Mr. Ralph Hauenstein.

Mr. Hauenstein rose to the rank of colonel while serving in the U.S. Army during World Wars I and II and was appointed Chief of the Intelligence Branch in the Army's European Theater of Operations under General Dwight Eisenhower.

Mr. Hauenstein was later selected to serve as a consultant on the President's Advisory Commission during the Eisenhower administration. He served as a member of the team that supervised the first free elections in Russia and served as an auditor for the Second Vatican Council in Rome.

At 93 years old, he continues his career of public service and has significantly impacted west Michigan through his charitable donations and tireless involvement in his community.

His generosity made possible the founding of the Grand Valley State University's Hauenstein Center for Presidential Studies. The Center encourages students to emulate his career by aspiring to achieve leadership positions and committing to public service. It fosters discussion by students, government officials and the public about the role of the U.S. presidency in domestic and world affairs.

Mr. Speaker, please let it be known that on this 6th day of April, 2006, that the U.S. House of Representatives acknowledges the vision, contributions and achievements of Mr. Hauenstein as he continues to serve his country and community.

### HONORING MEMBERS OF THE HOPE COLLEGE WOMEN'S BASKETBALL TEAM

Mr. HOEKSTRA. Mr. Speaker, I rise today to honor the members of the Hope College women's basketball team on winning the 2006 NCAA Division III national championship.

On March 18, Hope defeated Southern Maine University 69–56 in the national championship game held in Springfield, Massachusetts. More than 500 Hope College students, alumni, faculty and fans were present at the Final Four tournament. With the win, Hope became Michigan's first women's basketball team to win more than one championship in any NCAA division. The college won its first title in 1990.

Hope played all six tournament games on the road. The team finished the season with an NCAA Division III women's basketball record of 33–1 after defeating the top four teams in the Nation.

Senior guard Bria Ebels of Holland, Michigan, was voted the most outstanding player at the tournament and a Division III All-American. Coach Brian Morehouse was chosen as the NCAA Division III National Coach of the Year by the Women's Basketball Coaches Association of America.

Mr. Speaker, please let it be known that on this 6th day of April, 2006, that the U.S. House of Representatives acknowledges the achievements of the 2006 Hope College women's basketball team and wishes its members the best of luck in the future.

### HONORING COLONEL JOSEPH MAZUREK

Mr. HOEKSTRA. Mr. Speaker, I rise today to honor Colonel Joseph Mazurek as he approaches his July 1, 2006, retirement from the United States Army Reserve.

Mr. Mazurek joined the Western Michigan University ROTC program in the fall of 1972. He graduated from the ROTC Advanced Camp and the Army Paratrooper School in 1975. He served 2 years of active duty and became an Assistant Adjutant before being assigned to the U.S. Army Reserve. Since 1978, he has served in a wide variety of Reserve assignments at locations throughout the United States.

Colonel Mazurek continued to be promoted, and in 1992 he achieved the rank of Full Colonel. He has been called up for active duty three times since the start of Operation Iraqi Freedom as Deputy and Acting Adjutant General for Fort Hood, Texas.

Colonel Mazurek has had a long and successful career serving in the United States Army Reserve. Since April of 1978, he has served the Admissions Department of the U.S. Military Academy at West Point and has assisted numerous Michigan young people in gaining appointments to West Point. He has also served on the advisory committee for the Second Congressional District for young people to be appointed to the various military academies.

Mr. Speaker, please let it be known on this 6th day of April, 2006, that the U.S. House of Representatives acknowledges the 30 years of service of Colonel Mazurek and wishes him well upon his retirement.

## REPOCRACY—A NEW FORM OF GOVERNMENT IN AMERICA

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

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

Mr. MCDERMOTT. Mr. Speaker, the Republican majority in the House of Representatives has quietly ushered in a new form of government in America called Repocracy.

For those who believe that democracy is government of the people, by the people and for the people, Repocracy is absolutely the opposite of that. Repocracy is a government where open debate is replaced by lockstep discipline and where the rewards of the few become the burdens carried on the backs of the many.

Repocracy puts a price on American values and deals only in hard cash. You only have to watch C–SPAN to know what the real threat Repocracy poses.

For the last 6 years, the Republican Party has been a disciplined, monotone political machine. Republicans live by one rule; whatever the President wants, the President gets. War in Iraq, rubber stamp approval. Tax holidays for America's rich, rubber stamp approval. Slashing student loans, rubber stamp approval. Cutting programs for America's vulnerable children and disadvantaged families, rubber stamp approval. Legislation written by financial institutions and big drug companies, rubber stamp approval.

It was all so neat and tidy. Republican Members of the House voted the way they were told and leaders would not end voting in the House until their predetermined outcome was achieved.

But that was last year. What has changed? The American people noticed. The American people put a lot of faith and trust in their leaders. For better or for worse, most Americans take the big picture approach: Trust elected officials until they betray that trust. Believe that elected officials will put America's interests ahead of political interests. Have faith that your leaders will change course when something is truly not working. In other words, trust, but verify.

It is precisely because the American people focus on the big picture that Republicans are doing everything possible to replace the image the American people see with a test pattern on television.

The President's ratings are below sea level. Republicans are counting the number of seats in the lifeboats. It is simple arithmetic, and the addition has Republicans subtracting.

Mathematics requires proof, and there is plenty. The President bequeaths to the future President any decision about Iraq. His plan takes form: Stay in Iraq until it is somebody else's problem. Invite the embattled President of Italy to address a joint session of the U.S. Congress, speaking in Italian, to use Congress as a political campaign for a backdrop in an Italian election. Charge the Iraq war on credit and mask its real impact on the deficit by leaving it outside the annual budget.

The clearest sign of all is the recent change in the House of Representatives to the 2-minute vote. Call it government by stopwatch. A mere 120 seconds to decide the faith of legislation affecting the lives of every American.

Under Repocracy, legislation comes to the floor of the House only when its passage is guaranteed. That is why we are going home today, because they can't get the budget. It is not guaranteed. The 2-minute drill forces blind allegiance and stiff arms democracy. But that is the intent of Repocracy. Math is math.

Republicans are losing their stranglehold on power. What is a party to do? Well, Republicans have concluded the best offense is a missing offense, so Republicans have substituted the business of the state for the business of reelection.

Suddenly, the House leaders feel an urgent need for recess after recess after recess. We have never had a week off for Saint Patrick's Day. It must be faith-based. The Republican mandated Congressional schedule has nothing to do with the people's business and everything to do with the Republican's reelection business.

The thinking goes like this: If Members are not in Washington, D.C., the national press corps is taken out of the equation. They can't trail 435 House Members, so news coverage goes dark. With Congress out of session, Americans cannot watch C–SPAN to see for themselves what is happening, or not, on the floor of the House. The curtain closes on the big picture. Mission accomplished.

The word ''Congress'' comes from the Latin ''con+egresso,'' which means come together. The idea was for an orderly and reasoned debate. Take out the stopwatch and clock 2 minutes. Then decide if you think America is governed by a functioning Congress today.

Repocracy is not merely a dereliction of duty, it is an outright threat to democracy. That is the big picture, the one Republicans don't want the American people to see.

But there is more than one channel, and the American people are watching. They would like to know why this is the do-nothing Congress that will be in session less than the do-nothing Congress of 1948. This will be the Congress that spent the least time discussing our problems on the floor.

We are at war all over the place, we are in debt worse than we have ever been in history. We have no health care for 46 million people. But where is the Congress? They have left. They have gone home. They have got to campaign. If they were here, the people could see they were doing nothing. But Repocracy says we only do it when we rubber stamp it for the President. Otherwise we are getting out of here.

Now it is getting tough because people don't want to rubber stamp for the President anymore. There is an election coming. It is coming soon.

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

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

## LIMITING SIZE OF THE FEDERAL GOVERNMENT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from California (Mr. DREIER).

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

There was no objection.

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

MR. BISHOP of Utah. Mr. Speaker, several weeks ago, several of us on the floor talked on the value of the Federal Government not trying to be more efficient but simply trying to be less, and returning some misappropriated authority back to the states. To poorly paraphrase, Justice Brandeis, a minority decision he gave in the 1920s: The States are indeed the laboratory of democracy. If you think about it, if a State tries something creative that does not work, we are not all harmed. When we, on the other hand, tries something that does not work, the entire Nation is harmed.

For the Federal Government, the only advantage the Federal Government has is of uniformity. By definition, what we do is one-size-fits-all. States on the other hand have a greater opportunity of being creative, being fair, being just simply because they have a greater opportunity of meeting individual needs. Federal Government does not mean to do harm, we just do.

Let me give you an example: I want to introduce you to a constituent of mine, an elderly gentleman, we will call him Gene. He owned a farm that had been in his family for several generations. Of course, on this farm ran a small creek. This creek went to a larger creek, which went to a river, which went into a bay, which eventually went into the Great Salt Lake. Even though this dead-end lake, all within the state of Utah, has been declared by the Federal Government to be international waterway, because in the 1800s, an entrepreneurial pioneer was paid for ferrying sheep across the lake for summer grazing. Go figure. But back to Gene.

Gene had eight acres of this land that was on the main road, two of it was elevated. Since they were now planting hay on this land, they have to in Utah irrigate. So he built a man-made ditch from the creek to his property to flood up the lower areas so it finally hit the higher areas and water his crop, until the Federal Government declared that the man-made ditch was indeed the creek bed, the man-made standing water was now Federal wetlands; and, if Gene did not like it, it was his responsibility to prove the Federal Government was wrong. Which he actually did. The Soil and Water Conservation District came in and showed the land was different. He dug wells which showed that there was a clay base underneath, so even if the water was there, it would never sink into the aquifer and get to the river. He even put a flexible pipe into the ditch and put the creek water back into the creek, and oddly enough the land went dry, to which the Federal Government then threatened him with fines and imprisonment because he was harming Federal wetland. Then, when confronted with the evidence, they simply said, ''Well, we are in a drought cycle. You are going to have to wait at least 5 years until we have a wet cycle to see if the water will naturally appear by itself.''

He tried to sell this land at one time. A factory wished to buy it which would make apparel and create 100 jobs in his community, but he could not do it because now this was a Federal wetland. It was not a taking, mind you, because the Federal Government still allowed him to raise hay even though the price he made from the hay barely paid the taxes on this land that was now zoned as commercial property on the main road.

Gene did what most people when they run up against the bureaucracy of the Federal Government did, he surrendered. He eventually sold his property at $400,000. However, the exact same kind of land next door on the same road was sold for $750,000 for the same acreage. Which means, $350,000, which should have been his retirement, it should have been his posterity. The wealth from his own property was denied him simply because we as a government usually do one-size-fits-all.

It is an interesting question of why we harm our own people, why we sometimes insist they have to prove their own innocence, and why we fail our own simply because the Federal Government is too large, too inflexible to be creative, to be just, and to be fair.

One last comment about Gene. His family raised on this property sugar beets. I am not a farmer, but it does not take a rocket scientist, either, to understand you cannot raise a root crop in a wetlands. Some day I wish the Federal Government would learn that as well.

## DELPHI

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, tonight I rise on behalf of both current and retired Delphi workers in my district and around our Nation who are suffering from the financial woes of the largest automotive parts manufacturer in the country. Unfortunately, these Delphi workers are but the latest victims in a series of tragedies for the American worker. What we are currently witnessing, the bankruptcy and subsequent reorganization of Delphi is the fallout from regrettable trade agreements like NAFTA, and CAFTA, and the accompanying influence of some elected officials who are for globalized big business at the expense of the American people, big business built on low wages, no benefits, and no worker safety.

Job loss is also due to major auto firms' leadership and executive boards who failed to make fuel efficient vehicles that Americans and the world want to buy. So our workers suffer.

Delphi's most recent proposal is to lower wages from $27 an hour to $22 an hour through 2007, and then to $16.50 thereafter. This would be a 40 percent cut in middle-class wages.

On Friday, Delphi filed a motion in bankruptcy court asking a judge to void its labor contracts. But how can you ask American workers to compete with a country like Japan which keeps its markets closed, the second largest market in the world? How can you ask our workers to compete with poverty level wages in Mexico and China? And how can you ask our workers to compete when big firms outsource everything to avoid paying workers what they justly deserve?

Late last year, Congressman GEORGE MILLER, ranking member of the Education and Workforce Committee, took the initiative to hold hearings on this subject.

I want to make sure this evening that many of the workers' voices from my district are heard, like Mary Pat Bishoff of Marblehead, who said, ''My husband is 49 and has 32 years in at Delphi. He got sick and has been off since October. With only 5 years left on our first mortgage and 8 years on the second, we had to refinance and take them up to 30 years just to survive. This will force us to pay $733.11 a month instead of the $152.11 we were paying. We are faced with a decision as so many others are, should he retire and risk losing his pension? Or, if he stays and they cut pay, that means sick pay will also go down and we will lose our home.'' What kind of a choice is that?

David Saylor of Port Clinton said, ''I retired from the GM assembly plant at Lordstown, Ohio in December of 1987, with the promise I would have complete health care coverage for life. Well, I will now have to pay $21 monthly, and that will greatly impact me since I took an early retirement and do not have the full 30-year retirement benefit.''

Raymond Stahl of Vermillion, Ohio said, ''They are shutting down the plant I work at and are moving it. Now I am out of a good paying job, and at my age it is going to be hard to even get another job let alone one that pays so well. America comes first, not overseas.''

Andrew Briscar, another Ohioan, said, ''I worked very hard for 20 years at the Delphi Packard Electric to get to a point where I can make a comfortable living for myself and my son. Now Delphi Packard Electric wants to cut my pay and benefits to a level that a young man or woman might make just coming out of high school.''

Mr. Speaker, workers who dedicate years of service to a company should be able to count on a decent retirement and measure of economic security. This Congress must step up with meaningful pension reform to help secure pensions and encourage companies to continue providing them.

The Pension Benefit Guaranty Corporation should have been reinfused with funds long ago with its $23 billion deficit, and we ought to be renegotiating trade agreements like NAFTA and CAFTA that continue to cash out good American jobs. Opponents said these jobs would go south, and they surely have, with GM now being Mexico's being largest employer. And it is no surprise that companies like Delphi, GM's biggest supplier, are following them.

I have spoken with Delphi management, and our delegation is doing everything possible to keep these Delphi jobs in America, but we need a majority of Members here dedicated to that purpose. I have invited Chairman Steve Miller of Delphi to tour the Sandusky Delphi facility and to meet with key employees and public officials, and he has yet to take me up on that offer.

Mr. Speaker, I would encourage the Members to sign on to the Balancing Trade Act of 2005 which I have introduced to ask our trade ambassador to come back to us with recommendations to write all of these trade deficits that we are incurring with other trading countries around the world. America simply must put ourselves back in a positive trade balance status.

## COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. FORTENBERRY) laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations and ordered to be printed:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
*Washington, DC, April 5, 2006.*

Hon. J. DENNIS HASTERT,
*Speaker of the House, H232 Capitol, Washington, DC.*

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on April 5, 2006 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

Sincerely,

DON YOUNG,
*Chairman.*

Enclosures.

RESOLUTION—DOCKET 2748—LOWER KAWEAH DISTRIBUTARY SYSTEM, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Sacramento-San Joaquin Basin Streams, California, published as House Document No. 367, 81st Congress, and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of flood damage reduction, and related purposes in the Lower Kaweah Distributary System, California.

RESOLUTION—DOCKET 2749—CEDAR RIVER, TIME CHECK AREA, CEDAR RAPIDS, IOWA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Iowa and Cedar Rivers, Iowa and Minnesota, published as House Document 166, 89th Congress, 1st Session, and other pertinent reports, to determine whether any modifications to the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, ecosystem restoration, recreation, and related purposes along the Cedar River in Cedar Rapids, Iowa.

RESOLUTION—DOCKET 2750—NAVIGATIONAL SAFETY, DELAWARE RIVER, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Delaware River and its tributaries, Pennsylvania, New Jersey and New York, published as House Document 179, 73rd Congress, 2nd Session, the report of the Chief of Engineers on the Delaware River published as House Document 522, 87th Congress, 2nd Session, and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of improved navigational safety.

RESOLUTION—DOCKET 2751—COOS BAY, OREGON

Resolved by the Committee on Transportation and Infrastructure of the United

States House of Representatives, that the Secretary of the Army is requested to review the report of the Chief of Engineers on Coos Bay, Oregon, dated December 31, 1970 and published as House Document 151, 91st Congress, 2nd Session and other pertinent reports, with a view to determine whether any modifications of the existing navigation project are advisable at the present time, with particular reference to providing increased project dimensions and an additional turning basin to accommodate existing and prospective traffic.

RESOLUTION—DOCKET 2752—VANCOUVER LAKE, CLARK COUNTY, WASHINGTON

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Columbia and Lower Willamette Rivers below Vancouver, Washington, and Portland, Oregon, published as House Document 452, 87th Congress, 2nd Session, and other pertinent reports, to determine whether any modifications to the recommendations contained therein are advisable at the present time in the interest of erosion control, ecosystem restoration, and related purposes in the vicinity of Vancouver Lake, Clark County, Washington.

RESOLUTION—DOCKET 2753—TEN MILE RIVER, CONNECTICUT AND NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Housatonic River, Connecticut Federal Navigation Channel submitted as House Document 449, 70th Congress, and other pertinent reports, to determine whether any modifications to the recommendations contained therein are advisable at the present time in the interest of shoreline protection, flood control, ecosystem restoration, streambank erosion protection, and other related purposes in the vicinity of Ten Mile River, Dutchess County, New York and Litchfield County, Connecticut.

RESOLUTION—DOCKET 2754—LONG BEACH, BACK BAY SHORE, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, that the Secretary of the Army is requested to review the report of the Chief of Engineers on the Atlantic Coast of Long Island from Jones Inlet to East Rockaway Inlet, Long Beach Island, New York, dated April 5, 1996, and other pertinent reports to determine whether any modifications to the recommendations contained therein are advisable at the present time in the interest of storm damage reduction, navigation, ecosystem restoration, and related purposes on areas of Long Beach Island, New York, affected by tidal inundation from Reynolds Channel, Hempstead Bay, and other connected waterways.

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

## FEDERAL BUDGET NEEDS TO MEET CONSTITUTIONAL MUSTER

Mr. GARRETT of New Jersey. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Texas (Mr. POE).

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 New Jersey (Mr. GARRETT) is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Mr. Speaker, I commend my colleague from Utah who just spoke previously, a fellow member of the Congressional Constitutional Caucus, who had indicated that we come to this floor on a regular basis to address what the Founding Fathers intended with the American public and the other Members of this body, their intention for the framework of the Constitution and the framework of the government of the various levels.

James Madison stated in Federalist Papers No. 45 that the role of the Federal Government is limited and defined, whereas that of the States and the people, their powers are broad and numerous.

To remind this body, the caucus' function primarily is to focus upon the 10th amendment to the Constitution, which in essence says that all powers not specifically delegated to the Federal Government are retained by the States and the people respectively.

When you read that and when you think about that, it is really pretty simple what the founders were trying to do there. And when the Constitution was ratified in 1787, they probably thought it was pretty simple, too. They thought they had probably in place a plan that would be existing for future generations would understand that the role of the Federal Government would be limited, that the sovereignty of the States and of the people would be respected. They probably thought to themselves that there is probably no way that they could have written it even more clearly than they did; that future Congresses should follow suit, should be ones to limit what the Federal Government does, and to retain to the people and the States what their responsibilities are.

Unfortunately, if you simply look out any of the windows of this building on this growing city that we have before us in Washington, D.C., you see representative of what is a growing Federal Government in all facets of our life. I am sure that our founding fathers would be disappointed in the largesse of the government, the excessive spending, the number of line items that is now in the budget. As a matter of fact, the budget is something that we were just debating and discussing on the floor of this House for a number of hours. I serve on the Budget Committee and have the opportunity to discuss it there as well.

What would our Founding Fathers think if they were to see our spending levels today? Would they ask the question that I think we all should be asking: Is it inconsistent the size and scope that the government has grown to today? Is it inconsistent in the nature of the spending that the government has grown to today?

If the Founding Fathers were with us today, I think they would give us a resounding no to what we are doing. They would say that it is inconsistent, that we have grown too large.

But we are all leaving here now and going back to our districts. Many Members will be going back and using this time to get involved with the media. We are actually in a 24/7 media cycle in this country now with the advent of all the communications that we have, whether it is in press and press releases or whether it is going on the radio or TV or e-mail. Many Members use this as an opportunity simply to go back to their district and to brag about all the money that the Federal Government is spending, all the new areas that they are enveloping as far as their responsibilities, just as the one that the gentleman from Utah was just talking about as far as the delineation of wetlands and how it impacts upon the people back at home.

Maybe this is exactly what our Founding Fathers feared, that we have grown so far apart from where the money comes from and where it is spent. Their goal was that the money should be spent closest to the people. That way, the people would have the greatest voice in how it was going to be spent. Unfortunately, we have just the opposite today. The inverse is true instead.

Let me just give you a couple examples that come to mind. Think about your local board of education and the schooling. Parents know who their teachers are, parents know who the principals are, parents know who the board of education is in their town that run their schools. But do parents know who the bureaucrats are down here in Washington, D.C. that now control education dollars that go back to those schools? People back at home know about the pothole in their front streets, people back at home know the name of their local mayor who may be responsible for making sure that street is paved. But do people know who the bureaucrats are in the U.S. Department of Transportation who are responsible for the transportation dollars that may or may not get back to their town to fix their potholes, but may instead go to someplace as the infamous bridge to nowhere?

Maybe this is exactly what our Founding Fathers were thinking of when they were looking at a government so far away across a broad ocean in England, and realizing that that English government was no longer connected to our government here, and so that is why they put the limits on it that they did.

We could go down with other examples, with the growing deficit that we have today, with the subpar service that we have in such agencies as FEMA, and ad infinitum as far as this

goes, as far as the overgrowth and the problems that they have.

I just simply ask that our Members do this, and I think that the American public should be asking that their Members do as well: Is what we do the best for the schools? Best for medicine? Best for care best? For bridges? Best for all other services? Is it in line with what our constitutional framework says and what our Founding Fathers intended?

□ 2045

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

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

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.)

## IT IS TIME TO BEGIN SETTING PRIORITIES

Mr. CONAWAY. 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 Texas?

There was no objection.

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

Mr. CONAWAY. Mr. Speaker, I have recently introduced H. Res. 690, which would require this body to begin setting priorities. That is something the Federal Government, and Congress in particular, do not do a very good job at. In fact, we are really lousy at it, but it seems to me if we are able to set priorities on new spending, then we ought to be able to practice what H. Res. 690 would do which is require the House that anytime we create a new program of any size or scope, that we would have to, as part of that enacting legislation, eliminate an existing program of the same size or spending.

We have tough choices to make, but we just do not make those choices very well. You can look at the CBO's Web site. They publish a 50-year study of what they think this Federal Government will look like in the year 2050.

I have a grandson that will be about 53 years old at that point in time. The government that he will inherit, left unchecked, left unchanged, will be one that consumes 50 percent of the gross domestic product in this country, and there has never been a free market, free enterprise system anywhere where the central government could take half and the rest of us passed on the other half. We prosper by having growth in the standard of the living, opportunities and others kinds of things.

So I believe that the growth in this Federal Government is the single biggest threat that we face as a country to our particular way of life.

That sounds strange in a country at war, but the Taliban and al Qaeda and the thugs that threaten this country can get a few of us, but they cannot fundamentally change the way we live. They can hurt some of us and they try, and we work real hard to not let that happen, but this growth in this Federal Government I believe can in fact have a fundamental negative impact on the way our children and grandchildren will live.

I said I am a grandfather. I've got six wonderful grandkids and one additional one on the way which will be born in November, if everything goes well. Which grandfather or grandmother among us would gather up their grandchildren, take them down to the nearest bank, and say, Mr. Banker, I want to borrow every single dollar in your bank, I want these six grandkids in my case, I want my six grandchildren to sign that note. I am going to take the money and spend it, but you are going to need to look to them to collect it. Well, there is not a grandparent worth their salt that would do that on an individual basis, but somehow collectively as a group we think that is okay because that is exactly what we are doing as we continue to spend money that our children will have to probably not pay back but will at least have to pay the debt service on and that impacts their way of life in a negative way.

Every politician worth their salt will step before this microphone and say we need to cut Federal spending. It rolls off your tongue very easily. Both sides of the aisle say this on various occasions, but we rarely practice what we preach.

I would like to point out tonight one program that I think would go away and no one would even notice that it is gone. We have in this country appropriated for 2006 money to provide an America's Job Bank. This is an Internet-based listing of job openings nationwide. It is maintained by good folks at the Department of Labor. Since this was established, the Internet of course has grown exponentially and has created such private enterprise-based sites as monster.com and careerbuilder.com which provide thousands and thousands and thousands of listings every day; and, in fact, this America's Job Bank is a duplication.

Now the duplication only costs us $15 million, and that is a standard politician phrase, ''only $15 million.'' Well, $15 million is a lot of money for District 11 and is a program that I would include in those that ought to go away.

As I mentioned, I have introduced H. Res. 690. We are working with the Rules Committee to try to implement this rule for the 110th Congress, and I would encourage my colleagues to support it. The reason I am doing it is I have got six grandchildren and one more on the way, and I cannot think of a better reason why we should not begin to do a better job in setting priorities for spending at in this Congress.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## RECOGNIZING THE EFFORTS OF GEORGIANA COLES

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I ask unanimous consent to claim the unused time of the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

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

There was no objection.

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

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to recognize the efforts of Georgiana Coles, a resident in my district who will be honored on April 20 for her work not only as a successful business leader but also as a dedicated land preservationist. She will be honored by the Heritage Conservancy, a nonprofit land and historic preservation society, for her significant contributions to preserving vast swaths of pristine open space in Bucks County, Pennsylvania.

My district, Mr. Speaker, is renowned for its landscape as well as its history. It is rumored that Oscar Hammerstein composed the lyrics to ''Oh What A Beautiful Morning'' for his musical ''Oklahoma'' while looking over the bucolic acreage of his farm in Bucks County. However, today, continued development threatens to uproot those same pastures and fields that inspired Hammerstein's lyrics.

Georgiana Coles and her family own a highly successful nursery in my district that covers over 800 beautiful acres. Over time, the Coles family has expanded their operations, not simply to expand their business, but to protect prime land from development. By purchasing 180 acres of the Bradshaw Farm in Solebury Township, as well as

132 acres in Buckingham Township for preservation, Georgiana Coles has demonstrated her unquestionable dedication to preserving Bucks County's natural history.

I want to recognize Georgiana Coles for her hard work and continued dedication to the preservation of open space. I and the residents of the 8th Congressional District of Pennsylvania thank her.

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

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

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

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

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

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

## REAL SECURITY

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

Mr. SCHIFF. Mr. Speaker, the Preamble to our Constitution lays out the basic functions of government and notably featured is the need to provide for the common defense.

National security is the single most important purpose of government; all of the other blessings of liberty flow from it. Throughout much of this country's history, Senator Arthur Vandenberg's famous maxim that ''Partisanship must end at the water's edge'' has guided the formulation and execution of America's national security policy.

Unfortunately, over the past several years that bipartisan tradition has been undermined by the Republican Party which has sought to convince Americans that only one party could be entrusted to preserve our Nation's military strength and its position as the world's preeminent power.

This unwillingness to listen to other voices has reached its zenith under the current administration, which took office with one overriding principle, that was to guide American national security policy. Yet when the previous administration, that of President Clinton, was for it, they were against it. The result is an America that is less safe than it should be and less safe than it needs to be.

Our military has been stretched to the absolute limits in Iraq, leaving us precious little ability to respond to other contingencies around the globe. Overseas, we are less often seen as a force for good in the world, and surveys of public opinion consistently show that we as a Nation are viewed negatively, even by our friends in Europe.

At home, we have frittered away the 4½ years since September 11 instead of making real strides in safeguarding the Nation from terrorist attack.

In Iraq, a stubborn refusal to commit enough troops to save the lives and pacify the country in the months after the invasion has led to a protracted fight against the Baathists and Islamist insurgents that has claimed now more than 2,300 American lives.

And finally, we have failed to reckon with the Achilles heel of our national security, our reliance on foreign oil to supply our energy needs.

Clearly, Americans want and deserve change. Last week, Members of our party from both the House and the Senate unveiled a comprehensive blueprint to protect the American people and to restore our Nation's position of international leadership.

Our plan, Real Security, was devised with the assistance of a broad range of experts, former military officers, retired diplomats, law enforcement personnel, homeland security experts and others, who helped identify key areas where current policies have failed and where new ones were needed.

During the next several weeks, Democratic Members of the House will be doing a series of 1-hours where we will discuss the particulars of the Real Security plan. Tonight, we will give an overview of that plan, and in the following weeks we will flesh out each of the five pillars of the Democratic Real Security plan for the country.

It is a tough and smart strategy to rebuild our military, equip and train our first responders and others on the front lines and here at home, provide needed benefits to our troops and veterans, fully man and equip our National Guard, promote alternative fuels and reduce our dependence on foreign oil, restore Americans' confidence in their government's ability to respond in the face of a terrorist attack or natural disaster.

To protect the American people, we will immediately implement the recommendations of the independent bipartisan 9/11 Commission and finally protect our ports and airports, our borders, mass transit systems, our chemical and nuclear power plants, and our food and water supplies from terrorist attack.

After September 11, all Americans trusted the President to take the steps necessary to keep our country safe. Since then, inadequate planning, sometimes incompetent policies, have failed to make Americans as safe as we should be. The tragedy of Hurricane Katrina showed that the Federal Government was still not prepared to respond.

Under the administration's leadership, the war in Iraq began with intelligence that was at best wrong and at worst manipulated. 140,000 of our finest young people were sent into Iraq without an adequate plan for success.

Our ports and other critical infrastructure remain vulnerable, while both soldiers in the field and first responders at home lack the basic equipment and resources they were promised.

Both in the Persian Gulf and on our own gulf coast, lucrative, no-bid contracts have gone to companies like Halliburton, Kellogg, Brown&Root and others with friends in high places.

Despite record high fuel prices, our country remains heavily dependent on foreign oil because of an energy policy that benefits the big oil interests.

The Real Security plan rests on five pillars that my colleagues and I will introduce to you tonight. They are the creation of a 21st-century military, a smart strategy to win the war on terror, a plan to secure the homeland, a plan to move forward in Iraq, and a proposal for achieving energy independence for America by 2020.

Under Real Security, a Democratic Congress will rebuild a state-of-the-art military by making needed investments in equipment and manpower so that we can project power to protect America wherever and whenever necessary.

We have all heard the stories of parents using their own money to purchase body armor for their own children serving in Iraq. I personally asked Secretary of Defense Rumsfeld about the shortage of body armor, about the lack of adequately armored vehicles, and the holdups in development of equipment to counter roadside bombs that have killed and maimed so many of our troops. Despite his assurances, there are still problems and young Americans are still paying the price.

Under Real Security, Democrats will guarantee all of our troops have the protective gear, equipment, and training they need and are never sent to war without accurate intelligence and a strategy for success.

I have been to Iraq now three times; and I visited our wounded troops here at home, there, and in Germany. I have spoken at the funerals of my constituents who have been killed in Iraq, and I have sat with their families as they have mourned. These experiences have reinforced my sense of commitment to ensuring the well-being of America's soldiers and their families and our veterans.

Democrats will enact a GI bill of Rights for the 21st century that guarantees our troops, active, reserve and retired, our veterans and their families, receive the pay, health care, mental health services, and other benefits they have earned and deserve.

Our active military are stretched to the breaking point, but our Guard and

Reserves have also been ground down by multiple deployments and falling enlistment and reenlistment. This has, in turn, added to the stress on the active Army and Marines.

As part of our Real Security plan, Democrats will strengthen the National Guard in partnership with our Nation's Governors to ensure it is fully manned, properly equipped, and available to meet missions at home and abroad.

□ 2100

The next pillar of Real Security is a broad strategy to win the war on terror. Four and a half years after 9/11 Osama bin Laden is still at large, and al Qaeda has morphed into a worldwide amalgam of discrete cells that are more difficult to track down.

When Democrats are in charge, we will make the elimination of Osama bin Laden our first priority. We will destroy al Qaeda and other terrorist networks, and we will finish the job in Afghanistan and end the threat posed by the Taliban. We propose to double the size of our special forces, increase our human intelligence capabilities, and ensure that our intelligence is free from political pressure.

Despite their vow to drain the swamp, the administration has done little to eliminate terrorist breeding grounds by combating the economic, social, and political conditions that allow extremism to thrive. Democrats will fight terrorism with all means at our disposal by leading international efforts to uphold and defend human rights and renew the long-standing alliances that have advanced our national security objectives.

Under Real Security, we will confront the specter of nuclear terrorism by greatly accelerating the pace at which we are securing nuclear material that could be used to make a nuclear weapon or a dirty bomb. Our goal is to secure loose nuclear material by 2010. We will also redouble our efforts to stop nuclear weapons development in Iran and North Korea. While Democrats understand that no option can be taken off the table, we are committed to a muscular diplomacy as the best option for curbing Pyongyang and Teheran's nuclear ambitions.

The third pillar of Real Security is homeland security. In the wake of 9/11, there have been numerous commissions and investigations at the Federal, State and local level, as well as a multitude of private studies. All of them have pointed to the broad systemic and other flaws in our homeland security program. Almost 2 years ago, the independent bipartisan 9/11 Commission published its report, but most of its recommendations have yet to be implemented.

As part of Real Security, Democrats will immediately implement the recommendations of the 9/11 Commission, including securing national borders, ports, airports, and mass transit systems. We will implement the screening of 100 percent of containers and cargo bound for the U.S. in ships or airplanes at the point of origin, and we will take steps to better safeguard America's nuclear and chemical plants and our food and water supplies.

Democrats will prevent the outsourcing of critical components of our national security infrastructure, such as ports, airports, and mass transit to foreign interests that could put America at risk. Under Real Security, Democrats would provide firefighters, emergency medical workers, police officers, and other workers on the front lines with the training, staffing, equipment and cutting-edge technology they need.

While the immediate threats to our national security come from terrorists, we face other dangers as well. Democrats are committed to a security strategy that will protect America from biological terrorism and pandemics, including the avian flu, by investing in the public health infrastructure and training public health workers.

The fourth pillar, and the one that will have the most immediate effect on our security, is to chart a new course in Iraq that will ensure that 2006 is a year of significant transition to full Iraqi sovereignty, with the Iraqis assuming primary responsibility for securing and governing their country with a responsible redeployment of U.S. forces. Democrats will insist that Iraqis make the political compromises necessary to unite their country and defeat the insurgency, promote regional diplomacy, and strongly encourage our allies in other nations to play a constructive role.

As a part of Real Security, Democrats intend to hold the administration accountable for its manipulated prewar intelligence, poor planning, and contracting abuses that have placed our troops at greater risk and wasted billions of taxpayer dollars.

Our security will remain threatened as long as we remain dependent on Middle East oil. The fifth pillar, and the one with the most far-reaching ramifications for our country and the world, is to achieve energy independence for America by 2020.

Under Real Security, Democrats will increase production of alternate fuels from America's heartland; biofuels, geothermal, clean coal, fuel cells, solar and wind, promote hybrid and flex-fuel technology and manufacturing, enhance energy efficiency and conservation incentives. All this we will do, and more, to meet the real national security needs of the country.

And now, I would like to turn to some of my colleagues who have been leaders on national security issues. I would like to begin by introducing my colleague from California (SUSAN DAVIS) to hear her thoughts on one of the five pillars.

Mrs. DAVIS of California. Mr. Speaker, I want to applaud my colleague, Mr. SCHIFF, for bringing us all together this evening so we can talk about real security for the American people.

Mr. Speaker, America has the absolute finest military in the world, and that wouldn't be possible without the people who wear the uniform. I want all Americans to know that it doesn't matter to me whether they call themselves a Democrat, a Republican, an Independent, or anything else. I stand here tonight to simply tell Americans that there are indeed Democrats in Congress who are strong on national security. We get it, and we have a plan to get America back on track.

Let me be just clear at the outset. Support for the troops has no party affiliation, and that is definitely true here in Congress. There are hundreds of us, Democrats and Republicans alike, who want to do right by the troops who are in harm's way right this minute all around the globe. I am convinced, however, that the Democratic plan to protect America is the path this Nation needs to embark upon now, and I say that because the Democratic plan for a 21st century military focuses on the same resource that the military itself focuses on, and that is the people. It is about the people who volunteer to wear that uniform.

I have been very proud to serve in Congress as a Member of the House Armed Services Committee since I was first elected to represent the people of San Diego. As anyone from San Diego can tell you, we are the epitome of a military town. San Diegans have a deep and long-standing relationship with the military that gives our community a very unique level of interaction and familiarity with the Armed Services. San Diego's operational bases provide a valuable network of military resources that, taken together, equate to bottom-line military readiness. We host the Pacific fleet's largest concentration of carriers, cruisers, destroyers, frigates, amphibious ships and submarines, and our regional training and support facilities supplement these resources superbly.

But at the end of the day, while these are valuable assets, what it really comes down to is the people. Outside their uniforms and off the battlefield, these brave men and women serve double duty. They are our neighbors, they are our Little League coaches, they are our PTA presidents, and they are our community volunteers. In short, our military servicemembers are extraordinary people who lead ordinary lives, just like you and me.

For those people and communities who are not as familiar with the military, I think it may be easy sometimes to think of them in a more desensitized, mechanical way, almost as if the troops themselves are made of the same steel and weaponry they use to accomplish their missions and protect themselves with. But this couldn't be further from the truth. Our troops are a mirror image of the American people themselves. They find strength in their convictions as Americans. They are

strong in their education and training and they are strong in their diversity and their mutual respect for one another.

Mr. Speaker, you may wonder why I would choose to spend so much time this evening talking about the human characteristics of our military personnel in the context of a Democratic plan to protect America. But the people who make America's military great are really the heart of the Democratic plan. Americans expect their elected leaders to take care of the troops, and that is exactly what Americans and what Democrats here today are prepared to do.

First, that means having enough people. This administration ignored the advice of respected senior military leaders by sending too few troops to Iraq. No matter how you look at it, that was a serious miscalculation. It impaired America's ability to accomplish its mission quickly. Democrats will insist on 21st century military forces that are large and strong enough to meet any challenge America may face in the future without creating neverending states of deployment.

A 21st century military also demands fully equipping and supplying our troops, and that is exactly what the Democratic plan would do. Democrats will fight to ensure America's troops are never underequipped. The Democratic plan is a plan that would emphasize the body and vehicle armor our troops need before they find themselves in harm's way. Moreover, we must rebuild and replace the equipment that has been used in Iraq and Afghanistan so our troops can continue to rely on it with confidence in the future.

The Democratic plan also means a renewed investment in research and development. We simply must invest in technology today that will lead to advancements for the battlefield that will keep on protecting our soldiers and sailors and will keep on helping them to accomplish their future missions.

Similarly, we must continue to make investments in the way we educate and train our military personnel. Training and education is a key component in the dominance and success of America's military, and this will be no different for a 21st century military. We must commit to providing superior ways to continue expanding and advancing the minds of our military professionals.

The Democratic plan for a 21st century military also envisions a renewed commitment to the National Guard and Reserve. Our efforts must reflect the level of respect and commitment our reserve components have earned and deserve.

Mr. Speaker, the Democratic plan for a 21st century military encompasses many more components, including increased human intelligence, honoring veterans and retirees, and making good on America's promise to take care of the health and well-being of our soldiers and also their families. It is really about the people: Our training them, equipping them, and our support for them. The troops demand better, Mr. Speaker, and Democrats are poised to provide it to them.

I am happy to return to Mr. SCHIFF and join with my colleagues as we discuss the rest of the Democrat plan and the pillars of security.

Mr. SCHIFF. I thank the gentlewoman from California for all her work in this area, and I know that you represent a very large constituency of servicemembers in your district, probably one of the largest in the country. Undoubtedly, you have had the opportunity to visit with a lot of the families of those serving in Iraq and Afghanistan and know firsthand some of the demands being placed on our active duty but also on our guard and reserve.

Many of them pulled out of their jobs, earning a lot less on active duty than they were in their civilian occupations. This must be a tremendous hardship for families.

Mrs. DAVIS of California. I think it is, and because our families prepare as well as the men and women who actually go into war, it provides a particular burden on all of them. And I think that is why it has been, in a community like San Diego, why we have felt this so acutely.

And know how important it is for people to have a sense of comfort that they have the equipment they need and that once deployed and coming home, particularly for the guard and reserve, that they will not see these kind of endless deployments. That has been very important and it has been really hard for the families to sometimes get a really good handle on that.

Mr. SCHIFF. I imagine that you have had the experience that I have with some of my constituents in talking to their families, those that are serving in Iraq and the concerns that they have, and in talking with the soldiers when they return about whether they had the up-armored vehicles that they needed, and finding out from them firsthand that, notwithstanding protestations to the contrary by the Pentagon, that in fact they often didn't have up-armored vehicles. I still have people coming back telling me of the inadequacy of materiel they have to work with and to keep them safe.

But I thank you so much for all your leadership on this issue. You do a tremendous job on behalf of your constituents in the San Diego area and in the armed services area for all the rest of our country. Thank you.

I would like to turn now, Mr. Speaker, to one of my close friends and colleagues here, DAVID SCOTT of Georgia. We cofounded, along with STEVE ISRAEL, the Democratic Study Group on National Security. He has been a strong voice and a great leader on national security issues. We are very grateful for your joining us this evening.

The gentleman from Georgia.

□ 2115

Mr. SCOTT of Georgia. Mr. Speaker, it is an honor to be on the floor with Mr. SCHIFF. I commend his leadership on the national security issue. It is so important for the American people to be able to understand and know wholeheartedly that Democrats are the strongest party on national security. Our record speaks to it, all the way from Franklin Delano Roosevelt who shepherded us through World War II and built up our Army, to Truman, all the way up to John Kennedy. No stronger Presidents have we had on national security.

Democrats are very strong on national security. I want to spend my remarks here speaking from my own experience. I have been overseas visiting our troops on four different trips, to Iraq, Afghanistan, Pakistan and to Lithuania, into Germany, visiting them at Ramstadt Hospital and the air force base. I have been to Camp Victory at Baghdad on the front lines, as well as with our group on national security to which every Thursday we bring in the experts. We bring them in whether they are Republicans or Democrats, from Newt Gingrich to Sam Nunn to Andrew Young. We have had people there with experience because we want the American people to know that this Nation is secure, has been secure, and will be secure in the future in the hands of Democrats.

I want to spend just a few moments in talking about where we are in this 21st-century of our military. We have the finest military in the world, but since 9/11 our Nation's Armed Forces have become overextended. There is no mistake about it. Some of our recruiting goals have not been met.

But under Democrats we will make sure, and we have already begun the process to make sure, that our Armed Forces are not overextended and to make sure we have policies and procedures in place to help us meet our recruitment goals.

As you well know, Mr. SCHIFF, we have an all-volunteer Army. The draft is no longer applicable, nor will it be in the foreseeable future. With the advances in technology, we are going to be competing at a high level with private industries and others to get those high-caliber individuals to volunteer. Even the M–116 rifle is basically a computer. We must have soldiers who are well equipped, well prepared. So we have to go out and compete for those soldiers, and we have to realize what this 21st century means.

The men and women of America's Armed Forces and our first responders here at home have met every challenge with skill, with bravery, and selfless dedication. They along with veterans, military retirees, and the families of those who have given their lives to defend our country deserve our utmost gratitude; and we give it to them with our support. That is why we Democrats are launching our effort here. We want to make sure that America knows this

country will be safe with us, that we have the record and we have the program.

Much has been said and, yes, we have criticized the President. We have criticized the Republicans because it is due, because there has been failure after failure and bad planning. We know that now. And bad intelligence. But I assure you, if Democrats are in control, we will never send our troops into harm's way with inaccurate intelligence and not equipped with the body armor that they need to do their job.

It is important for the American people to know what we are doing now and what we plan to do. The whole world sees what is wrong step by step with our policies. I want to point out to the American people some facts they may not know about what Democrats are doing now and what our record has been.

We are committed to strengthening our military, but we have been fighting to make sure, we have been at the leadership in making sure that our troops have been fully equipped. Every step along the way, it has been Democrats who have sought to ensure that our troops were fully equipped for this war in Iraq. It was not a war of our choosing, but it was a war that was decided upon based upon incomplete and inaccurate information that we know now, but did not know then.

And Democrats stood strong and said we have to go based upon our information. But once our troops were in harm's way, once they were sent and it was found out that they did not have the body armor and their Humvees did not have the equipment to sustained the underbellies for the improvised explosive devices, it was Democrats who provided the leadership.

For example, because of Democratic efforts, the 2003 Iraqi supplemental budget included more funds for Humvees, body armor, and jammers to prevent the detonation of explosive devices. It was Democrats who offered amendments to shift $322 million from reconstruction for safety equipment for U.S. troops in Iraqi. It was Democratic Senator CHRIS DODD of Connecticut who led that fight, and to shift $4.6 million from Iraqi reconstruction for support and safety of our troops, including critical funding for repairing and replacing the critical equipment for combat in Iraq. That was Mr. OBEY, our ranking member on the Appropriations Committee that led that fight.

Although both of those efforts were at the need, when they needed that armor, that is when Democrats stepped forward. It was Republicans who rejected those amendments. But we Democrats did succeed in requiring the Department of Defense to at least reimburse those servicemembers for the cost of their protective safety and health equipment that had to be purchased by them and their families.

You remember the newscasts. We had our soldiers searching through dung heaps, land fields and junkyards in Iraq and the Middle East trying to find metal to protect themselves. It brought tears to my eyes to think that this Republican administration would send our young men and women in harm's way and not have them armed with body armor. They were writing back home to mom and daddy saying, send me some money so I can buy something to protect myself. Never again can we let that happen, and it is we Democrats that are providing the way on this.

I want to make sure we cover one other point.

We are going to vote on a budget at some point. Luckily, they didn't have the votes tonight; but just to show you cut after cut after cut, $1.5 billion cut to veterans. The Democrats will treat our veterans with the respect they deserve, and we will put together a GI Bill of Rights. We will get rid of the military tax on widows. We will increase the benefits, and we will make our military proud and strong. And we will make sure that the rotation cycle is not two and three and even four tours of duty at a time, because our military is stretched thin.

We will strengthen our military. We will move us into the 21st century, and Democrats will provide that leadership. I am proud to be with you here tonight and my colleagues.

Mr. SCHIFF. Mr. SCOTT, we are proud and grateful to have you here. You mentioned the proud history of the Democratic Party and national security under the leadership of Presidents like Roosevelt and Truman and Kennedy and others.

Today we saw in the press reports that the President authorized Mr. Libby, the chief of staff of the Vice President, to disclose classified information, national security information, for a political purpose. Can you imagine Roosevelt or Kennedy or Truman doing that? Can you imagine, for political reasons, any of them disclosing classified intelligence information for a political reason?

Mr. SCOTT of Georgia. Absolutely not. Our President, it brings chills to me when I remember what President Roosevelt said: ''We have nothing to fear but fear itself,'' to raise people, our people, to that level. Or President Kennedy saying: ''Ask not what your country can do for you; ask what you can do for your country.''

Mr. SCHIFF. Mr. Speaker, I thank the gentleman.

It gives me great pleasure to yield to Mr. BENNIE THOMPSON, our ranking member on the Homeland Security Committee, someone who has brought great intelligence, foresight, and determination to protecting America, to ensuring we have port security and airport securing, and that we plug many of the gaping holes here in the homeland. I yield to the ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank Mr. SCHIFF for putting this Special Order together to give us an opportunity to talk about real security from the Democratic standpoint.

As you know, unlike my colleagues on the other side of the aisle, we have a plan. That plan is very simple. If we can get additional support, we can make this country safer. But for this hour, let us talk a little bit about homeland security.

First of all, I want to take you to the notion that as a grandfather, I spend a lot of time reading children's stories. It may be because I am the ranking member on the Homeland Security Committee, but recently I was reading the ''Emperor's New Clothes,'' and I could not help but think about the Department of Homeland Security.

For those of you who are not familiar with the story, it is about a ruler who loved to dress up in the finest threads. One day some folks came by and promised to make him the finest suit he had ever seen. As they made it, they kept asking him what he thought about the beautiful cloth and the fine design. Not seeing anything but feeling a little naive, the emperor said it was beautiful.

When the day came for him to wear the suit out in public, he called a big parade and put on the so-called outfit. Everyone ''oohed'' and ''aahed'' until one small child spoke out and said those magic words, ''He doesn't have anything on.''

Why does that story remind me of the current administration's homeland security efforts? Because DHS is like the naked emperor. Despite the Department's many press releases of success, the agency's efforts are not enough to cover our Nation's critical parts. Like the citizens of the emperor's town, we all want to believe what we are hearing and seeing is sufficient. But let me tell you, it is not.

If you have any doubts about this, just look at the government's response to Hurricane Katrina last year. As Clark Kent Ervin, the former inspector general of the Department has said, if Katrina was a dress rehearsal on how the U.S. would respond to a terrorist attack, we are not prepared. A lot needs to be done to ensure homeland security is covered. Our security gaps at our borders must be eliminated. Our trains and subways must be protected so we do not have a London or Madrid attack.

Our ports must be secure, and our Coast Guard must be well funded. That means we must work with our partners internationally to protect our ports by screening 100 percent of the U.S.-bound containers at their points of origin rather than waiting until they arrive at our port communities.

Those flying the friendly skies should be safe as they are carried to their final destination. That means we must secure our passenger airlines by requiring 100 percent screening of air cargo that travels on the same plane with the passengers. We must have commonsense security at chemical and nuclear

plants. The private sector is looking for guidance from the Department. We need to be sure that they have it. We must ensure that hazardous cargo is carried safely through our communities.

Also, we must guarantee that our local cops, firemen, and EMTs have the training, staffing, equipment, and technology they need so that they can talk to each other during an emergency. As you know, we saw with 9/11 that a lot of the individuals involved in that situation could not communicate with each other and many of them lost their lives because of it.

□ 2130

Now, when the small child called the emperor out, he knew the child was right, but thought the procession goes on. He carries himself proudly and his assistants acted like they were keeping his invisible robe off the ground.

The Department's procession absolutely cannot go on. I ask my colleagues across the aisle to stop carrying this invisible robe and join us in recognizing that the Department of Homeland Security has been without clothes for way too long. It is about time that we outfitted the agency so that it can fulfill its mission. Our Nation and its citizens deserve no less.

Mr. SCHIFF. I thank the gentleman, and I particularly appreciate your talking about the common sense changes that have to be made to protect this country. Does it make sense, I ask our ranking member, to have a policy where you have to take off your shoes at the airport to get through the metal detector, but 50 percent of the cargo on the plane you are flying on is commercial and 98 percent of that is never checked for an explosive? You can ship a bomb the size of a piano that will never get opened in a crate under that same plane, but you have to take your shoes off. Does that make sense?

Mr. THOMPSON of Mississippi. None of it makes sense. The other thing is, we have the technology available to us to do many of these things. We have to have the will to produce the resources necessary to acquire the technology in order for that to occur.

We have tried in our committees to fully fund all of the screening programs, not just at airports, but we are talking about screening cargo coming into our country. But we can't get the support on the Republican side of the aisle to move in that direction.

We have two government agencies, Department of Energy and Department of Homeland Security, charged with radiation screening of certain activities. We can't even get support to merge the two programs. They are operating in ports separate and apart. So clearly, there are a number of things, Congressman SCHIFF, that we need to do.

Mr. SCHIFF. And that last point, I think, is the key one. The President, I am sure you recall, during the first debate with Senator KERRY, was asked what is the top national security threat facing the country? And he said, nuclear terrorism. Senator KERRY agreed. I think they were both right.

But if that is true, and the most likely suspect for nuclear terrorism is al Qaeda, then the most likely delivery device is not a missile but a crate. And that crate is going to come into one of our ports. And why we haven't mobilized the resources to implement that portal technology, why we are spending as much as we are on a more distant threat in terms of national missile defense, rather than the more proximate threat of a smuggled in dirty bomb or crude nuclear weapon is not in our Nation's national security interest.

Mr. THOMPSON of Mississippi. Well, it is not. And what we find is there are a substantial number of containers that come to this country, as you know, without any inspection. To inspect it when it gets to our shores, if it is a dirty bomb or anything like that, is unacceptable. We have to do the inspections or the screenings at a minimum at the points of origin rather than when they get to this country. If we don't, we are in for a rude awakening.

The other point I want to make, and I want to thank you for this time, is we clearly have to support financially the safeguards that are required. We have the technology. We have to make sure that we put the resources to support the technology.

Mr. SCHIFF. I thank the gentleman very much for all his leadership in improving our Homeland Security.

I would now like to turn to my colleague, DENNIS MOORE from Kansas, who does a tremendous job. He is one of the true leaders on a variety of issues, including energy self-sufficiency and energy independence. It is one of the pillars of our national security plan. DENNIS MOORE.

Mr. MOORE of Kansas. Mr. SCHIFF, the distinguished gentleman from California, I want to thank you for your leadership in putting together this little seminar and this presentation this evening on national security and how important it is for our country.

I want to talk for just a few minutes about the importance of national security in the context of energy independence for our Nation. Some of our viewers this night, Mr. SCHIFF, will be old enough to remember back in the late 1970s there was a gentleman by the name of Jimmy Carter who was President of United States. And one night President Carter was sitting addressing the people of America on national television. He had on a cardigan sweater. He was sitting in front of the fireplace and talking about the long lines at the gas pumps. And he was talking about the need for our country to develop energy independence and a comprehensive energy policy to reduce our dependence on foreign oil.

I think President Carter was right then, and I faulted every Republican and Democrat since President Carter for not doing what he said we needed to do back then. And especially, since September 11 of 2001, and 5 years into this administration we still are very dependent, heavily dependent on foreign oil, and we need to find for America energy independence.

And I think this is no longer just a concern about long lines at the gas pumps or the high cost per gallon of gasoline. This now has become a national security issue, and it is an issue that we, as a Nation, must deal with.

This issue, Mr. SCHIFF, should not be about Republicans and Democrats. This should be about us taking care of our people and our country. And we all must come together to do this, and I think it is highly important, again, that we reduce our dependence on foreign oil and find an independent way to do this.

President Bush mentioned in his State of the Union this year, for the first time, I believe, trying to develop some way to reduce our dependence on foreign oil and enter energy independence. But he didn't make any proposals, and I think what we need are some solid proposals to do that.

We need, for example, conservation. We need to develop hybrid automobiles, hydrogen fuel cells. We need to look and develop solar energy, wind energy, ethanol biodiesel. We need to reduce our dependence on Middle East oil and increase our dependence on Midwest farmers who can provide the crops necessary to produce some of the fuels I am talking about, alternatives and renewable sources of energy here.

Energy independence, in fact, again has become a national security issue. We must reduce our dependence on foreign oil. We cannot and must not be held hostage by foreign nations who control our supply of oil. We must do this as Americans, again not as Republicans and Democrats, but as Americans because our country needs this and demands this.

Mr. SCHIFF. Mr. MOORE, we thank you for you tremendous leadership on this issue and for joining us this evening.

Now it gives me great pleasure to yield time to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who I would say is a rising star in the Congress, but she was a rising star. She is now a full star in the firmament. The rise has already been complete. But we are so grateful for your leadership, and I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. SCHIFF. I too want to join my colleagues tonight in thanking you for putting this together because one of the things that we have been trying to do over the last several months as Democrats in the House of Representatives is roll out our vision for the direction that America should go in.

Clearly, the vast majority of Americans today believe that we are going in the wrong direction, and in terms of homeland security and protecting our Nation's borders, that is one of the number one priorities.

And what I would like to talk a little bit about tonight is an issue that is extremely important, given that my State is a peninsula, and that is port security, because I represent the people of Florida's 20th district, which is south Florida, Ft. Lauderdale, Hollywood and Miami Beach. My district borders two ports, Port Everglades and the Port of Miami, and they both serve as a gateway to millions of tons of cargo and people every year.

In 2005, in fact, almost 5.8 million tons of goods came into the United States through the Port of Miami. Nationally, though, only 6 percent of cargo is screened. That is a shocking statistic. That means that just in the Port of Miami alone, over 5.4 tons of goods were left uninspected before they entered our supply chain. That is just an unbelievably alarming statistic.

The administration claims to have cargo security programs, such as the automated targeting system, that mitigate any threat, according to them, that the remaining 94 percent of cargo entering our country without physical inspection may pose.

However, the Government Accountability Office, a third party validator, recently released a report showing shortfalls in these systems. Multiple deadlines have been missed, and key controls are still not in place to ensure the adequate implementation of such programs.

These facts were true when the Bush administration approved the sale of operations at six major U.S. ports, including the Port of Miami, to the United Arab Emirates. That agreement, had it gone through, outsourced American security to a country with a spotty record in fighting terrorism and one that is currently participating in an illegal economic boycott of the State of Israel.

Responsibility for America's security should not go to the highest bidder. History has shown that friends of the United States truly come and go. Thirty years ago Iran was our ally, and 20 years ago Iraq was our ally.

Given the current gaps in port security, we are placing far too much trust in port terminal operators beholden to foreign nations. The companies have access to America's classified security operations. And I can tell you, having toured the Port of Miami, I can at least transmit to you that at the Port of Miami the people who run the terminals, they run their own internal security, and they have intimate knowledge of the security operations in the rest of the port.

So far the divestiture announcement from DPW appears to be nothing more than a diversion that was designed to deflect attention away from this outsourcing of American port security.

The current level of vulnerability at our ports is simply unacceptable. Three years ago, the Coast Guard said that they needed $7.2 billion for port security measures. But the majority in this Congress, the Republicans, have only allowed for the allotment of $910 million since September 11, 2001.

When it comes to our national security and the safety and defense of our homeland, we should be focused on policy, not politics. We should be pursuing legislation to protect our Nation's ports and remedy the systemic weaknesses that facilitated this deal in the first place.

As the Nation's legislators and lawmakers, it is our responsibility and duty to keep America safe, and the Republican administration and Congress is not accomplishing this objective.

Before I close, I want to share with you yet another alarming statistic. And I notice that when you began your remarks you referred to the removal of shoes as we go through our magnetometers in our Nation's airports.

When I went to the Port of Miami, the staff there talked to me about the disparity in port security versus airport security. In the last 5 years, since 9/11, we have spent, this Republican Congress has spent $18 billion more on airport security, which is a good thing. But comparatively they have spent less than $700 million on port security. Essentially we have rested the sum total of our increase in national security on taking our shoes off as we go through the magnetometer. That is about the only thing that most people could say they noticed was a difference between before 9/11 and post-9/11 national security.

Again, I commend you on your effort to pull us together tonight.

Mr. SCHIFF. I thank the gentlewoman and I am tremendously grateful for your leadership and participation tonight.

Mr. Speaker, I want to thank my colleague from Maryland, CHRIS VAN HOLLEN, for his patience this evening. It has been a long evening already, and I have been keeping him and my other colleagues from the beginning of the recess. He has done a tremendous job in his tenure here in the Congress. He has already established himself as a superb leader on national security and other issues, education. Without any further ado I turn over my time to Mr. VAN HOLLEN for such time as he may consume.

Mr. VAN HOLLEN. I thank my colleague from California, Mr. SCHIFF. And again, like my colleagues, I thank you for your leadership on issues of national security in this Congress for our country.

I think we all understand that in order to successfully conduct the important work of our Nation, we must have management systems in place. We must have systems of checks and balances to make sure that those people who are making critical decisions for our country are held accountable, and nowhere is that more important than in the area of national security. We have to have competence and we have to have accountability, and unfortunately we have seen a lack of both those qualities in the decisions on national security made by this administration.

It is Basic Management 101 that if you reward failure you are going to get more failure, and if you want success you should reward success. But if you look at the way this administration has approached national security, they have kind of got that principle backwards.

□ 2145

In fact, they have essentially rewarded and acknowledged those in the administration who got it wrong and criticized those who got their facts right.

Let us just go back to General Shinseki, who proposed early on that we would need, he said, a couple hundred thousand troops on the ground in post-war Iraq in order to maintain stability. He was dismissed by then-Deputy Secretary of Defense Paul Wolfowitz of being ''way off the mark.''

We have had up to 160,000 troops on the ground, and as you, Mr. SCHIFF, noted early on, it is the consensus of most military experts that one of the reasons we failed in the immediate post-war period to maintain stability was the lack of enough troops on the ground. General Shinseki was right. He was dismissed by the administration. Mr. Wolfowitz received the plum job as president of the World Bank. I do not know what kind of message that sends.

How about the costs of the war? Well, Secretary Wolfowitz said: ''We are dealing with a country that can finance its own reconstruction and relatively soon.'' Well, we know today that Iraq has still not come back up to its prewar oil production, and the predictions that were made by the chief economic policy adviser to the President, Lawrence Lindsey, who at the time said he thought the cost of the war would run about $100 billion to $200 billion, look good from today's vantage point.

At the time we need to remind people that others in the administration, like the head of the Budget Office, Mitch Daniels, dismissed those projections as being too high, and said very, very high.

We have seen a recent study by the Columbia University economist and former Nobel Prize winner in economics, Joe Stiglitz, who projects that this war could be up to $2.5 trillion in costs.

But perhaps most dangerous from the vantage point of national security have been the failures with respect to the intelligence and the abuse of intelligence. And we need an intelligence system where the facts inform the policy, rather than a system where politics shape and distort the facts. But we have seen the administration ignore many of the professionals in the government who actually called it right in many instances.

If you look back now over the national intelligence estimates and you look at what the people in INR, Intelligence Research at the State Department, were saying; if you look at what

the folks at the Department of Energy were saying, a lot of them questioned these conclusions that were being jumped to with respect to the presence of weapons of mass destruction. They questioned both those agencies, the fact that these aluminum tubes were somehow evidence of an Iranian nuclear program. They said they did not believe that. And yet in its selective use of intelligence, the administration ignored those. They relegated those opinions to mere footnotes and essentially put forward the other information.

And you mentioned today a very disturbing revelation has come to light with respect to the selective use of intelligence. And I just want to quote from the Los Angeles Times. This is in many other papers. It turns out, according to the information put forward by Patrick Fitzgerald, the special prosecutor, ''President Bush personally authorized leaking long classified information to a reporter in the summer of 2003 to buttress administration claims, now discredited, that Saddam Hussein was attempting to acquire weapons of mass destruction for Iraq.''

Before the war, they selectively leaked information in a way that misinformed the American public; and then when they were essentially caught doing that, they further selectively leaked information to try to hide that fact when revelations were brought to light.

This has very serious consequences for our security because our credibility around the world depends on people whom we go to believing that the information that we have is true and that it is solid. When Adlai Stevenson was at the United Nations in the Cuban Missile Crisis and he said the Soviets were putting missiles into Cuba and had the information to support it, our credibility as a Nation was enhanced. As a result of the failures and abuse of intelligence, our credibility around the world has been degraded. It makes it much harder to persuade others about the seriousness of the threats in Iran and North Korea.

Now, the 9/11 Commission made a number of recommendations as to how we could deal with this particular issue; and one of the recommendations they made was to bolster intelligence oversight reform. Let us hold people accountable for their decisions. Let us not reward failure because we will get more failure. Let us not reward and ignore mistakes; we will get more mistakes. But when it comes to intelligence oversight reform, what grade did they give to the Republican Congress and the administration? A ''D.'' A ''D.''

We have said, we Democrats, as part of our proposal, we are going to strengthen the oversight process. We are going to hold people accountable, and we are going to implement all of the recommendations of the 9/11 Commission, including the recommendation to improve the oversight of intelligence so we can end the abusive intelligence, restore our credibility around the world, because that credibility is essential to the national security of this country.

I thank the gentleman from California for his leadership on this issue, and I hope we will continue to have this conversation that I think is so important to our country

Mr. SCHIFF. I thank the gentleman for his leadership and his eloquence and the tremendous job that he also does as we serve together on the Judiciary Committee.

I am now pleased to yield to JAY INSLEE from the great State of Washington, who has been a pioneer in the area of energy independence.

Mr. INSLEE. Thank you. And I have a simple message. We Democrats want to strike a preemptive blow against our enemies in the Middle East. And the single, most effective preemptive blow we have is to starve them from resources with which to attack us. We know where the money came from to finance the attack on September 11. It came from our addiction to oil that must stop.

And we now have a President who said he wants to break our addiction to oil, and we welcome his language about this. But we cannot run our cars on rhetoric. We cannot run a national energy independence program on rhetoric. We need real policies. And we are offering them. We have offered to the country the New Apollo Energy Act, H.R. 2828. That is H.R. 2828. If folks want to look at it, they are welcome to see the most comprehensive plan that will really deliver a situation where we send less money to Middle Eastern sheiks and more money to middle-American farmers. That is a policy that we will embrace, and we will be more secure than we are today.

I thank you for letting me have my few words today.

Mr. SCHIFF. Mr. Speaker, I want to thank my colleagues this evening for all their comments and their leadership. Over the next several weeks, we will be unveiling in greater detail each of the pillars of security: how we intend, as Democrats, to rebuild the 21st-century military; how we intend to take the war on terror to Osama bin Laden and al Qaeda; how we intend to beef up our homeland security and repair a lot of the broken pieces of our homeland security policy that make us continue to be vulnerable; how we will make Iraq in 2006 a year of transition to full Iraqi sovereignty; and how, as Mr. INSLEE points out, we can achieve energy independence, something vital to the present and this Nation's future.

I want to thank my colleagues for their leadership, DAVID SCOTT for all his great work, CHRIS VAN HOLLEN, JAY INSLEE, all of the other speakers tonight. We look forward to continuing this dialogue with the American people.

## CONFERENCE REPORT ON H.R. 889, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006

Mr. LOBIONDO (during the Special Order of Mr. SCHIFF) submitted the following conference report and statement on the bill (H.R. 889) to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes:

CONFERENCE REPORT (H.R. 889)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 889), to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Coast Guard and Maritime Transportation Act of 2006''.*

***SEC. 2. TABLE OF CONTENTS.***

*The table of contents for this Act is as follows:*

*Sec. 1. Short title.*
*Sec. 2. Table of contents.*

*TITLE I—AUTHORIZATION*

*Sec. 101. Authorization of appropriations.*
*Sec. 102. Authorized levels of military strength and training.*
*Sec. 103. Supplemental authorization of appropriations.*
*Sec. 104. Web-based risk management data system.*

*TITLE II—COAST GUARD*

*Sec. 201. Extension of Coast Guard vessel anchorage and movement authority.*
*Sec. 202. International training and technical assistance.*
*Sec. 203. Officer promotion.*
*Sec. 204. Coast Guard band director.*
*Sec. 205. Authority for one-step turnkey design-build contracting.*
*Sec. 206. Reserve recall authority.*
*Sec. 207. Reserve officer distribution.*
*Sec. 208. Expansion of use of auxiliary equipment to support Coast Guard missions.*
*Sec. 209. Coast Guard history fellowships.*
*Sec. 210. Icebreakers.*
*Sec. 211. Operation as a service in the Navy.*
*Sec. 212. Limitation on moving assets to St. Elizabeth's Hospital.*
*Sec. 213. Cooperative agreements.*
*Sec. 214. Biodiesel feasibility study.*
*Sec. 215. Boating safety director.*
*Sec. 216. Hangar at Coast Guard Air Station Barbers Point.*
*Sec. 217. Promotion of Coast Guard officers.*
*Sec. 218. Redesignation of Coast Guard law specialists as judge advocates.*

*TITLE III—SHIPPING AND NAVIGATION*

*Sec. 301. Treatment of ferries as passenger vessels.*
*Sec. 302. Great Lakes pilotage annual rate-making.*
*Sec. 303. Certification of vessel nationality in drug smuggling cases.*
*Sec. 304. LNG tankers.*
*Sec. 305. Use of maritime safety and security teams.*

*Sec. 306. Enhanced civil penalties for violations of provisions enacted by the Coast Guard and Maritime Transportation Act of 2004.*

*Sec. 307. Training of cadets at United States Merchant Marine Academy.*

*Sec. 308. Reports from mortgagees of vessels.*

*Sec. 309. Determination of the Secretary.*

*Sec. 310. Setting, relocating, and recovering anchors.*

*Sec. 311. International tonnage measurement of vessels engaged in the Aleutian trade.*

*Sec. 312. Riding gangs.*

*TITLE IV—MISCELLANEOUS*

*Sec. 401. Authorization of junior reserve officers training program pilot program.*

*Sec. 402. Transfer.*

*Sec. 403. Loran–C.*

*Sec. 404. Long-range vessel tracking system.*

*Sec. 405. Marine vessel and cold water safety education.*

*Sec. 406. Reports.*

*Sec. 407. Conveyance of decommissioned Coast Guard Cutter MACKINAW.*

*Sec. 408. Deepwater reports.*

*Sec. 409. Helicopters.*

*Sec. 410. Newtown Creek, New York City, New York.*

*Sec. 411. Report on technology.*

*Sec. 412. Assessment and planning.*

*Sec. 413. Homeport.*

*Sec. 414. Opinions regarding whether certain facilities create obstructions to navigation.*

*Sec. 415. Port Richmond.*

*Sec. 416. Western Alaska community development quota program.*

*Sec. 417. Quota share allocation.*

*Sec. 418. Maine fish tender vessels.*

*Sec. 419. Automatic identification system.*

*Sec. 420. Voyage data recorder study and report.*

*Sec. 421. Distant water tuna fleet.*

*TITLE V—LIGHTHOUSES*

*Sec. 501. Transfer.*

*Sec. 502. Misty Fiords National Monument and Wilderness.*

*Sec. 503. Miscellaneous Light Stations.*

*Sec. 504. Inclusion of lighthouse in St. Marks National Wildlife Refuge, Florida.*

*TITLE VI—DELAWARE RIVER PROTECTION AND MISCELLANEOUS OIL PROVISIONS*

*Sec. 601. Short title.*

*Sec. 602. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.*

*Sec. 603. Limits on liability.*

*Sec. 604. Requirement to update Philadelphia Area Contingency Plan.*

*Sec. 605. Submerged oil removal.*

*Sec. 606. Assessment of oil spill costs.*

*Sec. 607. Delaware River and Bay Oil Spill Advisory Committee.*

*Sec. 608. Nontank vessels.*

*TITLE VII—HURRICANE RESPONSE*

*Sec. 701. Homeowners assistance for Coast Guard personnel affected by Hurricanes Katrina or Rita.*

*Sec. 702. Temporary authorization to extend the duration of licenses, certificates of registry, and merchant mariners' documents.*

*Sec. 703. Temporary authorization to extend the duration of vessel certificates of inspection.*

*Sec. 704. Preservation of leave lost due to Hurricane Katrina operations.*

*Sec. 705. Reports on impact to Coast Guard.*

*Sec. 706. Reports on impacts on navigable waterways.*

*TITLE VIII—OCEAN COMMISSION RECOMMENDATIONS*

*Sec. 801. Implementation of international agreements.*

*Sec. 802. Voluntary measures for reducing pollution from recreational boats.*

*Sec. 803. Integration of vessel monitoring system data.*

*Sec. 804. Foreign fishing incursions.*

*TITLE IX—TECHNICAL CORRECTIONS*

*Sec. 901. Miscellaneous technical corrections.*

*Sec. 902. Correction of references to Secretary of Transportation and Department of Transportation; related matters.*

## *TITLE I—AUTHORIZATION*

### *SEC. 101. AUTHORIZATION OF APPROPRIATIONS.*

*Funds are authorized to be appropriated for fiscal year 2006 for necessary expenses of the Coast Guard as follows:*

*(1) For the operation and maintenance of the Coast Guard, $5,633,900,000, of which $24,500,000 is authorized to be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)).*

*(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $1,903,821,000, of which—*

*(A) $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990, to remain available until expended;*

*(B) $1,316,300,000 is authorized for acquisition and construction of shore and offshore facilities, vessels, and aircraft, including equipment related thereto, and other activities that constitute the Integrated Deepwater Systems; and*

*(C) $284,369,000 is authorized for sustainment of legacy vessels and aircraft, including equipment related thereto, and other activities that constitute the Integrated Deepwater Systems.*

*(3) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $24,000,000, to remain available until expended, of which $3,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.*

*(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,014,080,000, to remain available until expended.*

*(5) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program, $38,400,000.*

*(6) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operation and maintenance), $12,000,000, to remain available until expended.*

*(7) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $119,000,000.*

### *SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.*

*(a) ACTIVE-DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active-duty personnel of 45,500 for the fiscal year ending on September 30, 2006.*

*(b) MILITARY TRAINING STUDENT LOADS.—For fiscal year 2006, the Coast Guard is authorized average military training student loads as follows:*

*(1) For recruit and special training, 2,500 student years.*

*(2) For flight training, 125 student years.*

*(3) For professional training in military and civilian institutions, 350 student years.*

*(4) For officer acquisition, 1,200 student years.*

### *SEC. 103. SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS.*

*(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts provided to the Coast Guard from another Federal agency for reimbursement of expenditures for Hurricane Katrina, there are authorized to be appropriated to the Secretary of the department in which the Coast Guard is operating the following amounts for nonreimbursed expenditures:*

*(1) For the operation and maintenance of the Coast Guard in responding to Hurricane Katrina, including search and rescue efforts, clearing channels, and emergency response to oil and chemical spills, and for increased costs of operation and maintenance of the Coast Guard due to higher than expected fuel costs, $300,000,000.*

*(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore and offshore facilities, and vessels and aircraft, including equipment related thereto, related to damage caused by Hurricane Katrina, $200,000,000.*

*(b) CONSTRUCTION WITH OTHER FUNDING.—The amounts authorized to be appropriated by subsection (a) are in addition to any other amounts authorized to be appropriated to the Secretary of the department in which the Coast Guard is operating under any other provision of law.*

*(c) AVAILABILITY.—The amounts made available under subsection (a) shall remain available until expended.*

### *SEC. 104. WEB-BASED RISK MANAGEMENT DATA SYSTEM.*

*There is authorized to be appropriated for each of fiscal years 2006 and 2007 to the Secretary of the department in which the Coast Guard is operating $1,000,000 to continue deployment of a World Wide Web-based risk management system to help reduce accidents and fatalities.*

## *TITLE II—COAST GUARD*

### *SEC. 201. EXTENSION OF COAST GUARD VESSEL ANCHORAGE AND MOVEMENT AUTHORITY.*

*Section 91 of title 14, United States Code, is amended by adding at the end the following new subsection:*

*''(d) As used in this section 'navigable waters of the United States' includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.''.*

### *SEC. 202. INTERNATIONAL TRAINING AND TECHNICAL ASSISTANCE.*

*(a) IN GENERAL.—Section 149 of title 14, United States Code, is amended—*

*(1) by amending the section heading to read as follows:*

***''§ 149. Assistance to foreign governments and maritime authorities''**;*

*(2) by inserting before the undesignated text the following:*

''(a) DETAIL OF MEMBERS TO ASSIST FOREIGN GOVERNMENTS.—''; and

(3) by adding at the end the following new subsection:

''(b) TECHNICAL ASSISTANCE TO FOREIGN MARITIME AUTHORITIES.—The Commandant, in coordination with the Secretary of State, may provide, in conjunction with regular Coast Guard operations, technical assistance (including law enforcement and maritime safety and security training) to foreign navies, coast guards, and other maritime authorities.''.

(b) CLERICAL AMENDMENT.—The item relating to such section in the analysis at the beginning of chapter 7 of such title is amended to read as follows:

''149. Assistance to foreign governments and maritime authorities.''.

**SEC. 203. OFFICER PROMOTION.**

Section 257 of title 14, United States Code, is amended by adding at the end the following new subsection:

''(f) The Secretary may waive subsection (a) to the extent necessary to allow officers described therein to have at least two opportunities for consideration for promotion to the next higher grade as officers below the promotion zone.''.

**SEC. 204. COAST GUARD BAND DIRECTOR.**

(a) BAND DIRECTOR APPOINTMENT AND GRADE.—Section 336 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) by striking the first sentence and inserting the following: ''The Secretary may designate as the director any individual determined by the Secretary to possess the necessary qualifications.''; and

(B) in the second sentence, by striking ''a member so designated'' and inserting ''an individual so designated'';

(2) in subsection (c)—

(A) by striking ''of a member'' and inserting ''of an individual''; and

(B) by striking ''of lieutenant (junior grade) or lieutenant'' and inserting ''determined by the Secretary to be most appropriate to the qualifications and experience of the appointed individual'';

(3) in subsection (d) by striking ''A member'' and inserting ''An individual''; and

(4) in subsection (e)—

(A) by striking ''When a member's designation is revoked,'' and inserting ''When an individual's designation is revoked,''; and

(B) by striking ''option:'' and inserting ''option—''.

(b) CURRENT DIRECTOR.—The individual serving as Coast Guard band director on the date of enactment of this Act may be immediately promoted to a commissioned grade, not to exceed captain, determined by the Secretary of the department in which the Coast Guard is operating to be most appropriate to the qualifications and experience of that individual.

**SEC. 205. AUTHORITY FOR ONE-STEP TURNKEY DESIGN-BUILD CONTRACTING.**

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following new section:

**''§ 677. Turnkey selection procedures**

''(a) AUTHORITY TO USE.—The Secretary may use one-step turnkey selection procedures for the purpose of entering into contracts for construction projects.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) The term 'one-step turnkey selection procedures' means procedures used for the selection of a contractor on the basis of price and other evaluation criteria to perform, in accordance with the provisions of a firm fixed-price contract, both the design and construction of a facility using performance specifications supplied by the Secretary.

''(2) The term 'construction' includes the construction, procurement, development, conversion, or extension of any facility.

''(3) The term 'facility' means a building, structure, or other improvement to real property.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by inserting after the item relating to section 676 the following:

''677. Turnkey selection procedures.''.

**SEC. 206. RESERVE RECALL AUTHORITY.**

Section 712 of title 14, United States Code, is amended—

(1) in subsection (a) by striking ''during a'' and inserting ''during a, or to aid in prevention of an imminent,'';

(2) in subsection (a) by striking ''or catastrophe,'' and inserting ''catastrophe, act of terrorism (as defined in section 2(15) of the Homeland Security Act of 2002 (6 U.S.C. 101(15))), or transportation security incident as defined in section 70101 of title 46,'';

(3) in subsection (a) by striking ''thirty days in any four-month period'' and inserting ''60 days in any 4-month period'';

(4) in subsection (a) by striking ''sixty days in any two-year period'' and inserting ''120 days in any 2-year period''; and

(5) by adding at the end the following:

''(e) For purposes of calculating the duration of active duty allowed pursuant to subsection (a), each period of active duty shall begin on the first day that a member reports to active duty, including for purposes of training.''.

**SEC. 207. RESERVE OFFICER DISTRIBUTION.**

Section 724 of title 14, United States Code, is amended—

(1) in subsection (a) by inserting after the first sentence the following: ''Reserve officers on an active-duty list shall not be counted as part of the authorized number of officers in the Reserve.''; and

(2) in subsection (b) by striking all that precedes paragraph (2) and inserting the following:

''(b)(1) The Secretary shall make, at least once each year, a computation to determine the number of Reserve officers in an active status authorized to be serving in each grade. The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving in an active status on the date the computation is made. The number of Reserve officers in an active status below the grade of rear admiral (lower half) shall be distributed by pay grade so as not to exceed percentages of commissioned officers authorized by section 42(b) of this title. When the actual number of Reserve officers in an active status in a particular pay grade is less than the maximum percentage authorized, the difference may be applied to the number in the next lower grade. A Reserve officer may not be reduced in rank or grade solely because of a reduction in an authorized number as provided for in this subsection, or because an excess results directly from the operation of law.''.

**SEC. 208. EXPANSION OF USE OF AUXILIARY EQUIPMENT TO SUPPORT COAST GUARD MISSIONS.**

(a) USE OF MOTORIZED VEHICLES.—Section 826 of title 14, United States Code, is amended—

(1) by inserting before the undesignated text the following:

''(a) MOTOR BOATS, YACHTS, AIRCRAFT, AND RADIO STATIONS.—''; and

(2) by adding at the end the following new subsection:

''(b) MOTOR VEHICLES.—The Coast Guard may utilize to carry out its functions and duties as authorized by the Secretary any motor vehicle (as defined in section 154 of title 23, United States Code) placed at its disposition by any member of the Auxiliary, by any corporation, partnership, or association, or by any State or political subdivision thereof, to tow Federal Government property.''.

(b) APPROPRIATIONS FOR FACILITIES.—Section 830(a) of such title is amended by striking ''or radio station'' each place it appears and inserting ''radio station, or motorized vehicle utilized under section 826(b)''.

**SEC. 209. COAST GUARD HISTORY FELLOWSHIPS.**

(a) FELLOWSHIPS AUTHORIZED.—Chapter 9 of title 14, United States Code, is amended by adding at the end the following:

**''§ 198. Coast Guard history fellowships**

''(a) FELLOWSHIPS.—The Commandant of the Coast Guard may prescribe regulations under which the Commandant may award fellowships in Coast Guard history to individuals who are eligible under subsection (b).

''(b) ELIGIBLE INDIVIDUALS.—An individual shall be eligible under this subsection if the individual is a citizen or national of the United States and—

''(1) is a graduate student in United States history;

''(2) has completed all requirements for a doctoral degree other than preparation of a dissertation; and

''(3) agrees to prepare a dissertation in a subject area of Coast Guard history determined by the Commandant.

''(c) LIMITATIONS.—The Commandant may award up to 2 fellowships annually. The Commandant may not award any fellowship under this section that exceeds $25,000 in any year.

''(d) REGULATIONS.—The regulations prescribed under this section shall include—

''(1) the criteria for award of fellowships;

''(2) the procedures for selecting recipients of fellowships;

''(3) the basis for determining the amount of a fellowship; and

''(4) subject to the availability of appropriations, the total amount that may be awarded as fellowships during an academic year.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''198. Coast Guard history fellowships.''.

**SEC. 210. ICEBREAKERS.**

(a) OPERATION AND MAINTENANCE PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan—

(1) for operation and maintenance after fiscal year 2006 of the Coast Guard polar icebreakers POLAR STAR, POLAR SEA, and HEALY, that does not rely on the transfer of funds to the Coast Guard by any other Federal agency; and

(2) for the long-term recapitalization of these assets.

(b) NECESSARY MEASURES.—The Secretary shall take all necessary measures to ensure that the Coast Guard maintains, at a minimum, its current vessel capacity for carrying out ice breaking in the Arctic and Antarctic, Great Lakes, and New England regions, including the necessary funding for operation and maintenance of such vessels, until it has implemented the long-term recapitalization of the Coast Guard polar icebreakers POLAR STAR, POLAR SEA, and HEALY in accordance with the plan submitted under subsection (a).

(c) REIMBURSEMENT.—Nothing in this section shall preclude the Secretary from seeking reimbursement for operation and maintenance costs of such polar icebreakers from other Federal agencies and entities, including foreign countries, that benefit from the use of the icebreakers.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2006 to the Secretary of the department in which the Coast Guard is operating $100,000,000 to carry out this section with respect to the polar icebreakers referred to in subsection (a).

**SEC. 211. OPERATION AS A SERVICE IN THE NAVY.**

Section 3 of title 14, United States Code, is amended by inserting ''if Congress so directs in

*the declaration'' after ''Upon the declaration of war''.*

**SEC. 212. LIMITATION ON MOVING ASSETS TO ST. ELIZABETH'S HOSPITAL.**

*The Commandant of the Coast Guard may not move any Coast Guard personnel, property, or other assets to the West Campus of St. Elizabeth's Hospital until the Administrator of General Services submits to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate a plan—*

*(1) to provide road access to the site from Interstate Route 295;*

*(2) for the design of facilities for at least one Federal agency other than the Coast Guard that would house no fewer than 2,000 employees at such location;*

*(3) to provide transportation of employees and visitors to and from sites in the District of Columbia metropolitan area that are located within close proximity to St. Elizabeth's Hospital;*

*(4) for the construction, facade, and layout of the proposed structures, including security considerations, parking facilities, medical facilities, dining facilities, and physical exercise facilities on the West Campus;*

*(5) that analyzes the costs of building restrictions, planning considerations, and permitting requirements of constructing new facilities on or near historic landmarks and historic buildings (especially those known to possess medical waste, lead paint, and asbestos);*

*(6) that analyzes the feasibility of relocating Coast Guard Headquarters—*

*(A) to the Department of Transportation Headquarters located at L'Enfant Plaza;*

*(B) to the Waterfront Mall Complex in Southwest District of Columbia; and*

*(C) to 3 alternative sites requiring either new construction or leasing of current facilities (other than those referred to in subparagraphs (A) and (B)) within the District of Columbia metropolitan area that accommodate the Coast Guard's minimum square footage requirements; and*

*(7) that analyzes how a potential move to the West Campus of St. Elizabeth's Hospital would impact—*

*(A) the Coast Guard's ability to access and cooperatively work with the Department of Homeland Security and the other Federal agencies of the Department; and*

*(B) plans under consideration for relocating all or parts of the headquarters of the Department of Homeland Security and other offices of the Department.*

**SEC. 213. COOPERATIVE AGREEMENTS.**

*Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on opportunities for cost savings and operational efficiencies that can be achieved through and the feasibility of colocating Coast Guard assets and personnel at facilities of other armed forces throughout the United States. The report shall—*

*(1) identify opportunities for cooperative agreements with respect to siting of assets or operations that may be established between the Coast Guard and any of the other armed forces; and*

*(2) analyze anticipated costs and benefits, and operational impacts associated with each site and such agreements.*

**SEC. 214. BIODIESEL FEASIBILITY STUDY.**

*(a) STUDY.—The Secretary of the department in which the Coast Guard is operating shall conduct a study that examines the technical feasibility, costs, and potential cost savings of using biodiesel fuel in new and existing Coast Guard vehicles and vessels and that focuses on the use of biodiesel fuel in ports which have a high density of vessel traffic, including ports for which vessel traffic systems have been established.*

*(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit a report containing the findings, conclusions, and recommendations (if any) from the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

**SEC. 215. BOATING SAFETY DIRECTOR.**

*(a) IN GENERAL.—Subchapter A of chapter 11 of title 14, United States Code, is amended by adding at the end the following:*

***''§216. Director of Boating Safety Office***

*''The initial appointment of the Director of the Boating Safety Office shall be in the grade of Captain.''.*

*(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 215 the following:*

*''216. Director of Boating Safety Office.''.*

**SEC. 216. HANGAR AT COAST GUARD AIR STATION BARBERS POINT.**

*Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a proposal and cost analysis for constructing an enclosed hangar at Air Station Barbers Point, Hawaii. The proposal should ensure that the hangar has the capacity to shelter current aircraft assets and those projected to be located at the station over the next 20 years.*

**SEC. 217. PROMOTION OF COAST GUARD OFFICERS.**

*(a) IN GENERAL.—Section 211(a) of title 14, United States Code, is amended to read as follows:*

*''(a)(1) The President may appoint permanent commissioned officers in the Regular Coast Guard in grades appropriate to their qualification, experience, and length of service, as the needs of the Coast Guard may require, from among the following categories:*

*''(A) Graduates of the Coast Guard Academy.*

*''(B) Commissioned warrant officers, warrant officers, and enlisted members of the Regular Coast Guard.*

*''(C) Members of the Coast Guard Reserve who have served at least 2 years as such.*

*''(D) Licensed officers of the United States merchant marine who have served 2 or more years aboard a vessel of the United States in the capacity of a licensed officer.*

*''(2) Original appointments under this section in the grades of lieutenant commander and above shall be made by the President by and with the advice and consent of the Senate.*

*''(3) Original appointments under this section in the grades of ensign through lieutenant shall be made by the President alone.''.*

*(b) WARTIME TEMPORARY SERVICE PROMOTION.—Section 275(f) of such title is amended by striking the second and third sentences and inserting ''Original appointments under this section in the grades of lieutenant commander and above shall be made by the President by and with the advice and consent of the Senate. Original appointments under this section in the grades of ensign through lieutenant shall be made by the President alone.''.*

**SEC. 218. REDESIGNATION OF COAST GUARD LAW SPECIALISTS AS JUDGE ADVOCATES.**

*(a) DEFINITIONS IN TITLE 10.—Section 801 of title 10, United States Code, is amended—*

*(1) by striking paragraph (11); and*

*(2) in paragraph (13) by striking subparagraph (C) and inserting the following:*

*''(C) a commissioned officer of the Coast Guard designated for special duty (law).''.*

*(b) CONFORMING AMENDMENTS.—*

*(1) TITLE 14.—Section 727 of title 14, United States Code, is amended by striking ''law specialist'' and inserting ''judge advocate''.*

*(2) SOCIAL SECURITY ACT.—Section 465(a)(2) of the Social Security Act (42 U.S.C. 665(a)(2)) is amended by striking ''law specialist'' and inserting ''judge advocate''.*

## *TITLE III—SHIPPING AND NAVIGATION*

**SEC. 301. TREATMENT OF FERRIES AS PASSENGER VESSELS.**

*(a) FERRY DEFINED.—Section 2101 of title 46, United States Code, is amended by inserting after paragraph (10a) the following:*

*''(10b) 'ferry' means a vessel that is used on a regular schedule—*

*''(A) to provide transportation only between places that are not more than 300 miles apart; and*

*''(B) to transport only—*

*''(i) passengers; or*

*''(ii) vehicles, or railroad cars, that are being used, or have been used, in transporting passengers or goods.''.*

*(b) PASSENGER VESSELS THAT ARE FERRIES.—Section 2101(22) of title 46, United States Code, is amended—*

*(1) by striking ''or'' at the end of subparagraph (B);*

*(2) by striking the period at the end of subparagraph (C) and inserting ''; or''; and*

*(3) by adding at the end the following:*

*''(D) that is a ferry carrying a passenger.''.*

*(c) SMALL PASSENGER VESSELS THAT ARE FERRIES.—Section 2101(35) of title 46, United States Code, is amended—*

*(1) by striking ''or'' at the end of subparagraph (C);*

*(2) by striking the period at the end of subparagraph (D) and inserting ''; or''; and*

*(3) by adding at the end the following:*

*''(E) that is a ferry carrying more than 6 passengers.''.*

**SEC. 302. GREAT LAKES PILOTAGE ANNUAL RATEMAKING.**

*Section 9303 of title 46, United States Code, is amended—*

*(1) in subsection (f) by inserting at the end the following: ''The Secretary shall establish new pilotage rates by March 1 of each year. The Secretary shall establish base pilotage rates by a full ratemaking at least once every 5 years and shall conduct annual reviews of such base pilotage rates, and make adjustments to such base rates, in each intervening year.''; and*

*(2) by adding at the end the following:*

*''(g) The Secretary shall ensure that a sufficient number of individuals are assigned to carrying out subsection (f).''.*

**SEC. 303. CERTIFICATION OF VESSEL NATIONALITY IN DRUG SMUGGLING CASES.**

*Section 3(c)(2) of the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1903(c)(2)) is amended by striking the last two sentences and inserting the following: ''The response of a foreign nation to a claim of registry under subparagraph (A) or (C) may be made by radio, telephone, or similar oral or electronic means, and is conclusively proved by certification of the Secretary of State or the Secretary's designee.''.*

**SEC. 304. LNG TANKERS.**

*(a) PROGRAM.—The Secretary of Transportation shall develop and implement a program to promote the transportation of liquefied natural gas to the United States on United States flag vessels.*

*(b) AMENDMENT TO DEEPWATER PORT ACT.—Section 4 of the Deepwater Port Act of 1974 (33 U.S.C. 1503) is amended by adding at the end the following:*

*''(i) To promote the security of the United States, the Secretary shall give top priority to the processing of a license under this Act for liquefied natural gas facilities that will be supplied with liquefied natural gas by United States flag vessels.''.*

*(c) PUBLIC NOTICE OF LNG VESSEL'S REGISTRY AND CREW.—*

*(1) PLAN SUBMITTED WITH APPLICATION FOR DEEPWATER PORT LICENSE.—Section 5(c)(2) of the Deepwater Port Act of 1974 (33 U.S.C. 1504(c)(2)) is amended—*

*(A) by redesignating subparagraphs (K) and (L) as subparagraphs (L) and (M), respectively; and*

*(B) by inserting after subparagraph (J) the following:*

*''(K) the nation of registry for, and the nationality or citizenship of officers and crew serving on board, vessels transporting natural gas that are reasonably anticipated to be servicing the deepwater port;''.*

*(2) INFORMATION TO BE PROVIDED.—When the Coast Guard is operating as a contributing agency in the Federal Energy Regulatory Commission's shoreside licensing process for a liquefied natural gas or liquefied petroleum gas terminal located on shore or within State seaward boundaries, the Coast Guard shall provide to the Commission the information described in section 5(c)(2)(K) of the Deepwater Port Act of 1974 (33 U.S.C. 1504(c)(2)(K)) with respect to vessels reasonably anticipated to be servicing that port.*

*(d) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report on the implementation of this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

***SEC. 305. USE OF MARITIME SAFETY AND SECURITY TEAMS.***

*Section 70106(b)(8) of title 46, United States Code, is amended by striking ''other security missions'' and inserting ''any other missions of the Coast Guard''.*

***SEC. 306. ENHANCED CIVIL PENALTIES FOR VIOLATIONS OF PROVISIONS ENACTED BY THE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2004.***

*(a) CONTINUING VIOLATIONS.—The section enumerated 70119 of title 46, United States Code, as redesignated and transferred by section 802(a)(1) of the Coast Guard and Maritime Transportation Security Act of 2004 (118 Stat. 1078), relating to civil penalty, is amended—*

*(1) by inserting ''(a) IN GENERAL.—'' before ''Any'';*

*(2) by striking ''violation.'' and inserting ''day during which the violation continues.''; and*

*(3) by adding at the end the following:*

*''(b) CONTINUING VIOLATIONS.—The maximum amount of a civil penalty for a violation under this section shall not exceed $50,000.''.*

*(b) APPLICATION OF CIVIL PENALTY PROCEDURES.—Section 2107 of title 46, United States Code, is amended by striking ''this subtitle'' each place it appears and inserting ''this subtitle or subtitle VII''.*

***SEC. 307. TRAINING OF CADETS AT UNITED STATES MERCHANT MARINE ACADEMY.***

*Section 1303(f) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1295b(f)) is amended—*

*(1) by striking ''and'' at the end of paragraph (2);*

*(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(4) on any other vessel considered by the Secretary to be necessary or appropriate or in the national interest.''.*

***SEC. 308. REPORTS FROM MORTGAGEES OF VESSELS.***

*Section 12120 of title 46, United States Code, is amended by striking ''owners, masters, and charterers'' and inserting ''owners, masters, charterers, and mortgagees''.*

***SEC. 309. DETERMINATION OF THE SECRETARY.***

*Section 70105(c) of title 46, United States Code, is amended—*

*(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and*

*(2) by inserting after paragraph (2) the following:*

*''(3) DENIAL OF WAIVER REVIEW.—*

*''(A) IN GENERAL.—The Secretary shall establish a review process before an administrative law judge for individuals denied a waiver under paragraph (2).*

*''(B) SCOPE OF REVIEW.—In conducting a review under the process established pursuant to subparagraph (A), the administrative law judge shall be governed by the standards of section 706 of title 5. The substantial evidence standard in section 706(2)(E) of title 5 shall apply whether or not there has been an agency hearing. The judge shall review all facts on the record of the agency.*

*''(C) CLASSIFIED EVIDENCE.—The Secretary, in consultation with the National Intelligence Director, shall issue regulations to establish procedures by which the Secretary, as part of a review conducted under this paragraph, may provide to the individual adversely affected by the determination an unclassified summary of classified evidence upon which the denial of a waiver by the Secretary was based.*

*''(D) REVIEW OF CLASSIFIED EVIDENCE BY ADMINISTRATIVE LAW JUDGE.—*

*''(i) REVIEW.—As part of a review conducted under this section, if the decision of the Secretary was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)), such information may be submitted by the Secretary to the reviewing administrative law judge, pursuant to appropriate security procedures, and shall be reviewed by the administrative law judge ex parte and in camera.*

*''(ii) SECURITY CLEARANCES.—Pursuant to existing procedures and requirements, the Secretary, in coordination (as necessary) with the heads of other affected departments or agencies, shall ensure that administrative law judges reviewing negative waiver decisions of the Secretary under this paragraph possess security clearances appropriate for such review.*

*''(iii) UNCLASSIFIED SUMMARIES OF CLASSIFIED EVIDENCE.—As part of a review conducted under this paragraph and upon the request of the individual adversely affected by the decision of the Secretary not to grant a waiver, the Secretary shall provide to the individual and reviewing administrative law judge, consistent with the procedures established under clause (i), an unclassified summary of any classified information upon which the decision of the Secretary was based.*

*''(E) NEW EVIDENCE.—The Secretary shall establish a process under which an individual may submit a new request for a waiver, notwithstanding confirmation by the administrative law judge of the Secretary's initial denial of the waiver, if the request is supported by substantial evidence that was not available to the Secretary at the time the initial waiver request was denied.''.*

***SEC. 310. SETTING, RELOCATING, AND RECOVERING ANCHORS.***

*Section 12105 of title 46, United States Code, is amended by adding at the end the following:*

*''(c)(1) Only a vessel for which a certificate of documentation with a registry endorsement is issued may engage in—*

*''(A) the setting, relocation, or recovery of the anchors or other mooring equipment of a mobile offshore drilling unit that is located over the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))); or*

*''(B) the transportation of merchandise or personnel to or from a point in the United States from or to a mobile offshore drilling unit located over the outer Continental Shelf that is not attached to the seabed.*

*''(2) Nothing in paragraph (1) authorizes the employment in the coastwise trade of a vessel that does not meet the requirements of section 12106 of this title.''.*

***SEC. 311. INTERNATIONAL TONNAGE MEASUREMENT OF VESSELS ENGAGED IN THE ALEUTIAN TRADE.***

*(a) GENERAL INSPECTION EXEMPTION.—Section 3302(c)(2) of title 46, United States Code, is amended to read as follows:*

*''(2) Except as provided in paragraphs (3) and (4) of this subsection, the following fish tender vessels are exempt from section 3301(1), (6), (7), (11), and (12) of this title:*

*''(A) A vessel of not more than 500 gross tons as measured under section 14502 of this title or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title.*

*''(B) A vessel engaged in the Aleutian trade that is not more than 2,500 gross tons as measured under section 14302 of this title.''.*

*(b) OTHER INSPECTION EXEMPTION AND WATCH REQUIREMENT.—Paragraphs (3)(B) and (4) of section 3302(c) of title 46, United States Code, and section 8104(o) of that title are each amended by striking ''or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title'' and inserting ''or less than 500 gross tons as measured under section 14502 of this title, or is less than 2,500 gross tons as measured under section 14302 of this title''.*

***SEC. 312. RIDING GANGS.***

*(a) IN GENERAL.—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:*

***''§ 8106. Riding gangs***

*''(a) IN GENERAL.—The owner or managing operator of a freight vessel of the United States on voyages covered by the International Convention for Safety of Life at Sea, 1974 (32 UST 47m) shall—*

*''(1) ensure that—*

*''(A) subject to subsection (d), each riding gang member on the vessel—*

*''(i) is a United States citizen or an alien lawfully admitted to the United States for permanent residence; or*

*''(ii) possesses a United States nonimmigrant visa for individuals desiring to enter the United States temporarily for business, employment-related and personal identifying information, and any other documentation required by the Secretary;*

*''(B) all required documentation for such member is kept on the vessel and available for inspection by the Secretary; and*

*''(C) each riding gang member is identified on the vessel's crew list;*

*''(2) ensure that—*

*''(A) the owner or managing operator attests in a certificate that the background of each riding gang member has been examined and found to be free of any credible information indicating a material risk to the security of the vessel, the vessel's cargo, the ports the vessel visits, or other individuals onboard the vessel;*

*''(B) the background check consisted of a search of all information reasonably available to the owner or managing operator in the riding gang member's country of citizenship and any other country in which the riding gang member works, receives employment referrals, or resides;*

*''(C) the certificate required under subparagraph (A) is kept on the vessel and available for inspection by the Secretary; and*

*''(D) the information derived from any such background check is made available to the Secretary upon request;*

*''(3) ensure that each riding gang member, while on board the vessel, is subject to the same random chemical testing and reporting regimes as crew members;*

*''(4) ensure that each such riding gang member receives basic safety familiarization and basic safety training approved by the Coast Guard as satisfying the requirements for such training under the International Convention of Training, Certification, and Watchkeeping for Seafarers, 1978;*

''(5) prevent from boarding the vessel, or cause the removal from the vessel at the first available port, and disqualify from future service on board any other vessel owned or operated by that owner or operator, any riding gang member—

''(A) who has been convicted in any jurisdiction of an offense described in paragraph (2) or (3) of section 7703;

''(B) whose license, certificate of registry, or merchant mariner's document has been suspended or revoked under section 7704; or

''(C) who otherwise constitutes a threat to the safety of the vessel;

''(6) ensure and certify to the Secretary that the sum of—

''(A) the number of riding gang members on board a freight vessel, and

''(B) the number of individuals in addition to crew permitted under section 3304,

does not exceed 12;

''(7) ensure that every riding gang member is employed on board the vessel under conditions that meet or exceed the minimum international standards of all applicable international labor conventions to which the United States is a party, including all of the merchant seamen protection and relief provided under United States law; and

''(8) ensure that each riding gang member—

''(A) is supervised by an individual who holds a license issued under chapter 71; and

''(B) only performs work in conjunction with individuals who hold merchant mariners documents issued under chapter 73 and who are part of the vessel's crew.

''(b) PERMITTED WORK.—Subject to subsection (f), a riding gang member on board a vessel to which subsection (a) applies who is neither a United States citizen nor an alien lawfully admitted to the United States for permanent residence may not perform any work on board the vessel other than—

''(1) work in preparation of a vessel entering a shipyard located outside of the United States;

''(2) completion of the residual repairs after departing a shipyard located outside of the United States; or

''(3) technical in-voyage repairs, in excess of any repairs that can be performed by the vessel's crew, in order to advance the vessel's useful life without having to actually enter a shipyard.

''(c) WORKDAY LIMIT.—

''(1) IN GENERAL.—The maximum number of days in any calendar year that the owner or operator of a vessel to which subsection (a) applies may employ on board riding gang members who are neither United States citizens nor aliens lawfully admitted to the United States for permanent residence for work on board that vessel is 60 days. If the vessel is at sea on the 60th day, each riding gang member shall be discharged from the vessel at the next port of call reached by the vessel after the date on which the 60-workday limit is reached.

''(2) CALCULATION.—For the purpose of calculating the 60-workday limit under this subsection, each day worked by a riding gang member who is neither a United States citizen nor an alien lawfully admitted to the United States for permanent residence shall be counted against the limitation.

''(d) EXCEPTIONS FOR WARRANTY WORK.—

''(1) IN GENERAL.—Subsections (b), (c), (e), and (f) do not apply to a riding gang member employed exclusively to perform, and who performs only, work that is—

''(A) customarily performed by original equipment manufacturers' technical representatives;

''(B) required by a manufacturer's warranty on specific machinery and equipment; or

''(C) required by a contractual guarantee or warranty on actual repairs performed in a shipyard located outside of the United States.

''(2) CITIZENSHIP REQUIREMENT.—Subsection (a)(1)(A) applies only to a riding gang member described in paragraph (1) who is on the vessel when it calls at a United States port.

''(e) RECORDKEEPING.—In addition to the requirements of subsection (a), the owner or managing operator of a vessel to which subsection (a) applies shall ensure that all information necessary to ensure compliance with this section, as determined by the Secretary, is entered into the vessel's official logbook required by chapter 113.

''(f) FAILURE TO EMPLOY QUALIFIED AVAILABLE U.S. CITIZENS OR RESIDENTS.—

''(1) IN GENERAL.—The owner or operator of a vessel to which subsection (a) applies may not employ a riding gang member who is neither a United States citizen nor an alien lawfully admitted to the United States for permanent residence to perform work described in subsection (b) unless the owner or operator determines, in accordance with procedures established by the Secretary to carry out section 8103(b)(3)(C), that there is not a sufficient number of United States citizens or individuals lawfully admitted to the United States for permanent residence who are qualified and available for the work for which the riding gang member is to be employed.

''(2) CIVIL PENALTY.—A violation of paragraph (1) is punishable by a civil penalty of not more than $10,000 for each day during which the violation continues.

''(3) CONTINUING VIOLATIONS.—The maximum amount of a civil penalty for a violation under this subsection shall not exceed—

''(A) $50,000 if the violation occurs in fiscal year 2006;

''(B) $75,000 if the violation occurs in fiscal year 2007; and

''(C) $100,000 if the violation occurs after fiscal year 2007.

''(4) DETERMINATION OF AMOUNT.—In determining the amount of the penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed and, with respect to the violator, the degree of culpability, the history of prior offenses, the ability to pay, and such other matters as justice may require.

''(5) COMPROMISE, MODIFICATION, AND REMITTAL.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty imposed under this section.''.

(b) RIDING GANG MEMBER DEFINED.—Section 2101 of such title is amended by inserting after paragraph (26) the following:

''(26a) 'riding gang member' means an individual who—

''(A) has not been issued a merchant mariner document under chapter 73;

''(B) does not perform—

''(i) watchstanding, automated engine room duty watch, or personnel safety functions; or

''(ii) cargo handling functions, including any activity relating to the loading or unloading of cargo, the operation of cargo-related equipment (whether or not integral to the vessel), and the handling of mooring lines on the dock when the vessel is made fast or let go;

''(C) does not serve as part of the crew complement required under section 8101;

''(D) is not a member of the steward's department; and

''(E) is not a citizen or temporary or permanent resident of a country designated by the United States as a sponsor of terrorism or any other country that the Secretary, in consultation with the Secretary of State and the heads of other appropriate United States agencies, determines to be a security threat to the United States.''.

(c) CONFORMING AMENDMENTS.—

(1) CITIZENSHIP REQUIREMENT.—Section 8103 of such title is amended by adding at the end the following:

''(j) RIDING GANG MEMBER.—This section does not apply to an individual who is a riding gang member.''.

(2) APPLICATION OF CHAPTER 103.—Section 10301(b) of such title is amended by striking ''voyage.'' and inserting ''voyage or to riding gang members.''.

(d) CLERICAL AMENDMENT.—The analysis for chapter 81 of such title is amended by adding at the end the following:

''8106. Riding gangs.''.

## TITLE IV—MISCELLANEOUS

### SEC. 401. AUTHORIZATION OF JUNIOR RESERVE OFFICERS TRAINING PROGRAM PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may carry out a pilot program to establish and maintain a junior reserve officers training program in cooperation with the Camden County High School in Camden County, North Carolina.

(b) PROGRAM REQUIREMENTS.—The pilot program carried out by the Secretary under this section shall provide to students at Camden County High School—

(1) instruction in subject areas relating to operations of the Coast Guard; and

(2) training in skills which are useful and appropriate for a career in the Coast Guard.

(c) PROVISION OF ADDITIONAL SUPPORT.—To carry out the pilot program under this section, the Secretary may provide to Camden County High School—

(1) assistance in course development, instruction, and other support activities; and

(2) necessary and appropriate course materials, equipment, and uniforms.

(d) EMPLOYMENT OF RETIRED COAST GUARD PERSONNEL.—

(1) IN GENERAL.—Subject to paragraph (2) of this subsection, the Secretary may authorize the Camden County High School to employ, as administrators and instructors for the pilot program, retired Coast Guard and Coast Guard Reserve commissioned, warrant, and petty officers not on active duty who request that employment and who are approved by the Secretary and Camden County High School.

(2) AUTHORIZED PAY.—

(A) IN GENERAL.—Retired members employed under paragraph (1) of this subsection are entitled to receive their retired or retainer pay and an additional amount of not more than the difference between—

(i) the amount the individual would be paid as pay and allowance if the individual was considered to have been ordered to active duty during the period of employment; and

(ii) the amount of retired pay the individual is entitled to receive during that period.

(B) PAYMENT TO SCHOOL.—The Secretary shall pay to Camden County High School an amount equal to one half of the amount described in subparagraph (A), from funds appropriated for such purpose.

(C) NOT DUTY OR DUTY TRAINING.—Notwithstanding any other law, while employed under this subsection, an individual is not considered to be on active-duty or inactive-duty training.

### SEC. 402. TRANSFER.

Section 602 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1050) is amended—

(1) in subsection (b)(2) by striking ''to be conveyed'' and all that follows through the period and inserting ''to be conveyed to CAS Foundation, Inc. (a nonprofit corporation under the laws of the State of Indiana).''; and

(2) in subsection (c)(1)(A) by inserting ''or, in the case of the vessel described in subsection (b)(2) only, for humanitarian purposes'' before the semicolon at the end.

### SEC. 403. LORAN–C.

There are authorized to be appropriated to the Department of Transportation, in addition to funds authorized for the Coast Guard for operation of the LORAN–C system, for capital expenses related to LORAN–C navigation infrastructure, $25,000,000 for fiscal year 2006 and $25,000,000 for fiscal year 2007. The Secretary of Transportation may transfer from the Federal

*Aviation Administration and other agencies of the Department funds appropriated as authorized under this section in order to reimburse the Coast Guard for related expenses.*

***SEC. 404. LONG-RANGE VESSEL TRACKING SYSTEM.***

*(a) PILOT PROJECT.—The Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard, shall conduct a 3-year pilot program for long-range tracking of up to 2,000 vessels using satellite systems with a nonprofit maritime organization that has a demonstrated capability of operating a variety of satellite communications systems providing data to vessel tracking software and hardware that provides long-range vessel information to the Coast Guard to aid maritime security and response to maritime emergencies.*

*(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $4,000,000 for each of fiscal years 2006, 2007, and 2008 to carry out subsection (a).*

***SEC. 405. MARINE VESSEL AND COLD WATER SAFETY EDUCATION.***

*The Coast Guard shall continue cooperative agreements and partnerships with organizations in effect on the date of enactment of this Act that provide marine vessel safety training and cold water immersion education and outreach programs for fishermen and children.*

***SEC. 406. REPORTS.***

*(a) ADEQUACY OF ASSETS.—*

*(1) REVIEW.—The Commandant of the Coast Guard shall review the adequacy of assets and facilities described in subsection (b) to carry out the Coast Guard's missions, including search and rescue, illegal drug and migrant interdiction, aids to navigation, ports, waterways and coastal security, marine environmental protection, and fisheries law enforcement.*

*(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the findings of the review and any recommendations to enhance mission capabilities in those areas referred to in paragraph (1).*

*(b) AREAS OF REVIEW.—The report under subsection (a) shall provide information and recommendations on the following assets:*

*(1) Coast Guard vessels and aircraft stationed in the Commonwealth of Puerto Rico.*

*(2) Coast Guard vessels and aircraft stationed in the State of Louisiana along the Lower Mississippi River between the Port of New Orleans and the Red River.*

*(3) Coast Guard vessels and aircraft stationed in Coast Guard Sector Delaware Bay.*

*(4) Physical infrastructure at Boat Station Cape May in the State of New Jersey.*

*(c) ADEQUACY OF ACTIVE-DUTY STRENGTH.—*

*(1) REVIEW.—The Commandant of the Coast Guard shall review the adequacy of the strength of active-duty personnel authorized under section 102(a) of this Act to carry out the Coast Guard's missions, including search and rescue, illegal drug and migrant interdiction, aids to navigation, ports, waterways, and coastal security, marine environmental protection, and fisheries law enforcement.*

*(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the findings of the review.*

***SEC. 407. CONVEYANCE OF DECOMMISSIONED COAST GUARD CUTTER MACKINAW.***

*(a) IN GENERAL.—Upon the scheduled decommissioning of the Coast Guard Cutter MACKINAW, the Commandant of the Coast Guard shall convey without consideration all right, title, and interest of the United States in and to that vessel to the Icebreaker Mackinaw Maritime Museum, Inc., located in the State of Michigan if—*

*(1) the recipient agrees—*

*(A) to use the vessel for purposes of a museum;*

*(B) not to use the vessel for commercial transportation purposes;*

*(C) to make the vessel available to the United States Government if needed for use by the Commandant in time of war or a national emergency; and*

*(D) to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos and polychlorinated biphenyls (PCBs), after conveyance of the vessel, except for claims arising from the use by the Government under subparagraph (C);*

*(2) the recipient has funds available that will be committed to operate and maintain the vessel conveyed in good working condition, in the form of cash, liquid assets, or a written loan commitment, and in an amount of at least $700,000; and*

*(3) the recipient agrees to any other conditions the Commandant considers appropriate.*

*(b) MAINTENANCE AND DELIVERY OF VESSEL.—*

*(1) MAINTENANCE.—Before conveyance of the vessel under this section, the Commandant shall make, to the extent practical and subject to other Coast Guard mission requirements, every effort to maintain the integrity of the vessel and its equipment until the time of delivery.*

*(2) DELIVERY.—If a conveyance is made under this section, the Commandant shall deliver the vessel to a suitable mooring in the local area, in its present condition, no sooner than June 15, 2006, and not later than 30 days after the date on which the vessel is decommissioned.*

*(3) TREATMENT OF CONVEYANCE.—The conveyance of the vessel under this section shall not be considered a distribution in commerce for purposes of section 6(e) of Public Law 94–469 (15 U.S.C. 2605(e)).*

*(c) OTHER EXCESS EQUIPMENT.—The Commandant may convey to the recipient any excess equipment or parts from other decommissioned Coast Guard vessels for use to enhance the vessel's operability and function for purposes of a museum.*

***SEC. 408. DEEPWATER REPORTS.***

*(a) ANNUAL DEEPWATER IMPLEMENTATION REPORT.—Not later than 30 days after the date of enactment of this Act and in conjunction with the transmittal by the President of the budget of the United States for each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of the Integrated Deepwater Systems Program, as revised in 2005 (in this section referred to as the ''Deepwater program''), that includes—*

*(1) a justification for how the projected number and capabilities of each Deepwater program asset meets the revised mission needs statement delivered as part of the Deepwater program and the performance goals of the Coast Guard;*

*(2) a projection of the remaining operational lifespan of each legacy asset;*

*(3) an identification of any changes to the Deepwater program, including—*

*(A) any changes to the timeline for the acquisition of each new asset and the phase out of legacy assets for the life of the Deepwater program; and*

*(B) any changes to the costs for that fiscal year or future fiscal years or the total costs of the Deepwater program, including the costs of new and legacy assets;*

*(4) a justification for how any change to the Deepwater program fulfills the mission needs statement for the Deepwater program and performance goals of the Coast Guard;*

*(5) an identification of how funds in that fiscal year's budget request will be allocated, including information on the purchase of specific assets;*

*(6) a detailed explanation of how the costs of the legacy assets are being accounted for within the Deepwater program;*

*(7) a description of how the Coast Guard is planning for the integration of Deepwater program assets into the Coast Guard, including needs related to shore-based infrastructure and human resources; and*

*(8) a description of the competitive process conducted in all contracts and subcontracts exceeding $2,500,000 awarded under the Deepwater program.*

*(b) DEEPWATER ACCELERATION REPORT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the acceleration of the current Deepwater program acquisition timeline that reflects completion of the Deepwater program in each of 10 years and 15 years and includes—*

*(1) a detailed explanation of the number and type of each asset that would be procured for each fiscal year under each accelerated acquisition timeline;*

*(2) the required funding for such completion under each accelerated acquisition timeline;*

*(3) anticipated costs associated with legacy asset sustainment for the Deepwater program under each accelerated acquisition timeline;*

*(4) anticipated mission deficiencies, if any, associated with the continued degradation of legacy assets in combination with the procurement of new assets under each accelerated acquisition timeline; and*

*(5) an evaluation of the overall feasibility of achieving each accelerated acquisition timeline, including—*

*(A) contractor capacity;*

*(B) national shipbuilding capacity;*

*(C) asset integration into Coast Guard facilities;*

*(D) required personnel; and*

*(E) training infrastructure capacity on technology associated with new assets.*

*(c) OVERSIGHT REPORT.—Not later than 90 days after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Government Accountability Office, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of the Coast Guard's implementation of the Government Accountability Office's recommendations in its report, GAO–04–380, entitled ''Coast Guard Deepwater Program Needs Increased Attention to Management and Contractor Oversight'', including the dates by which the Coast Guard plans to complete implementation of such recommendations if any of such recommendations remain open as of the date the report is transmitted to the Committees.*

*(d) INDEPENDENT ANALYSIS OF REVISED DEEPWATER PLAN.—The Secretary may periodically, either through an internal review process or a contract with an outside entity, conduct an analysis of all or part of the Deepwater program and assess whether—*

*(1) the choice of assets and capabilities selected as part of that program meets the Coast Guard's goals for performance and minimizing total ownership costs; or*

*(2) additional or different assets should be considered as part of that program.*

***SEC. 409. HELICOPTERS.***

*(a) STUDY.—The Secretary of the department in which the Coast Guard is operating shall conduct a study that analyses the potential impact on Coast Guard acquisitions of requiring that the Coast Guard acquire only helicopters,*

*or any major component of a helicopter, that are constructed in the United States.*

*(b) STUDY ELEMENTS.—The study shall include—*

*(1) identification of additional costs or added benefits that would result from the additional restrictions described in subsection (a) on acquisitions from nondomestic sources, including major components or subsystems;*

*(2) industrial impact on the United States of such additional restrictions on acquisitions from nondomestic sources;*

*(3) the contractual impact of such additional restrictions on the Integrated Deepwater Systems Program and its platform elements, including delivery interruptions in the program and the subsequent mission impact of these delays; and*

*(4) identification of reasonable executive authorities to waive such additional restrictions that the Secretary considers essential in order to ensure continued mission performance of the United States Coast Guard.*

*(c) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit a report on the results of the study and any recommendations of the Secretary regarding such results to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

***SEC. 410. NEWTOWN CREEK, NEW YORK CITY, NEW YORK.***

*(a) STUDY.—Of the amounts provided under section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712), the Administrator of the Environmental Protection Agency shall conduct a study of public health and safety concerns related to the pollution of Newtown Creek, New York City, New York, caused by seepage of oil into Newtown Creek from 17,000,000 gallons of underground oil spills in Greenpoint, Brooklyn, New York.*

*(b) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit a report containing the results of the study to the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

***SEC. 411. REPORT ON TECHNOLOGY.***

*Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes an assessment of—*

*(1) the availability and effectiveness of software information technology systems for port security and the data evaluated, including data that has the ability to identify shippers, inbound vessels, and their cargo for potential threats to national security before it reaches United States ports, specifically the software already tested or being tested at Joint Harbor Operations Centers; and*

*(2) the costs associated with implementing such technology at all Sector Command Centers, Joint Harbor Operations Centers, and strategic defense and energy dependent ports.*

***SEC. 412. ASSESSMENT AND PLANNING.***

*There is authorized to be appropriated to the Maritime Administration $400,000 to carry out an assessment of, and planning for, the impact of an Arctic Sea Route on the indigenous people of Alaska.*

***SEC. 413. HOMEPORT.***

*(a) STUDY.—The Commandant of the Coast Guard shall conduct a study to assess the current homeport arrangement of the Coast Guard polar icebreaker HEALY to determine whether an alternative arrangement would enhance the Coast Guard's capabilities to carry out the recommendation to maintain dedicated, year-round icebreaker capability for the Arctic that was included in the report prepared by the National Academy of Sciences and entitled: ''Polar Icebreaker Roles and U.S. Future Needs: A Preliminary Assessment (ISBN: 0–309–10069–0)''.*

*(b) REPORT.—Not later than one year after the date of enactment of this Act, the Commandant shall report the findings of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

***SEC. 414. OPINIONS REGARDING WHETHER CERTAIN FACILITIES CREATE OBSTRUCTIONS TO NAVIGATION.***

*Section 14 of the Ports and Waterways Safety Act (33 U.S.C. 1232a)) is amended—*

*(1) by redesignating subsection (d) as subsection (e); and*

*(2) by inserting after subsection (c) the following:*

*''(d) WIND ENERGY FACILITY.—*

*''(1) IN GENERAL.—An offshore wind energy facility may not be constructed in the area commonly known as 'Nantucket Sound' unless the construction of such facility is approved by the Commandant of the Coast Guard.*

*''(2) INFORMATION.—A person proposing to build an offshore wind energy facility in the area commonly known as 'Nantucket Sound' shall provide to the Commandant of the Coast Guard and the Governor of any adjacent coastal State a plan for the siting and construction of the facility, including the location, size, and design of each wind turbine that will be a part of the facility, any cable connecting the facility to onshore sites, any other offshore components, and such other information as the Commandant may require.*

*''(3) LIMITATION ON APPROVAL.—The Commandant may not approve the construction of a facility described in paragraph (1) if—*

*''(A) within 90 days of the date of receipt of the plan for the facility under paragraph (2), the Governor of an adjacent coastal State makes a written determination that the Governor opposes the proposed location for the facility and submits the determination to the Commandant; or*

*''(B) the Commandant determines that the facility creates a hazard to navigation.*

*''(4) ADJACENT COASTAL STATE DEFINED.—In this section, the term 'adjacent coastal State', as used with respect to a proposed wind energy facility, is any coastal State which—*

*''(A) would be directly connected by a cable to the facility; or*

*''(B) is located within 15 miles of the proposed location of the facility.''.*

***SEC. 415. PORT RICHMOND.***

*The Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard, may not approve a security plan under section 70103(c) of title 46, United States Code, for a liquefied natural gas import facility at Port Richmond in Philadelphia, Pennsylvania, until the Secretary conducts a vulnerability assessment under section 70102(b) of such title.*

***SEC. 416. WESTERN ALASKA COMMUNITY DEVELOPMENT QUOTA PROGRAM.***

*(a) RESTATEMENT OF EXISTING PROGRAM INCORPORATING CERTAIN PROVISIONS OF REGULATIONS.—Section 305(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i)) is amended by striking paragraph (1) and inserting the following:*

*''(1) WESTERN ALASKA COMMUNITY DEVELOPMENT QUOTA PROGRAM.—*

*''(A) IN GENERAL.—There is established the western Alaska community development quota program in order—*

*''(i) to provide eligible western Alaska villages with the opportunity to participate and invest in fisheries in the Bering Sea and Aleutian Islands Management Area;*

*''(ii) to support economic development in western Alaska;*

*''(iii) to alleviate poverty and provide economic and social benefits for residents of western Alaska; and*

*''(iv) to achieve sustainable and diversified local economies in western Alaska.*

*''(B) PROGRAM ALLOCATION.—*

*''(i) IN GENERAL.—Except as provided in clause (ii), the annual percentage of the total allowable catch, guideline harvest level, or other annual catch limit allocated to the program in each directed fishery of the Bering Sea and Aleutian Islands shall be the percentage approved by the Secretary, or established by Federal law, as of March 1, 2006, for the program. The percentage for each fishery shall be either a directed fishing allowance or include both directed fishing and nontarget needs based on existing practice with respect to the program as of March 1, 2006, for each fishery.*

*''(ii) EXCEPTIONS.—Notwithstanding clause (i)—*

*''(I) the allocation under the program for each directed fishery of the Bering Sea and Aleutian Islands (other than a fishery for halibut, sablefish, pollock, and crab) shall be a directed fishing allocation of 10 percent upon the establishment of a quota program, fishing cooperative, sector allocation, or other rationalization program in any sector of the fishery; and*

*''(II) the allocation under the program in any directed fishery of the Bering Sea and Aleutian Islands (other than a fishery for halibut, sablefish, pollock, and crab) established after the date of enactment of this subclause shall be a directed fishing allocation of 10 percent.*

*''(iii) PROCESSING AND OTHER RIGHTS.—Allocations to the program include all processing rights and any other rights and privileges associated with such allocations as of March 1, 2006.*

*''(iv) REGULATION OF HARVEST.—The harvest of allocations under the program for fisheries with individual quotas or fishing cooperatives shall be regulated by the Secretary in a manner no more restrictive than for other participants in the applicable sector, including with respect to the harvest of nontarget species.*

*''(C) ALLOCATIONS TO ENTITIES.—Each entity eligible to participate in the program shall be authorized under the program to harvest annually the same percentage of each species allocated to the program under subparagraph (B) that it was authorized by the Secretary to harvest of such species annually as of March 1, 2006, except to the extent that its allocation is adjusted under subparagraph (H). Such allocation shall include all processing rights and any other rights and privileges associated with such allocations as of March 1, 2006.*

*''(D) ELIGIBLE VILLAGES.—The following villages shall be eligible to participate in the program through the following entities:*

*''(i) The villages of Akutan, Atka, False Pass, Nelson Lagoon, Nikolski, and Saint George through the Aleutian Pribilof Island Community Development Association.*

*''(ii) The villages of Aleknagik, Clark's Point, Dillingham, Egegik, Ekuk, Ekwok, King Salmon/Savonoski, Levelock, Manokotak, Naknek, Pilot Point, Port Heiden, Portage Creek, South Naknek, Togiak, Twin Hills, and Ugashik through the Bristol Bay Economic Development Corporation.*

*''(iii) The village of Saint Paul through the Central Bering Sea Fishermen's Association.*

*''(iv) The villages of Chefornak, Chevak, Eek, Goodnews Bay, Hooper Bay, Kipnuk, Kongiganak, Kwigillingok, Mekoryuk, Napakiak, Napaskiak, Newtok, Nightmute, Oscarville, Platinum, Quinhagak, Scammon Bay, Toksook Bay, Tuntutuliak, and Tununak through the Coastal Villages Region Fund.*

*''(v) The villages of Brevig Mission, Diomede, Elim, Gambell, Golovin, Koyuk, Nome, Saint Michael, Savoonga, Shaktoolik, Stebbins, Teller, Unalakleet, Wales, and White Mountain through the Norton Sound Economic Development Corporation.*

*''(vi) The villages of Alakanuk, Emmonak, Grayling, Kotlik, Mountain Village, and Nunam*

*Iqua through the Yukon Delta Fisheries Development Association.*

*''(E) ELIGIBILITY REQUIREMENTS FOR PARTICIPATING ENTITIES.—To be eligible to participate in the program, an entity referred to in subparagraph (D) shall meet the following requirements:*

*''(i) BOARD OF DIRECTORS.—The entity shall be governed by a board of directors. At least 75 percent of the members of the board shall be resident fishermen from the entity's member villages. The board shall include at least one director selected by each such member village.*

*''(ii) PANEL REPRESENTATIVE.—The entity shall elect a representative to serve on the panel established by subparagraph (G).*

*''(iii) OTHER INVESTMENTS.—The entity may make up to 20 percent of its annual investments in any combination of the following:*

*''(I) For projects that are not fishery-related and that are located in its region.*

*''(II) On a pooled or joint investment basis with one or more other entities participating in the program for projects that are not fishery-related and that are located in one or more of their regions.*

*''(III) For matching Federal or State grants for projects or programs in its member villages without regard to any limitation on the Federal or State share, or restriction on the source of any non-Federal or non-State matching funds, of any grant program under any other provision of law.*

*''(iv) FISHERY-RELATED INVESTMENTS.—The entity shall make the remainder percent of its annual investments in fisheries-related projects or for other purposes consistent with the practices of the entity prior to March 1, 2006.*

*''(v) ANNUAL STATEMENT OF COMPLIANCE.—Each year the entity, following approval by its board of directors and signed by its chief executive officer, shall submit a written statement to the Secretary and the State of Alaska that summarizes the purposes for which it made investments under clauses (iii) and (iv) during the preceding year.*

*''(vi) OTHER PANEL REQUIREMENTS.—The entity shall comply with any other requirements established by the panel under subparagraph (G).*

*''(F) ENTITY STATUS, LIMITATIONS, AND REGULATION.—The entity—*

*''(i) shall be subject to any excessive share ownership, harvesting, or processing limitations in the fisheries of the Bering Sea and Aleutian Islands Management Area only to the extent of the entity's proportional ownership, excluding any program allocations, and notwithstanding any other provision of law;*

*''(ii) shall comply with State of Alaska law requiring annual reports to the entity's member villages summarizing financial operations for the previous calendar year, including general and administrative costs and compensation levels of the top 5 highest paid personnel;*

*''(iii) shall comply with State of Alaska laws to prevent fraud that are administered by the Alaska Division of Banking and Securities, except that the entity and the State shall keep confidential from public disclosure any information if the disclosure would be harmful to the entity or its investments; and*

*''(iv) is exempt from compliance with any State law requiring approval of financial transactions, community development plans, or amendments thereto, except as required by subparagraph (H).*

*''(G) ADMINISTRATIVE PANEL.—*

*''(i) ESTABLISHMENT.—There is established a community development quota program panel.*

*''(ii) MEMBERSHIP.—The panel shall consist of 6 members. Each entity participating in the program shall select one member of the panel.*

*''(iii) FUNCTIONS.—The panel shall—*

*''(I) administer those aspects of the program not otherwise addressed in this paragraph, either through private contractual arrangement or through recommendations to the North Pacific Council, the Secretary, or the State of Alaska, as the case may be; and*

*''(II) coordinate and facilitate activities of the entities under the program.*

*''(iv) UNANIMITY REQUIRED.—The panel may act only by unanimous vote of all 6 members of the panel and may not act if there is a vacancy in the membership of the panel.*

*''(H) DECENNIAL REVIEW AND ADJUSTMENT OF ENTITY ALLOCATIONS.—*

*''(i) IN GENERAL.—During calendar year 2012 and every 10 years thereafter, the State of Alaska shall evaluate the performance of each entity participating in the program based on the criteria described in clause (ii).*

*''(ii) CRITERIA.—The panel shall establish a system to be applied under this subparagraph that allows each entity participating in the program to assign relative values to the following criteria to reflect the particular needs of its villages:*

*''(I) Changes during the preceding 10-year period in population, poverty level, and economic development in the entity's member villages.*

*''(II) The overall financial performance of the entity, including fishery and nonfishery investments by the entity.*

*''(III) Employment, scholarships, and training supported by the entity.*

*''(IV) Achieving of the goals of the entity's community development plan.*

*''(iii) ADJUSTMENT OF ALLOCATIONS.—After the evaluation required by clause (i), the State of Alaska shall make a determination, on the record and after an opportunity for a hearing, with respect to the performance of each entity participating in the program for the criteria described in clause (ii). If the State determines that the entity has maintained or improved its overall performance with respect to the criteria, the allocation to such entity under the program shall be extended by the State for the next 10-year period. If the State determines that the entity has not maintained or improved its overall performance with respect to the criteria—*

*''(I) at least 90 percent of the entity's allocation for each species under subparagraph (C) shall be extended by the State for the next 10-year period; and*

*''(II) the State may determine, or the Secretary may determine (if State law prevents the State from making the determination), and implement an appropriate reduction of up to 10 percent of the entity's allocation for each species under subparagraph (C) for all or part of such 10-year period.*

*''(iv) REALLOCATION OF REDUCED AMOUNT.—If the State or the Secretary reduces an entity's allocation under clause (iii), the reduction shall be reallocated among other entities participating in the program whose allocations are not reduced during the same period in proportion to each such entity's allocation of the applicable species under subparagraph (C).*

*''(I) SECRETARIAL APPROVAL NOT REQUIRED.—Notwithstanding any other provision of law or regulation thereunder, the approval by the Secretary of a community development plan, or an amendment thereof, under the program is not required.*

*''(J) COMMUNITY DEVELOPMENT PLAN DEFINED.—In this paragraph, the term 'community development plan' means a plan, prepared by an entity referred to in subparagraph (D), for the program that describes how the entity intends—*

*''(i) to harvest its share of fishery resources allocated to the program, or*

*''(ii) to use its share of fishery resources allocated to the program, and any revenue derived from such use, to assist its member villages with projects to advance economic development,*

*but does not include a plan that allocates fishery resources to the program.''.*

*(b) NO INTERRUPTION OF EXISTING ALLOCATIONS.—The amendment made by subsection (a) shall not be construed or implemented in a way that causes any interruption in the allocations of fishery resources to the western Alaska community development quota program or in the opportunity of an entity participating in that program to harvest its share of such allocations.*

*(c) LOAN SUBSIDIES.—The last proviso under the heading ''NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH, AND FACILITIES'' in the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2311–2312) is amended—*

*(1) by striking ''for the cost of loans'' and inserting ''to subsidize gross obligations for the principal amount of direct loans, not to exceed a total of $200,000,000,''; and*

*(2) by striking ''use'' and inserting ''the purchase of all or part of ownership interests in fishing or processing vessels, shoreside fish processing facilities, permits, quota, and cooperative rights''.*

***SEC. 417. QUOTA SHARE ALLOCATION.***

*(a) IN GENERAL.— The Secretary of Commerce shall modify the Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands being implemented under section 313(j) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1862(j)) to require that Blue Dutch, LLC, receives processor quota shares units equal to 0.75 percent of the total number of processor quota share units for each of the following fisheries: the Bristol Bay red king crab fishery and the Bering Sea C. opilio crab fishery.*

*(b) APPLICABILITY.—The modification made under subsection (a) shall apply with respect to each fishery referred to in subsection (a) whenever the total allowable catch for that fishery is more than 2 percent higher than the most recent total allowable catch in effect for that fishery prior to September 15, 2005.*

*(c) SAVINGS PROVISION.—Nothing in this section affects the authority of the North Pacific Fishery Management Council to submit, and the Secretary of Commerce to implement, changes to or repeal of conservation and management measures under section 313(j)(3)) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1862(j)(3)).*

*(d) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary of Commerce shall issue regulations to implement this section.*

***SEC. 418. MAINE FISH TENDER VESSELS.***

*The prohibition under section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883) against transportation of fish or shellfish between places in the State of Maine by a vessel constructed in Canada shall not apply to a vessel of less than 5 net tons if—*

*(1) the vessel was engaged in the transportation of fish or shellfish between places in the State of Maine before January 1, 2005;*

*(2) before January 1, 2005, the owner of the vessel transported fish or shellfish pursuant to a valid wholesale seafood license issued under section 6851 of title 12 of the Maine Revised Statutes;*

*(3) the vessel is owned by a person that meets the citizenship requirements of section 2 of the Shipping Act, 1916 (46 U.S.C. App. 802); and*

*(4) not later than 180 days after the date of enactment of this Act, the owner of the vessel submits to the Secretary of the department in which the Coast Guard is operating an affidavit certifying that the vessel and owner meet the requirements of this section.*

***SEC. 419. AUTOMATIC IDENTIFICATION SYSTEM.***

*(a) PREVENTION OF HARMFUL INTERFERENCE.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard, may transfer $1,000,000 to the National Telecommunications and Information Administration of the Department of Commerce for the purposes of awarding, not later than 120 days after such date of enactment, a competitive grant to design and develop a prototype device that integrates a Class B Automatic Identification System transponder (International Electrotechnical Commission standard 62287) with a*

*wireless maritime data device approved by the Federal Communications Commission with channel throughput greater than 19.2 kilobits per second to enable such wireless maritime data device to provide wireless maritime data services, concurrent with the operation of the transponder, on frequency channels adjacent to the frequency channels on which the transponder operates, while minimizing or eliminating the harmful interference between the transponder and such wireless maritime data device. The design of the device developed under this subsection shall be available for public use.*

*(b) IMPLEMENTATION OF AIS.—It is the sense of the Senate, not later than 60 days after the date of enactment of this Act, that the Federal Communications Commission should resolve the disposition of its rulemaking on the Automatic Information System and licensee use of frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz (RM–10821, WT Docket Number 04–344). The implementation of this section shall not delay the implementation of an Automatic Identification System as required by section 70114 of title 46, United States Code, and international convention.*

***SEC. 420. VOYAGE DATA RECORDER STUDY AND REPORT.***

*(a) STUDY.—The Secretary of the department in which the Coast Guard is operating shall study—*

*(1) the carriage of a voyage data recorder by a passenger vessel described in section 2101(22)(D) of title 46, United States Code, carrying more than 399 passengers; and*

*(2) standards for voyage data recorders, methods for approval of models of voyage data recorders, and procedures for annual performance testing of voyage data recorders.*

*(b) CONSULTATION.—In conducting the study, the Secretary shall consult, at a minimum, with manufacturers of voyage data recorders and operators of potentially affected passenger vessels.*

*(c) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the study's findings, including a proposal for legislation if such a proposal is considered appropriate by the Secretary.*

***SEC. 421. DISTANT WATER TUNA FLEET.***

*(a) MANNING REQUIREMENTS.—Notwithstanding section 8103(a) of title 46, United States Code, United States purse seine fishing vessels fishing exclusively for highly migratory species in the treaty area under a fishing license issued pursuant to the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Islands States and the Government of the United States of America, or transiting to or from the treaty area exclusively for such purpose, may engage foreign citizens to meet the manning requirement (except for the master) in the 48-month period beginning on the date of enactment of this Act if, after timely notice of a vacancy to meet the manning requirement, no United States citizen personnel are readily available to fill such vacancy.*

*(b) LICENSING RESTRICTIONS.—*

*(1) IN GENERAL.—Subsection (a)(1) only applies to a foreign citizen that holds a valid license or certificate issued—*

*(A) in accordance with the standards established by the 1995 amendments to the Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 95); and*

*(B) by an authority that the Secretary of the department in which the Coast Guard is operating recognizes as imposing competency and training standards equivalent to or exceeding those required for a United States license issued under chapter 71 of title 46, United States Code.*

*(2) TREATMENT OF EQUIVALENT LICENSE.—An equivalent license or certificate as recognized by the Secretary under paragraph (1) shall be considered as meeting the requirements of section 8304 of title 46, United States Code, but only while a person holding the license or certificate is in the service of a vessel to which this section applies.*

*(c) LIMITATION.—Subsection (a) applies only to vessels operating in and out of American Samoa.*

*(d) EXPIRATION.—This section expires 48 months after the date of enactment of this Act.*

*(e) REPORTS.—On March 1, 2007, and annually thereafter until the date of expiration of this section, the Coast Guard and the National Marine Fisheries Service shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Resources of the House of Representatives, providing the following information on the United States purse seine fleet referred to in subsection (a):*

*(1) The number and identity of vessels in the fleet using foreign citizens to meet manning requirements pursuant to this section and any marine casualties involving such vessel.*

*(2) The number of vessels in the fishery under United States flag as of January 1 of the year in which the report is submitted, the percentage ownership or control of such vessels by non-United States citizens, and the nationality of such ownership or control.*

*(3) Description of any transfers or sales of United States flag vessels in the previous calendar year, and the disposition of such vessel, including whether the vessel was scrapped or sold, and, if sold, the nationality of the new owner and location of any fishery to which the vessel will be transferred.*

*(4) Landings of tuna by vessels under flag in the 2 previous calendar years, including an assessment of landing trends, and a description of landing percentages and totals—*

*(A) delivered to American Samoa and any other port in a State or territory of the United States; and*

*(B) delivered to ports outside of a State or territory of the United States, including the identity of the port.*

*(5) An evaluation of capacity and trends in the purse seine fleet fishing in the area covered by the South Pacific Regional Fisheries Treaty, and any transfer of capacity from such fleet or area to other fisheries, including those governed under the Western and Central Pacific Fisheries Convention and the Inter-American Tropical Tuna Convention.*

***TITLE V—LIGHTHOUSES***

***SEC. 501. TRANSFER.***

*(a) JURISDICTIONAL TRANSFERS.—Administrative jurisdiction over the National Forest System lands in the State of Alaska described in subsection (b) and improvements situated on such lands is transferred without consideration from the Secretary of Agriculture to the Secretary of the department in which the Coast Guard is operating.*

*(b) AREAS REFERRED TO.—The areas of lands referred to in subsection (a) are the following:*

*(1) GUARD ISLAND LIGHT STATION.—The area described in the Guard Island Lighthouse reserve dated January 4, 1901, comprising approximately 8.0 acres of National Forest uplands.*

*(2) ELDRED ROCK LIGHT STATION.—The area described in the December 30, 1975, listing of the Eldred Rock Light Station on the National Register of Historic Places, comprising approximately 2.4 acres.*

*(3) MARY ISLAND LIGHT STATION.—The area described as the remaining National Forest System uplands in the Mary Island Lighthouse Reserve dated January 4, 1901, as amended by Public Land Order 6964, dated April 5, 1993, comprising approximately 1.07 acres.*

*(4) CAPE HINCHINBROOK LIGHT STATION.—The area described in the survey dated November 1, 1957, prepared for the Coast Guard for the Cape Hinchinbrook Light Station comprising approximately 57.4 acres.*

*(c) MAPS.—The Commandant of the Coast Guard, in consultation with the Secretary of Agriculture, shall prepare and maintain maps of the lands transferred by subsection (a), and such maps shall be on file and available for public inspection in the Coast Guard District 17 office in Juneau, Alaska.*

*(d) EFFECT OF TRANSFER.—The lands transferred to the Secretary of the department in which the Coast Guard is operating by subsection (a)—*

*(1) shall be administered by the Commandant of the Coast Guard;*

*(2) shall be considered to be transferred from, and no longer part of, the National Forest System; and*

*(3) shall be considered not suitable for return to the public domain for disposition under the general public land laws.*

*(e) TRANSFER OF LAND.—*

*(1) REQUIREMENT.—Subject to paragraph (2), the Administrator of General Services, upon request by the Secretary of Agriculture, shall transfer without consideration to the Secretary of Agriculture any land identified in subsection (b), together with the improvements thereon, for administration under the laws pertaining to the National Forest System if—*

*(A) the Secretary of the Interior cannot identify and select an eligible entity for such land and improvements in accordance with section 308(b)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)(2)) not later than 3 years after the date the Secretary of the department in which the Coast Guard is operating determines that the land is excess property, as that term is defined in section 102(3) of title 40, United States Code; or*

*(B) the land reverts to the United States pursuant to section 308(c)(3) of the National Historic Preservation Act (16 U.S.C. 470w–7(c)(3)).*

*(2) RESERVATIONS FOR AIDS TO NAVIGATION.—Any action taken under this subsection by the Administrator of General Services shall be subject to any rights that may be reserved by the Commandant of the Coast Guard for the operation and maintenance of Federal aids to navigation.*

*(f) NOTIFICATION; DISPOSAL OF LANDS BY THE ADMINISTRATOR.—The Administrator of General Services shall promptly notify the Secretary of Agriculture upon the occurrence of any of the events described in subparagraphs (A) and (B) of subsection (e)(1). If the Secretary of Agriculture does not request a transfer as provided for in subsection (e) not later than 90 days after the date of receiving such notification from the Administrator, the Administrator may dispose of the property in accordance with section 309 of the National Historic Preservation Act (16 U.S.C. 470w–8) or other applicable surplus real property disposal authority.*

*(g) PRIORITY.—In selecting an eligible entity to which to convey under section 308(b) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)) land referred to in subsection (b), the Secretary of the Interior shall give priority to an eligible entity (as defined in section 308(e) of that Act) that is the local government of the community in which the land is located.*

***SEC. 502. MISTY FIORDS NATIONAL MONUMENT AND WILDERNESS.***

*(a) REQUIREMENT TO TRANSFER.—Notwithstanding section 308(b) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)), if the Secretary of the department in which the Coast Guard is operating determines that the Tree Point Light Station is no longer needed for the purposes of the Coast Guard, the Secretary shall transfer without consideration to the Secretary of Agriculture all administrative jurisdiction over the Tree Point Light Station.*

*(b) EFFECTUATION OF TRANSFER.—The transfer pursuant to this section shall be effectuated by a letter from the Secretary of the department in which the Coast Guard is operating to the*

*Secretary of Agriculture and, except as provided in subsection (g), without any further requirements for administrative or environmental analyses or examination. The transfer shall not be considered a conveyance to an eligible entity pursuant to section 308(b) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)).*

*(c) RESERVATION FOR AIDS TO NAVIGATION.—As part of the transfer pursuant to this section, the Commandant of the Coast Guard may reserve rights to operate and maintain Federal aids to navigation at the site of the light station.*

*(d) EASEMENTS AND SPECIAL USE AUTHORIZATIONS.—Notwithstanding any other provision of law, including the Wilderness Act (16 U.S.C. 1131 et seq.) and section 703 of the Alaska National Interests Lands Conservation Act (16 U.S.C. 1132 note; 94 Stat. 2418), with respect to the light station transferred pursuant to this section, the Secretary of Agriculture—*

*(1) may identify an entity to be granted an easement or other special use authorization and, in identifying the entity, may consult with the Secretary of the Interior concerning the application of policies for eligible entities developed pursuant to subsection 308(b)(1) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)(1)); and*

*(2) may grant an easement or other special use authorization to the entity, for no consideration, to approximately 31 acres as described in the map entitled ''Tree Point Light Station'', dated September 24, 2004, on terms and conditions that provide for—*

*(A) maintenance and preservation of the structures and improvements;*

*(B) the protection of wilderness and national monument resources;*

*(C) public safety; and*

*(D) such other terms and conditions considered appropriate by the Secretary of Agriculture.*

*(e) ACTIONS FOLLOWING TERMINATION OR REVOCATION.—The Secretary of Agriculture may take such actions as are authorized under section 110(b) of the National Historic Preservation Act (16 U.S.C. 470h–2(b)) with respect to Tree Point Light Station if—*

*(1) no entity is identified under subsection (d) within 3 years after the date on which administrative jurisdiction is transferred to the Secretary of Agriculture pursuant to this section; or*

*(2) any easement or other special use authorization granted under subsection (d) is terminated or revoked.*

*(f) REVOCATION OF WITHDRAWALS AND RESERVATIONS.—Effective on the date of transfer of administrative jurisdiction pursuant to this section, the following public land withdrawals or reservations for light station and lighthouse purposes on lands in Alaska are revoked as to the lands transferred:*

*(1) The unnumbered Executive Order dated January 4, 1901, as it affects the Tree Point Light Station site only.*

*(2) Executive Order No. 4410 dated April 1, 1926, as it affects the Tree Point Light Station site only.*

*(g) REMEDIATION RESPONSIBILITIES NOT AFFECTED.—Nothing in this section shall affect any responsibilities of the Commandant of the Coast Guard for the remediation of hazardous substances and petroleum contamination at the Tree Point Light Station consistent with existing law and regulations. The Commandant and the Secretary shall execute an agreement to provide for the remediation of the land and structures at the Tree Point Light Station.*

***SEC. 503. MISCELLANEOUS LIGHT STATIONS.***

*(a) CAPE ST. ELIAS LIGHT STATION.—For purposes of section 416(a)(2) of the Coast Guard Authorization Act of 1998 (112 Stat. 3435), the Cape St. Elias Light Station shall comprise approximately 10 acres in fee, along with additional access easements issued without consideration by the Secretary of Agriculture, as generally described in the map entitled ''Cape St. Elias Light Station'', dated September 14, 2004. The Secretary of the department in which the Coast Guard is operating shall keep such map on file and available for public inspection.*

*(b) POINT WILSON LIGHTHOUSE.—Section 325(c)(3) of the Coast Guard Authorization Act of 1993 (107 Stat. 2432) is amended—*

*(1) by striking ''and'' at the end of subparagraph (B);*

*(2) by redesignating subparagraph (C) as subparagraph (D); and*

*(3) by inserting after subparagraph (B) the following:*

*''(C) all housing units and related structures associated with the lighthouse; and''.*

***SEC. 504. INCLUSION OF LIGHTHOUSE IN ST. MARKS NATIONAL WILDLIFE REFUGE, FLORIDA.***

*(a) REVOCATION OF EXECUTIVE ORDER DATED NOVEMBER 12, 1838.—Any reservation of public land described in subsection (b) for lighthouse purposes by the Executive Order dated November 12, 1838, as amended by Public Land Order 5655, dated January 9, 1979, is revoked.*

*(b) DESCRIPTION OF LAND.—The public land referred to in subsection (a) consists of approximately 8.0 acres within the external boundaries of St. Marks National Wildlife Refuge in Wakulla County, Florida, that is east of the Tallahassee Meridian, Florida, in Township 5 South, Range 1 East, Section 1 (fractional) and containing all that remaining portion of the unsurveyed fractional section, more particularly described as follows: A parcel of land, including submerged areas, beginning at a point which marks the center of the light structure, thence due North (magnetic) a distance of 350 feet to the point of beginning a strip of land 500 feet in width, the axial centerline of which runs from the point of beginning due South (magnetic) a distance of 700 feet, more or less, to the shoreline of Apalachee Bay, comprising 8.0 acres, more or less, as shown on the plat dated January 2, 1902, by Office of L. H. Engineers, 7th and 8th District, Mobile, Alabama.*

*(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—*

*(1) IN GENERAL.—Subject to subsection (f) and paragraph (2), administrative jurisdiction over the public land described in subsection (b), and over all improvements located thereon, is transferred without reimbursement from the department in which the Coast Guard is operating to the Secretary of the Interior.*

*(2) RESPONSE AND RESTORATION.—The transfer under paragraph (1) may not be made to the Secretary of the Interior until the Coast Guard has completed any response and restoration action necessary under subsection (d)(1).*

*(d) RESPONSIBILITY FOR ENVIRONMENTAL RESPONSE ACTIONS.—The Coast Guard shall have sole responsibility in the Federal Government to fund and conduct any response or restoration action required under any applicable Federal or State law or implementing regulation to address—*

*(1) a release or threatened release on or originating from public land described in subsection (b) of any hazardous substance, pollutant, contaminant, petroleum, or petroleum product or derivative that is located on such land on the date of enactment of this Act; or*

*(2) any other release or threatened release on or originating from public land described in subsection (b) of any hazardous substance, pollutant, contaminant, petroleum, or petroleum product or derivative, that results from any Coast Guard activity occurring after the date of enactment of this Act.*

*(e) INCLUSION IN REFUGE.—*

*(1) INCLUSION.—The public land described in subsection (b) shall be part of St. Marks National Wildlife Refuge.*

*(2) ADMINISTRATION.—Subject to this subsection, the Secretary of the Interior shall administer the public land described in subsection (b)—*

*(A) through the Director of the United States Fish and Wildlife Service; and*

*(B) in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and such other laws as apply to Federal real property under the sole jurisdiction of the United States Fish and Wildlife Service.*

*(f) MAINTENANCE OF NAVIGATION FUNCTIONS.—The transfer by subsection (c), and the administration of the public land described in subsection (b), shall be subject to such conditions and restrictions as the Secretary of the department in which the Coast Guard is operating considers necessary to ensure that—*

*(1) the Federal aids to navigation located at St. Marks National Wildlife Refuge continue to be operated and maintained by the Coast Guard for as long as they are needed for navigational purposes;*

*(2) the Coast Guard may remove, replace, or install any Federal aid to navigation at the St. Marks National Wildlife Refuge as may be necessary for navigational purposes;*

*(3) the United States Fish and Wildlife Service will not interfere or allow interference in any manner with any Federal aid to navigation, and will not hinder activities required for the operation and maintenance of any Federal aid to navigation, without express written approval by the Secretary of the department in which the Coast Guard is operating; and*

*(4) the Coast Guard may enter, at any time, the St. Marks National Wildlife Refuge, without notice, for purposes of operating, maintaining, and inspecting any Federal aid to navigation and ensuring compliance with this subsection, to the extent that it is not possible to provide advance notice.*

## *TITLE VI—DELAWARE RIVER PROTECTION AND MISCELLANEOUS OIL PROVISIONS*

***SEC. 601. SHORT TITLE.***

*This title may be cited as the ''Delaware River Protection Act of 2006''.*

***SEC. 602. REQUIREMENT TO NOTIFY COAST GUARD OF RELEASE OF OBJECTS INTO THE NAVIGABLE WATERS OF THE UNITED STATES.***

*The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:*

***''SEC. 15. REQUIREMENT TO NOTIFY COAST GUARD OF RELEASE OF OBJECTS INTO THE NAVIGABLE WATERS OF THE UNITED STATES.***

*''(a) REQUIREMENT.—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army of such release.*

*''(b) RESTRICTION ON USE OF NOTIFICATION.—Any notification provided by an individual in accordance with subsection (a) may not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.''.*

***SEC. 603. LIMITS ON LIABILITY.***

*(a) ADJUSTMENT OF LIABILITY LIMITS.—*

*(1) TANK VESSELS.—Section 1004(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) is amended by striking subparagraphs (A) and (B) and inserting the following:*

*''(A) with respect to a single-hull vessel, including a single-hull vessel fitted with double sides only or a double bottom only, $3,000 per gross ton;*

*''(B) with respect to a vessel other than a vessel referred to in subparagraph (A), $1,900 per gross ton; or*

*''(C)(i) with respect to a vessel greater than 3,000 gross tons that is—*

*''(I) a vessel described in subparagraph (A), $22,000,000; or*

''(II) a vessel described in subparagraph (B), $16,000,000; or

''(ii) with respect to a vessel of 3,000 gross tons or less that is—

''(I) a vessel described in subparagraph (A), $6,000,000; or

''(II) a vessel described in subparagraph (B), $4,000,000;''.

(2) OTHER VESSELS.—Section 1004(a)(2) of such Act (33 U.S.C. 2794(a)(2)) is amended—

(A) by striking ''$600 per gross ton'' and inserting ''$950 per gross ton''; and

(B) by striking ''$500,000'' and inserting ''$800,000,''.

(3) LIMITATION ON APPLICATION.—In the case of an incident occurring before the 90th day following the date of enactment of this Act, section 1004(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) shall apply as in effect immediately before the effective date of this subsection.

(b) ADJUSTMENT TO REFLECT CONSUMER PRICE INDEX.—Section 1004(d)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(d)(4)) is amended to read as follows:

''(4) ADJUSTMENT TO REFLECT CONSUMER PRICE INDEX.—The President, by regulations issued not later than 3 years after the date of enactment of the Delaware River Protection Act of 2006 and not less than every 3 years thereafter, shall adjust the limits on liability specified in subsection (a) to reflect significant increases in the Consumer Price Index.''.

(c) REPORT.—

(1) INITIAL REPORT.—Not later than 45 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report on liability limits described in paragraph (2) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) CONTENTS.—The report shall include, at a minimum, the following:

(A) An analysis of the extent to which oil discharges from vessels and nonvessel sources have or are likely to result in removal costs and damages (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) for which no defense to liability exists under section 1003 of such Act and that exceed the liability limits established in section 1004 of such Act, as amended by this section.

(B) An analysis of the impacts that claims against the Oil Spill Liability Trust Fund for amounts exceeding such liability limits will have on the Fund.

(C) Based on analyses under this paragraph and taking into account other factors impacting the Fund, recommendations on whether the liability limits need to be adjusted in order to prevent the principal of the Fund from declining to levels that are likely to be insufficient to cover expected claims.

(3) ANNUAL UPDATES.—The Secretary shall provide an update of the report to the Committees referred to in paragraph (1) on an annual basis.

**SEC. 604. REQUIREMENT TO UPDATE PHILADELPHIA AREA CONTINGENCY PLAN.**

Not later than one year after the date of enactment of this Act and not less than annually thereafter, the Philadelphia Area Committee established under section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) shall review and revise the Philadelphia Area Contingency Plan to include available data and biological information on environmentally sensitive areas of the Delaware River and Delaware Bay that has been collected by Federal and State surveys.

**SEC. 605. SUBMERGED OIL REMOVAL.**

(a) AMENDMENTS.—Title VII of the Oil Pollution Act of 1990 is amended—

(1) in section 7001(c)(4)(B) (33 U.S.C. 2761(c)(4)(B)) by striking ''RIVERA,'' and inserting ''RIVERA and the T/V ATHOS I,''; and

(2) by adding at the end the following:

**''SEC. 7002. SUBMERGED OIL PROGRAM.**

''(a) PROGRAM.—

''(1) ESTABLISHMENT.—The Under Secretary of Commerce for Oceans and Atmosphere, in conjunction with the Commandant of the Coast Guard, shall establish a program to detect, monitor, and evaluate the environmental effects of submerged oil in the Delaware River and Bay region. The program shall include the following elements:

''(A) The development of methods to remove, disperse, or otherwise diminish the persistence of submerged oil.

''(B) The development of improved models and capacities for predicting the environmental fate, transport, and effects of submerged oil.

''(C) The development of techniques to detect and monitor submerged oil.

''(2) REPORT.—Not later than 3 years after the date of enactment of the Delaware River Protection Act of 2006, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the activities carried out under this subsection and activities proposed to be carried out under this subsection.

''(b) DEMONSTRATION PROJECT.—

''(1) REMOVAL OF SUBMERGED OIL.—The Commandant of the Coast Guard, in conjunction with the Under Secretary of Commerce for Oceans and Atmosphere, shall conduct a demonstration project for the purpose of developing and demonstrating technologies and management practices to remove submerged oil from the Delaware River and other navigable waters.

''(2) FUNDING.—There is authorized to be appropriated to the Commandant of the Coast Guard $2,000,000 for each of fiscal years 2006 through 2010 to carry out this subsection.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 7001 the following:

''Sec. 7002. Submerged oil program.''.

**SEC. 606. ASSESSMENT OF OIL SPILL COSTS.**

(a) ASSESSMENT.—The Comptroller General shall conduct an assessment of the cost of response activities and claims related to oil spills from vessels that have occurred since January 1, 1990, for which the total costs and claims paid was at least $1,000,000 per spill.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the assessment conducted under subsection (a). The report shall summarize the following:

(1) The costs and claims described in subsection (a) for each year covered by the report.

(2) The source, if known, of each spill described in subsection (a) for each such year.

**SEC. 607. DELAWARE RIVER AND BAY OIL SPILL ADVISORY COMMITTEE.**

(a) ESTABLISHMENT.—There is established the Delaware River and Bay Oil Spill Advisory Committee (in this section referred to as the ''Committee'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 27 members who are appointed by the Commandant of the Coast Guard and who have particular expertise, knowledge, and experience regarding the transportation, equipment, and techniques that are used to ship cargo and to navigate vessels in the Delaware River and Delaware Bay, as follows:

(A) Three members who are employed by port authorities that oversee operations on the Delaware River or have been selected to represent these port authorities, of whom—

(i) one member shall be an employee or representative of the Port of Wilmington;

(ii) one member shall be an employee or representative of the South Jersey Port Corporation; and

(iii) one member shall be an employee or representative of the Philadelphia Regional Port Authority.

(B) Two members who represent organizations that operate tugs or barges that utilize the port facilities on the Delaware River and Delaware Bay.

(C) Two members who represent shipping companies that transport cargo by vessel from ports on the Delaware River and Delaware Bay, of whom at least one may not be a representative of a shipping company that transports oil or petroleum products.

(D) Two members who represent operators of oil refineries adjacent to the Delaware River and Delaware Bay.

(E) Two members who represent State-licensed pilots who work on the Delaware River and Delaware Bay.

(F) One member who represents labor organizations whose members load and unload cargo at ports on the Delaware River and Delaware Bay.

(G) One member who represents local commercial fishing interests or an aquaculture organization the members of which organization depend on fisheries and resources in the waters of Delaware River or Delaware Bay.

(H) Three members who represent environmental organizations active with respect to the Delaware River and Delaware Bay, including a watershed advocacy group and a wildlife conservation advocacy group.

(I) One member who represents an organization affiliated with recreational fishing interests in the vicinity of Delaware River and Delaware Bay.

(J) Two members who are scientists or researchers associated with an academic institution and who have professional credentials in fields of research relevant to oil spill safety, oil spill response, or wildlife and ecological recovery.

(K) Two members who are municipal or county officials from Delaware.

(L) Two members who are municipal or county officials from New Jersey.

(M) Two members who are municipal or county officials from Pennsylvania.

(N) One member who represents an oil spill response organization located on the lower Delaware River and Delaware Bay.

(O) One member who represents the general public.

(2) EX OFFICIO MEMBERS.—The Committee may also consist of an appropriate number (as determined by the Commandant of the Coast Guard) of nonvoting members who represent Federal agencies and agencies of the States of New Jersey, Pennsylvania, and Delaware with an interest in oil spill prevention in the Delaware River and Delaware Bay.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Committee shall provide advice and recommendations on measures to improve the prevention of and response to future oil spills in the Delaware River and Delaware Bay to the Commandant, the Governors of the States of New Jersey, Pennsylvania, and Delaware, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) REPORT.—Not later than 18 months after the date that the Commandant completes appointment of the members of the Committee, the Committee shall provide a report to the entities referred to in paragraph (1) with the recommendations of the Committee, including a ranking of priorities, for measures to improve prevention and response to oil spills described in paragraph (1).

(d) MEETINGS.—The Committee—

(1) shall hold its first meeting not later than 60 days after the date on which the Commandant completes the appointment of members of the Committee; and

*(2) shall meet thereafter at the call of the Chairman.*

*(e) APPOINTMENT OF MEMBERS.—The Commandant shall appoint the members of the Committee after soliciting nominations by notice published in the Federal Register.*

*(f) CHAIRMAN AND VICE CHAIRMAN.—The Committee shall elect, by majority vote at its first meeting, one of the members of the Committee as the Chairman and one of the members as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence of or incapacity of the Chairman or in the event of vacancy in the office of the Chairman.*

*(g) PAY AND EXPENSES.—*

*(1) PROHIBITION ON PAY.—Members of the Committee who are not officers or employees of the United States shall serve without pay. Members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee.*

*(2) EXPENSES.—While away from their homes or regular places of business, members of the Committee may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.*

*(h) FUNDING.—There is authorized to be appropriated $1,000,000 for each of fiscal years 2006 through 2007 to carry out this section.*

*(i) TERMINATION.—The Committee shall terminate 18 months after the date on which the Commandant completes the appointment of members of the Committee.*

***SEC. 608. NONTANK VESSELS.***

*Section 311(a)(26) of the Federal Water Pollution Control Act (33 U.S.C. 1321(A)(26)) is amended to read as follows:*

*''(26) 'nontank vessel' means a self-propelled vessel that—*

*''(A) is at least 400 gross tons as measured under section 14302 of title 46, United States Code, or, for vessels not measured under that section, as measured under section 14502 of that title;*

*''(B) is not a tank vessel;*

*''(C) carries oil of any kind as fuel for main propulsion; and*

*''(D) operates on the navigable waters of the United States, as defined in section 2101(17a) of that title.''.*

## *TITLE VII—HURRICANE RESPONSE*

***SEC. 701. HOMEOWNERS ASSISTANCE FOR COAST GUARD PERSONNEL AFFECTED BY HURRICANES KATRINA OR RITA.***

*(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the department in which the Coast Guard is operating may reimburse a person who is eligible for reimbursement under this section, for losses of qualified property owned by such person that result from damage caused by Hurricane Katrina or Hurricane Rita.*

*(b) ELIGIBLE PERSONS.—A person is eligible for reimbursement under this section if the person is a civilian employee of the Federal Government or member of the uniformed services who—*

*(1) was assigned to, or employed at or in connection with, a Coast Guard facility located in the State of Louisiana, Mississippi, Alabama, or Texas on or before August 28, 2005;*

*(2) incident to such assignment or employment, owned and occupied property that is qualified property under subsection (e); and*

*(3) as a result of the effects of Hurricane Katrina or Hurricane Rita, incurred damage to such qualified property such that—*

*(A) the qualified property is unsalable (as determined by the Secretary); and*

*(B) the proceeds, if any, of insurance for such damage are less than an amount equal to the greater of—*

*(i) the fair market value of the qualified property on August 28, 2005 (as determined by the Secretary); or*

*(ii) the outstanding mortgage, if any, on the qualified property on that date.*

*(c) REIMBURSEMENT AMOUNT.—The amount of the reimbursement that an eligible person may be paid under this section with respect to a qualified property shall be determined as follows:*

*(1) In the case of qualified property that is a dwelling (including a condominium unit but excluding a manufactured home), the amount shall be—*

*(A) the amount equal to the greater of—*

*(i) 85 percent of the fair market value of the dwelling on August 28, 2005 (as determined by the Secretary); or*

*(ii) the outstanding mortgage, if any, on the dwelling on that date; minus*

*(B) the proceeds, if any, of insurance referred to in subsection (b)(3)(B).*

*(2) In the case of qualified property that is a manufactured home, the amount shall be—*

*(A) if the owner also owns the real property underlying such home, the amount determined under paragraph (1); or*

*(B) if the owner leases such underlying property—*

*(i) the amount determined under paragraph (1); plus*

*(ii) the amount of rent payable under the lease of such property for the period beginning on August 28, 2005, and ending on the date of the reimbursement under this section.*

*(d) TRANSFER AND DISPOSAL OF PROPERTY.—*

*(1) IN GENERAL.—A person receiving reimbursement under this section shall transfer to the Administrator of General Services all right, title, and interest of the owner in and to the qualified property for which the owner receives such reimbursement. The Administrator shall hold, manage, and dispose of such right, title, and interest in the same manner that the Secretary of Defense holds, manages, and disposes of real property under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374).*

*(2) TREATMENT OF PROCEEDS.—Any amounts received by the United States as proceeds of management or disposal of property by the Administrator of General Services under this subsection shall be deposited in the general fund of the Treasury as offsetting receipts of the department in which the Coast Guard is operating and ascribed to Coast Guard activities.*

*(e) QUALIFIED PROPERTY.—Property is qualified property for the purposes of this section if as of August 28, 2005, the property was a one- or two-family dwelling, manufactured home, or condominium unit in the State of Louisiana, Mississippi, Alabama, or Texas that was owned and occupied, as a principal residence, by a person who is eligible for reimbursement under this section.*

*(f) SUBJECT TO APPROPRIATIONS.—The authority to pay reimbursement under this section is subject to the availability of appropriations.*

***SEC. 702. TEMPORARY AUTHORIZATION TO EXTEND THE DURATION OF LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS' DOCUMENTS.***

*(a) LICENSES AND CERTIFICATES OF REGISTRY.—Notwithstanding section 7106 and 7107 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a license or certificate of registry issued for an individual under chapter 71 of that title for up to one year if—*

*(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina;*

*(2) the individual is a resident of Alabama, Mississippi, or Louisiana; or*

*(3) the records of an individual were damaged or lost as a result of Hurricane Katrina.*

*(b) MERCHANT MARINERS' DOCUMENTS.—Notwithstanding section 7302(g) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a merchant mariners' document issued for an individual under chapter 73 of that title for up to one year, if—*

*(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina;*

*(2) the individual is a resident of Alabama, Mississippi, or Louisiana; or*

*(3) the records of an individual were damaged or lost as a result of Hurricane Katrina.*

*(c) MANNER OF EXTENSION.—Any extensions granted under this section may be granted to individual seamen or a specifically identified group of seamen.*

*(d) EXPIRATION OF AUTHORITY.—The authorities provided under this section expire on April 1, 2007.*

***SEC. 703. TEMPORARY AUTHORIZATION TO EXTEND THE DURATION OF VESSEL CERTIFICATES OF INSPECTION.***

*(a) AUTHORITY TO EXTEND.—Notwithstanding section 3307 and 3711(b) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration or the validity of a certificate of inspection or a certificate of compliance issued under chapter 33 or 37, respectively, of that title for up to 6 months for a vessel inspected by a Coast Guard Marine Safety Office located in Alabama, Mississippi, or Louisiana.*

*(b) EXPIRATION OF AUTHORITY.—The authority provided under this section expires on April 1, 2007.*

***SEC. 704. PRESERVATION OF LEAVE LOST DUE TO HURRICANE KATRINA OPERATIONS.***

*(a) PRESERVATION OF LEAVE.—Notwithstanding section 701(b) of title 10, United States Code, any member of the Coast Guard who served on active duty for a continuous period of 30 days, who was assigned to duty or otherwise detailed in support of units or operations in the Eighth Coast Guard District area of responsibility for activities to mitigate the consequences of, or assist in the recovery from, Hurricane Katrina during the period beginning on August 28, 2005, and ending on January 1, 2006, and who would have otherwise lost any accumulated leave in excess of 60 days as a consequence of such assignment, is authorized to retain an accumulated total of up to 120 days of leave.*

*(b) EXCESS LEAVE.—Leave in excess of 60 days accumulated under subsection (a) shall be lost unless used by the member before the commencement of the second fiscal year following the fiscal year in which the assignment commences, or in the case of a Reserve member, the year in which the period of active service is completed.*

***SEC. 705. REPORTS ON IMPACT TO COAST GUARD.***

*(a) REPORTS REQUIRED.—*

*(1) INTERIM REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an interim report on the impact of Hurricane Katrina and the response of the Coast Guard to such impact.*

*(2) FINAL REPORT.—Not later than 180 days after the date of the submittal of the report under paragraph (1), the Secretary shall submit to the committees referred to in paragraph (1) a final report on the impact of Hurricane Katrina and the response of the Coast Guard to such impact.*

*(b) ELEMENTS.—Each report required by subsection (a) shall include the following:*

*(1) A discussion and assessment of the impact of Hurricane Katrina on the facilities, aircraft, vessels, and other assets of the Coast Guard, including an assessment of such impact on pending or proposed replacements or upgrades of facilities, aircraft, vessels, or other assets of the Coast Guard.*

*(2) A discussion and assessment of the impact of Hurricane Katrina on Coast Guard operations and strategic goals.*

*(3) A statement of the number of emergency drills held by the Coast Guard during the 5-year*

*period ending on the date of the report with respect to natural disasters and with respect to security incidents.*

*(4) A description and assessment of—*

*(A) the lines of communication and reporting, during the response to Hurricane Katrina, within the Coast Guard and between the Coast Guard and other departments and agencies of the Federal Government and State and local governments; and*

*(B) the interoperability of such communications during the response to Hurricane Katrina.*

*(5) A discussion and assessment of the financial impact on Coast Guard operations during fiscal years 2005 and 2006 of unbudgeted increases in prices of fuel.*

***SEC. 706. REPORTS ON IMPACTS ON NAVIGABLE WATERWAYS.***

*(a) REPORTS REQUIRED.—*

*(1) INTERIM REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Commerce, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the impacts of Hurricane Katrina on navigable waterways and the response of the Coast Guard to such impacts.*

*(2) FINAL REPORT.—Not later than 180 days after the date of the submittal of the report required by paragraph (1), the Secretary, in consultation with the Secretary of Commerce, shall submit to the committees referred to in paragraph (1) a report on the impacts of Hurricane Katrina on navigable waterways with respect to missions within the jurisdiction of the Coast Guard and the response of the Coast Guard to such impacts.*

*(b) ELEMENTS.—Each report required by subsection (a) shall include the following:*

*(1) A discussion and assessment of the impacts, and associated costs, of Hurricane Katrina on—*

*(A) the navigable waterways of the United States;*

*(B) facilities located in or on such waterways;*

*(C) aids to navigation to maintain the safety of such waterways; and*

*(D) any other equipment located in or on such waterways related to a mission of the Coast Guard.*

*(2) An estimate of the costs to the Coast Guard of restoring the resources described in paragraph (1) and an assessment of the vulnerability of such resources to natural disasters in the future.*

*(3) A discussion and assessment of the environmental impacts in areas within the Coast Guard's jurisdiction of Hurricane Katrina, with a particular emphasis on any releases of oil or hazardous chemicals into the navigable waterways of the United States.*

*(4) A discussion and assessment of the response of the Coast Guard to the impacts described in paragraph (3), including an assessment of environmental vulnerabilities in natural disasters in the future and an estimate of the costs of addressing such vulnerabilities.*

*(c) NAVIGABLE WATERWAYS OF THE UNITED STATES.—In this section, the term ''navigable waterways of the United States'' includes waters of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.*

## *TITLE VIII—OCEAN COMMISSION RECOMMENDATIONS*

***SEC. 801. IMPLEMENTATION OF INTERNATIONAL AGREEMENTS.***

*In consultation with appropriate Federal agencies, the Secretary of the department in which the Coast Guard is operating shall work with the responsible officials and agencies of other nations to accelerate efforts at the International Maritime Organization to enhance oversight and enforcement of security, environmental, and other agreements adopted within the International Maritime Organization by flag States on whom such agreements are binding, including implementation of—*

*(1) a code outlining flag State responsibilities and obligations;*

*(2) an audit regime for evaluating flag State performance;*

*(3) measures to ensure that responsible organizations, acting on behalf of flag States, meet established performance standards; and*

*(4) cooperative arrangements to improve enforcement on a bilateral, regional, or international basis.*

***SEC. 802. VOLUNTARY MEASURES FOR REDUCING POLLUTION FROM RECREATIONAL BOATS.***

*In consultation with appropriate Federal, State, and local government agencies, the Secretary of the department in which the Coast Guard is operating shall undertake outreach programs for educating the owners and operators of boats using two-stroke engines about the pollution associated with such engines and support voluntary programs that reduce such pollution and encourage the early replacement of older two-stroke engines.*

***SEC. 803. INTEGRATION OF VESSEL MONITORING SYSTEM DATA.***

*The Secretary of the department in which the Coast Guard is operating shall integrate vessel monitoring system data into its maritime operations databases for the purpose of improving monitoring and enforcement of Federal fisheries laws and work with the Under Secretary of Commerce for Oceans and Atmosphere to ensure effective use of such data for monitoring and enforcement.*

***SEC. 804. FOREIGN FISHING INCURSIONS.***

*(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on steps that the Coast Guard will take to significantly improve the Coast Guard's detection and interdiction of illegal incursions into the United States exclusive economic zone by foreign fishing vessels.*

*(b) SPECIFIC ISSUES TO BE ADDRESSED.—The report shall—*

*(1) focus on areas in the exclusive economic zone where the Coast Guard has failed to detect or interdict such incursions in the 4-fiscal-year period beginning with fiscal year 2000, including such areas in the Western/Central Pacific and the Bering Sea; and*

*(2) include an evaluation of the potential use of unmanned aircraft and offshore platforms for detecting or interdicting such incursions.*

*(c) BIENNIAL UPDATES.—The Secretary shall provide biannual reports updating the Coast Guard's progress in detecting or interdicting such incursions to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

## *TITLE IX—TECHNICAL CORRECTIONS*

***SEC. 901. MISCELLANEOUS TECHNICAL CORRECTIONS.***

*(a) REQUIREMENTS FOR COOPERATIVE AGREEMENTS FOR VOLUNTARY SERVICES.—Section 93(a)(19) of title 14, United States Code, is amended by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively.*

*(b) CORRECTION OF AMENDMENT TO CHAPTER ANALYSIS.—Effective August 9, 2004, section 212(b) of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1037) is amended by inserting ''of title 14'' after ''chapter 17''.*

*(c) RECOMMENDATIONS TO CONGRESS BY COMMANDANT OF THE COAST GUARD.—Section 93(a) of title 14, United States Code, is amended by redesignating paragraph (y) as paragraph (24).*

*(d) CORRECTION OF REFERENCE TO PORTS AND WATERWAYS SAFETY ACT.—Effective August 9, 2004, section 302 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1041) is amended by striking ''of 1972''.*

*(e) TECHNICAL CORRECTION OF PENALTY.—Section 4311(b) of title 46, United States Code, is amended by striking ''4307(a)of'' and inserting ''4307(a) of''.*

*(f) DETERMINING ADEQUACY OF POTABLE WATER.—Section 3305(a) of title 46, United States Code, is amended by moving paragraph (2) two ems to the left, so that the material preceding subparagraph (A) of such paragraph aligns with the left-hand margin of paragraph (1) of such section.*

*(g) RENEWAL OF ADVISORY GROUP.—Effective August 9, 2004, section 418(a) of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1049) is amended by striking ''of September 30, 2005'' and inserting ''on September 30, 2005''.*

*(h) TECHNICAL CORRECTIONS RELATING TO REFERENCES TO NATIONAL DRIVER REGISTER.—*

*(1) AMENDMENT INSTRUCTION.—Effective August 9, 2004, section 609(1) of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1058) is amended in the matter preceding subparagraph (A) by striking ''7302'' and inserting ''7302(c)''.*

*(2) OMITTED WORD.—Section 7302(c) of title 46, United States Code, is amended—*

*(A) by inserting ''section'' before ''30305(b)(5)''; and*

*(B) by inserting ''section'' before ''30304(a)(3)(A)''.*

*(3) EXTRANEOUS U.S.C. REFERENCE.—Section 7703(3) of title 46, United States Code, is amended by striking ''(23 U.S.C. 401 note)''.*

*(i) VESSEL RESPONSE PLANS FOR NONTANK VESSELS.—*

*(1) CORRECTION OF VESSEL REFERENCES.—Section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) is amended by striking ''non-tank'' each place it appears and inserting ''nontank''.*

*(2) PUNCTUATION ERROR.—Effective August 9, 2004, section 701(b)(9) of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1068) is amended by inserting closing quotation marks after ''each tank vessel''.*

*(j) PUNCTUATION ERROR.—Section 5006(c) of the Oil Pollution Act of 1990 (33 U.S.C. 2736(c)) is amended by inserting a comma after ''October 1, 2012''.*

*(k) CORRECTION TO SUBTITLE DESIGNATION.—*

*(1) REDESIGNATION.—Title 46, United States Code, is amended by redesignating subtitle VI as subtitle VII.*

*(2) CLERICAL AMENDMENT.—The table of subtitles at the beginning of title 46, United States Code, is amended by striking the item relating to subtitle VI and inserting the following:*

*''VII. MISCELLANEOUS ..... 70101''.*

*(l) CORRECTIONS TO CHAPTER 701 OF TITLE 46, UNITED STATES CODE.—Chapter 701 of title 46, United States Code, is amended as follows:*

*(1) Sections 70118 and 70119, as added by section 801 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1078), relating to firearms, arrests, and seizure of property and to enforcement by State and local officers, are redesignated as sections 70117 and 70118, respectively, and moved to appear immediately after section 70116 of title 46, United States Code.*

*(2) Sections 70117 and 70118, as added by section 802 of such Act (118 Stat. 1078), relating to in rem liability for civil penalties and to certain costs and withholding of clearance, are redesignated as sections 70120 and 70121, respectively, and moved to appear immediately after section 70119 of title 46, United States Code.*

*(3) In section 70120(a), as redesignated by paragraph (2) of this section, by striking ''section 70120'' and inserting ''section 70119''.*

*(4) In section 70121(a), as redesignated by paragraph (2) of this section, by striking ''section 70120'' and inserting ''section 70119''.*

*(5) In the analysis at the beginning of the chapter by striking the items relating to sections 70117 through the second 70119 and inserting the following:*

*''70117. Firearms, arrests, and seizure of property.*
*''70118. Enforcement by State and local officers.*
*''70119. Civil penalty.*
*''70120. In rem liability for civil penalties and certain costs.*
*''70121. Withholding of clearance.''.*

*(m) AREA MARITIME SECURITY ADVISORY COMMITTEES; MARGIN ALIGNMENT.—Section 70112(b) of title 46, United States Code, is amended by moving paragraph (5) two ems to the left, so that the left-hand margin of paragraph (5) aligns with the left-hand margin of paragraph (4) of such section.*

*(n) TECHNICAL CORRECTION REGARDING TANK VESSEL ENVIRONMENTAL EQUIVALENCY EVALUATION INDEX.—Section 4115(e)(3) of the Oil Pollution Act of 1990 (46 U.S.C. 3703a note) is amended by striking ''hull'' the second place it appears.*

*(o) CORRECTIONS TO SECTION 6101 OF TITLE 46, UNITED STATES CODE.—Section 6101 of title 46, United States Code, is amended—*

*(1) by redesignating subsection (h) as subsection (i); and*

*(2) by redesignating the second subsection (g) as subsection (h).*

*(p) DRUG INTERDICTION REPORT.—*

*(1) IN GENERAL.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note; 110 Stat. 3905) is amended to read as follows:*

***''SEC. 103. ANNUAL REPORT ON DRUG INTERDICTION.***

*''Not later than 30 days after the end of each fiscal year, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on all expenditures related to drug interdiction activities of the Coast Guard on an annual basis.''.*

*(2) CLERICAL AMENDMENT.—The table of contents in section 2 of such Act is amended by striking the item relating to section 103 and inserting the following:*

*''Sec. 103. Annual reports on drug interdiction.''.*

*(q) ACTS OF TERRORISM REPORT.—Section 905 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (46 U.S.C. App. 1802; 100 Stat. 890) is amended by striking ''Not later than February 28, 1987, and annually thereafter, the Secretary of Transportation shall report'' and inserting ''The Secretary of the department in which the Coast Guard is operating shall report annually''.*

*(r) CORRECTIONS TO DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—*

*(1) SECTION 4.—Section 4(c) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c)) is amended by striking '', for each of fiscal years 2006 through 2009,''.*

*(2) SECTION 14.—Section 14(a)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m(a)(1)) is amended by striking ''For each of the fiscal years 2006 through 2009, not more than'' and inserting ''Not more than''.*

***SEC. 902. CORRECTION OF REFERENCES TO SECRETARY OF TRANSPORTATION AND DEPARTMENT OF TRANSPORTATION; RELATED MATTERS.***

*(a) GOVERNMENT ORGANIZATION.—Title 5, United States Code, is amended—*

*(1) in section 101 by inserting ''The Department of Homeland Security.'' after and immediately below ''The Department of Veterans Affairs.'';*

*(2) in section 2902(b) by inserting ''the Secretary of Homeland Security,'' after ''Secretary of the Interior,''; and*

*(3) in sections 5520a(k)(3), 5595(h)(5), 6308(b), and 9001(10) by striking ''of Transportation'' each place it appears and inserting ''of Homeland Security''.*

*(b) FINANCIAL MANAGEMENT.—Title 31, United States Code, is amended—*

*(1) in section 3321(c)(3) by striking ''of Transportation'' and inserting ''of Homeland Security.'';*

*(2) in section 3325(b) by striking ''of Transportation'' and inserting ''of Homeland Security'';*

*(3) in section 3527(b)(1) by striking ''of Transportation'' each place it appears and inserting ''of Homeland Security''; and*

*(4) in section 3711(f)(2) by striking ''of Transportation'' and inserting ''of Homeland Security''.*

*(c) PUBLIC CONTRACTS.—Section 3732 of the Revised Statutes (41 U.S.C. 11) is amended by striking ''of Transportation'' each place it appears and inserting ''of Homeland Security''.*

*(d) PUBLIC PRINTING AND DOCUMENTS.—Sections 1308 and 1309 of title 44, United States Code, are amended by striking ''Secretary of the Department of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.*

*(e) SHIPPING.—Title 46, United State Code, is amended—*

*(1) in section 2109 by striking ''a Coast Guard or'';*

*(2) in section 6308—*

*(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and*

*(B) by striking subsection (a) and inserting the following:*

*''(a) Notwithstanding any other provision of law, no part of a report of a marine casualty investigation conducted under section 6301 of this title, including findings of fact, opinions, recommendations, deliberations, or conclusions, shall be admissible as evidence or subject to discovery in any civil or administrative proceedings, other than an administrative proceeding initiated by the United States.*

*''(b) Any member or employee of the Coast Guard investigating a marine casualty pursuant to section 6301 of this title shall not be subject to deposition or other discovery, or otherwise testify in such proceedings relevant to a marine casualty investigation, without the permission of the Secretary. The Secretary shall not withhold permission for such employee or member to testify, either orally or upon written questions, on solely factual matters at a time and place and in a manner acceptable to the Secretary if the information is not available elsewhere or is not obtainable by other means.'';*

*(3) in subsection (c), as redesignated by this section, by striking ''subsection (a)'' and inserting ''subsections (a) and (b)''; and*

*(4) in subsection (d), as redesignated by this section, by striking ''subsections (a) and (b)'' and inserting ''subsections (a), (b), and (c)''.*

*(f) MORTGAGE INSURANCE.—Section 222 of the National Housing Act of 1934 (12 U.S.C. 1715m) is amended by striking ''of Transportation'' each place it appears and inserting ''of Homeland Security''.*

*(g) ARCTIC RESEARCH.—Section 107(b)(2) of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4106(b)(2)) is amended—*

*(1) by redesignating subparagraphs (I) through (K) as subparagraphs (J) through (L), respectively; and*

*(2) by inserting after subparagraph (H) the following:*

*''(I) the Department of Homeland Security;''.*

*(h) CONSERVATION.—*

*(1) SECTION 1029.—Section 1029(e)(2)(B) of the Bisti/De-Na-Zin Wilderness Expansion and Fossil Protection Act of 1996 (16 U.S.C. 460kkk(e)(2)(B)) is amended by striking ''Secretary of Transportation, to represent the United States Coast Guard.'' and inserting ''Commandant of the Coast Guard''.*

*(2) SECTION 312.—Section 312(c) of the Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2441(c)) is amended by striking ''of Transportation'' and inserting ''of Homeland Security''.*

*(i) INTERNAL REVENUE CODE OF 1986.—Section 3122 of the Internal Revenue Code of 1986 (26 U.S.C. 3122) is amended by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the Department in which the Coast Guard is operating''.*

*(j) ANCHORAGE GROUNDS.—Section 7 of the Rivers and Harbors Appropriations Act of 1915 (33 U.S.C. 471) is amended by striking ''of Transportation'' in each place it appears and inserting ''of Homeland Security''.*

*(k) BRIDGES.—Section 4 of the General Bridge Act of 1906 (33 U.S.C. 491) is amended by striking ''of Transportation'' and inserting ''of Homeland Security''.*

*(l) OIL POLLUTION.—The Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) is amended—*

*(1) in section 5001(c)(1)(B) (33 U.S.C. 2731(c)(1)(B)) by striking ''Commerce, the Interior, and Transportation,'' and inserting ''Commerce and the Interior and the Commandant of the Coast Guard,'';*

*(2) in section 5002(m)(4) (33 U.S.C. 2732(m)(4)) by striking ''of Transportation.'' and inserting ''of the department in which the Coast Guard is operating.'';*

*(3) in section 7001(a) (33 U.S.C. 2761(a)) by striking paragraph (3) and all that follows through the end of the subsection and inserting the following:*

*''(3) MEMBERSHIP.—The Interagency Committee shall include representatives from the Coast Guard, the Department of Commerce (including the National Oceanic and Atmospheric Administration and the National Institute of Standards and Technology), the Department of Energy, the Department of the Interior (including the Minerals Management Service and the United States Fish and Wildlife Service), the Department of Transportation (including the Maritime Administration and the Pipeline and Hazardous Materials Safety Administration), the Department of Defense (including the Army Corps of Engineers and the Navy), the Department of Homeland Security (including the United States Fire Administration in the Federal Emergency Management Agency), the Environmental Protection Agency, the National Aeronautics and Space Administration, and such other Federal agencies the President may designate.*

*''(4) CHAIRMAN.—A representative of the Coast Guard shall serve as Chairman.''; and*

*(4) in section 7001(c)(6) (33 U.S.C. 2761(c)(6)) by striking ''other such agencies in the Department of Transportation as the Secretary of Transportation may designate,'' and inserting ''such agencies as the President may designate,''.*

*(m) MEDICAL CARE.—Section 1(g)(4)(B) of Public Law 87–693 (42 U.S.C. 2651(g)(4)(B)) is amended by striking ''of Transportation,'' and inserting ''of Homeland Security,''.*

*(n) SOCIAL SECURITY ACT.—Section 205(p)(3) of the Social Security Act (42 U.S.C. 405(p)(3)) is amended by striking ''of Transportation'' each place it appears and inserting ''of Homeland Security''.*

*(o) MERCHANT MARINE ACT, 1920.—Section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883) is amended in the matter following the ninth proviso (pertaining to transportation of a foreign-flag incineration vessel) by striking ''Satisfactory inspection shall be certified in writing by the Secretary of Transportation'' and inserting ''Satisfactory inspection shall be certified, in writing, by the Secretary of Homeland Security.''.*

And the Senate agree to the same.

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

DON YOUNG,
FRANK A. LOBIONDO,
HOWARD COBLE,
PETER HOEKSTRA,
PETE SIMMONS,

MARIO DIAZ-BALART,
CHARLES W. BOUSTANY, Jr.,
JAMES L. OBERSTAR,
BOB FILNER,
GENE TAYLOR,
BRIAN HIGGINS,
ALLYSON Y. SCHWARTZ,

From the Committee on Energy and Commerce, for consideration of sec. 408 of the Hosue bill, and modifications committed to conference:

JOE BARTON,
PAUL GILLMOR,
JOHN D. DINGELL,

From the Committee on Homeland Security, for consideration of secs. 101, 404, 413, and 424 of the Hosue bill, and secs. 202, 207, 215, and 302 of the Senage amendment, and modifications committed to conference:

BENNIE G. THOMPSON,

From the Committee on Resources, for consideration of secs. 426, 427, and title V of the House bill, and modifications committed to conference:

RICHARD POMBO,
WALTER B. JONES,
*Managers on the Part of the House.*

TED STEVENS,
OLYMPIA SNOWE,
*(except section 414),*
TRENT LOTT,
GORDON SMITH,
DANIEL K. INOUYE,
MARIA CANTWELL,
*(except section 414),*
FRANK R. LAUTENBERG,
*(except section 414),*
*Managers on the Part of the Senate.*

## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 889), to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment that is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

As of April 6, 2006 (4:00)

*Section 1. Short title*

Section 1 of the House bill states that the Act may be referred to as the ''Coast Guard and Maritime Transportation Act of 2005.''

Section 1 of the Senate amendment states the Act may be cited as the ''Coast Guard Authorization Act of 2005.''

The Conference substitute states that the Act may be referred to as the ''Coast Guard and Maritime Transportation Act of 2006''.

## TITLE I—AUTHORIZATION

*Section 101. Authorization of appropriations*

Section 101 of the House bill authorizes funds for the Coast Guard in FY 2006. It authorizes approximately $8.7 billion in funding for the necessary expenses of the Coast Guard in FY 2006. Paragraph (1) of that section authorizes a funding level of $5,586,400,000 for the Coast Guard's Operating Expenses Account including an amount of $39 million to establish a second Helicopter Interdiction Tactical Squadron (HITRON) on the west coast.

Section 101(2) of the House bill authorizes $1,903,821,000 for the Coast Guard's Acquisitions, Construction and Improvements Accounting including approximately $1.6 billion for the Integrated Deepwater Systems program (Deepwater). Of the funding authorized for Deepwater in FY 2006, H.R. 889 authorizes an amount of $1,316,300,000 for the acquisition and construction of new vessels, aircraft, facilities, and support systems and an amount of $284,369,000 for the sustainment of the Coast Guard's legacy vessels and aircraft.

Section 101(3) of the House bill authorizes an amount of $24,000,000 for the Coast Guard's program to research and develop technologies, measures, and procedures to enhance the Coast Guard's capabilities to carry out all of the Service's many missions.

Section 101(5) of the House bill authorizes an amount of $35,900,000 for the Federal share of costs associated with alteration or removal of bridges that have been identified by the Coast Guard as obstructions to navigation.

Section 101 of the House bill also authorizes $12,000,000 for environmental compliance and restoration at Coast Guard facilities and $119,000,000 for the Coast Guard Reserve program. Lastly, this section authorizes $1,014,080,000 for retired pay, a mandatory expenditure.

Section 101 of the Senate amendment is similar to the House provision except that the Senate provision authorizes funds for FY 2006 and 2007 and contains different authorization levels than those that are included in the House bill. Section 101 authorizes $5.594 billion for operating expenses for FY 2006 and $6.042 billion for FY 2007. The Senate amendment also authorizes $1.424 billion for Acquisition, Construction and Improvements for FY 2006 and $1.538 billion for FY 2007. As a reflection of its support of the Coast Guard recapitalizing its fleet of cutters and aircraft, the reported bill would authorize $1.1 billion for Deepwater in FY 2006, $134 million above the President's request. Deepwater is authorized at $1.188 billion for FY 2007.

The Conference substitute authorizes funds for the Coast Guard in FY 2006 as follows:

| | |
|---|---|
| Operation and Maintenance | $5,633,900,000 |
| Acquisition, Construction and Improvement | 1,903,821,000 |
| Research, Development, Test and Evaluation | 24,000,000 |
| Retired Pay | 1,014,080,000 |
| Bridge Alteration | 37,400,000 |
| Environmental Compliance and Restoration | 12,000,000 |
| Coast Guard Reserve Training | 119,000,000 |
| TOTAL | $8,744,201,000 |

Of the amount authorized for OE, the conferees direct the Coast Guard to dedicate $39 million for the creation of an additional Coast Guard Helicopter Interdiction Tactical Squadron (HITRON).

Currently, the only Coast Guard HITRON squadron is based in Jacksonville, Florida. The Coast Guard's HITRON squadron carries out illegal drug interdiction missions in concert with Coast Guard vessels in the Caribbean Sea and in the Eastern Pacific Ocean. HITRON helicopters enhance the capabilities of Coast Guard cutters and associated small boats to pursue and apprehend 'go-fast' vessels that attempt to smuggle illicit drugs into the United States. The Coast Guard has estimated that the HITRON squadron has prevented an estimated 8.5 tons, or $6 billion in illegal drugs from entering the United States.

The authorization for the Coast Guard's Acquisitions, Construction and Improvement account includes $1.6 billion for Deepwater which includes an amount of $1,316,300,000 for the acquisition and construction of new vessels, aircraft, facilities, and support systems and an amount of $284,369,000 for the sustainment of the Coast Guard's legacy vessels and aircraft. The Conferees remain concerned that these assets are deteriorating at a faster pace than originally projected and require a dedicated funding stream. The conferees recommend that the Coast Guard examine ways to decrease the costs of maintaining and sustaining the Services' legacy assets, particularly the fleet of 110-foot cutters, and HH–65 helicopters. The rapid deterioration of these assets is draining funding and resources from the acquisition of replacement assets and lengthening the time before new assets will be employed by Coast Guardsmen in our waters and in our skies. The authorized funding level would also accelerate the purchase of new Deepwater assets, making assets with enhanced capabilities available more quickly to carry out the Service's many important traditional and homeland security missions.

The authorization for the Acquisitions, Construction and Improvement account AC&I account includes $101 million for the upgrading of the Rescue 21 program. The conferees are very concerned that the funding for this critically important program has significantly decreased over the past year, and would like to see funding restored to at least this level for FY 2006.

The conferees note that the Coast Guard and the State of Hawaii have been working jointly pursuant to a Memorandum of Understanding to develop an emergency communications system for state and federal officials, known as the Rainbow (Anuenue) Digitial Microwave Project, on a matched-funding basis. Rescue 21 in Hawaii will utilize the infrastructure provided by this project. Now that the State has its money in place, the conferees expect the Coast Guard to move forward with its obligations under the Memorandum of Understanding to complete the project.

The authorization for the Acquisitions, Construction and Improvement account also includes $8.7 million to be used for the construction of an Aquatic Training Facility for the Aviation Survival Technician ''A'' School located at Coast Guard Air Station Elizabeth City, NC, $10 million to complete the Vessel Traffic System upgrade for Puget Sound, and $3 million to complete the construction of the Sector Operations Building for Group Seattle.

With respect to the authorization of Research, Development, Test and Evaluation funding, the conferees strongly believe that this funding should remain under the Coast Guard's direct control and should not be transferred to any other entity within the Department of Homeland Security, as the President has again proposed. The Coast Guard's unique character as a military service with a wide scope of regulatory functions requires that this funding be available to support missions including defense readiness, search and rescue, marine environmental protection, providing aids to navigation and protecting America's maritime homeland security.

With respect to the funding for bridge alterations, the conferees recommend that $20 million of the total amount be utilized to make changes to the Galveston Causeway Railroad Bridge in Galveston, Texas to improve navigation safety and $2.5 million be

utilized to continue work on the Chelsea Bridge in Boston, Massachusetts.

The conferees recommend that the Coast Guard re-evaluate the categorization of both the Leeville Bridge and the Kerner Ferry Bridge in Louisiana. The Leeville Bridge provides the only access to Port Fouchon and Grand Isle, and has been struck 11 times in the past year while the Kerner Ferry Bridge has experienced several vertical clearance problems. These bridges are currently categorized as non-hazards to navigation, therefore making them ineligible for funds under the Truman-Hobbs Act.

The conferees are aware of the efforts of the Institute of Marine and Coastal Sciences at Rutgers University to develop a High Frequency Radar network for U.S. coastal waters. This technology was used in local search and rescue demonstration projects funded by the Coast Guard Research and Development Center in 2004. The conferees urge the Coast Guard to work with Rutgers to establish a regional pilot project in the Mid-Atlantic. The goal of the project should be to make CODAR an operational search and rescue tool.

The conferees are aware that the Coast Guard Cutter ACACIA is scheduled to be decommissioned in 2006. The conferees urge the Coast Guard to replace the ACACIA with a vessel that has icebreaking capabilities in order to maintain commercial shipping in the Great Lakes and particularly northern Lake Michigan. The need to ensure the availability of a ship that can assist in icebreaking is particularly important because the Canadian government has decommissioned one of its buoy tenders, which will increase the demands on U.S. icebreakers. Therefore, the Coast Guard should ensure that an icebreaking tug shall continue to be home ported on northern Lake Michigan and shall provide the necessary funding for operations and maintenance of such vessel.

The conferees recommend that the United States Coast Guard Captains of the Port be made aware that vessels that use certain valves manufactured by TankTech have been banned in Denmark and Italy because of safety concerns with those valves. That ban has been upheld by the European Union Commission based on tests at EU-approved laboratories. The American Bureau of Shipping is also recommending that these valves be removed from all vessels that they class. Additionally, the conferees recommend that the United States Coast Guard work more closely with its European Union maritime counterparts with regards to testing and test evaluation of those valves to ensure uniformity of test results.

*Section 102. Authorized levels of military strength and training*

Section 102 of the House bill authorizes a Coast Guard end-of-year strength of 45,500 active duty military personnel for FY 2006. This level maintains the personnel level that was authorized at the end of FY 2005. The section also authorizes average military training student loads for FY 2006 at the same level as was authorized in FY 2005. At the end of FY 2005, 39,717 active duty personnel were serving in the Coast Guard. The section also authorizes average military training student loads for FY 2006 as follows:

| Training | Student years |
|---|---|
| Recruit/Special | 2,500 |
| Flight | 125 |
| Professional | 350 |
| Officer Acquisition | 1,200 |

Section 102 of the Senate amendment is substantively similar to the House bill, except that it authorizes these personnel levels for FYs 2006 and 2007.

The Conference substitute adopts the House provision.

*Section 103. Authorization of funding related to Katrina*

Section 103 of the House bill authorizes $60,000,000 (above the amount authorized for the Coast Guard in Section 101) in FY 2005 for the Coast Guard's emergency hurricane expenses, emergency repairs, deployment of personnel, to support costs of evacuation, and other costs resulting from the immediate relief efforts related to Hurricane Katrina.

Section 702 of the Senate amendment similarly authorizes funding above the amount authorized in Section 101 in FY 2005. The Section specifically authorizes $200,000,000 for the operation and maintenance of the Coast Guard in responding to Hurricane Katrina, including for search and rescue efforts, clearing channels, emergency response to oil and chemical spills, and increased costs due to higher than expected fuel costs. Also, $300,000,000 is authorized for the acquisition, construction, renovation, and improvements of aids to navigation, shore and offshore facilities, and vessels and aircraft related to damage caused by Hurricane Katrina.

The Conference substitute adopts the Senate provision with an amendment that includes a supplemental authorization of $300,000,000 for the Coast Guard's Operating Expenses account and $200,000,000 for the Acquisitions, Construction and Improvements account for non-reimbursed expenditures associated with the Coast Guard's response to Hurricane Katrina and stipulates that amounts appropriated under this authorization are to remain available until expended.

*Section 104. Web-based data management*

The House bill does not contain a similar provision.

Section 104 of the Senate amendment provides an authorization of $1,000,000 for the Coast Guard to continue their development of a web-based risk management system that links occupational health and safety databases to reduce accidents and fatalities.

The Conference substitute adopts the Senate provision.

TITLE II—COAST GUARD

*Section 201. Extension of Coast Guard vessel anchorage and movement authority*

Section 201 of the House bill amends section 91 of title 14, United States Code, (relating to the Coast Guard's authority to establish security areas to ensure the safety and security of naval vessels) to redefine the term 'navigable waters of the United States' to include territorial waters out to 12 nautical miles from shore. This amendment updates existing law to reflect the expansion of U.S. territorial waters from 3 nautical miles to 12 nautical miles from shore that was made by Presidential Proclamation Number 5928 on December 27, 1988.

Section 201 of the Senate amendment is substantively similar to the House bill.

The Conference substitute adopts the House provision.

*Section 202. International training and technical assistance*

Section 202 of the House bill authorizes the Commandant of the Coast Guard to conduct international training and to provide technical assistance to international navies, coast guards and maritime authorities during regular Coast Guard operations without requiring a specific request from a third party U.S. Government agency.

Section 207 of the Senate amendment is substantively similar to the House bill.

The Conference substitute adopts the House provision.

*Section 203. Officer promotion*

Section 203 of the House bill authorizes the Secretary of the department in which the Coast Guard is operating to waive time in grade requirements for junior and midgrade officers to ensure that all officers are considered for promotion earlier than is currently possible under title 14, United States Code. This section would grant officers of the Coast Guard the same below grade promotion opportunity that is currently authorized for officers of the other military services. This change would allow the Coast Guard to have more flexibility in promoting the best qualified officers.

Section 406 of the Senate amendment is substantively similar to the House bill.

The Conference substitute adopts the House provision.

*Section 204. Coast Guard Band Director*

Section 204 of the House bill authorizes the Secretary to appoint the United States Coast Guard Band Director at a rank commensurate with the person's experience and training, rather than requiring the Director to be appointed as junior officer. The proposal would also allow the Secretary to appoint a person who is not a member of the Coast Guard as the Band Director rather than being limited to only members of the Coast Guard.

Section 402 of the Senate amendment is identical to the House bill, except for minor technical changes.

The Conference substitute adopts the House provision.

*Sec. 205 Authority for one-step turnkey design-build contracting*

Section 205 of the House bill authorizes the Secretary to award consolidated design-build contracts using a one-step turnkey selection procedure similar to the authority provided to the Department of Defense. One-step turnkey contracting authority would all the selection of a contractor on the basis of price and other evaluation criteria through a single proposal for both the design and construction of a facility.

Section 405 of the Senate amendment is identical to the House bill, except for minor technical changes.

The Conference substitute adopts the House provision.

*Section 206. Reserve recall authority*

Section 206 of the House bill authorizes the Secretary to order Coast Guard Reservists to active duty, for not more than sixty days in any four-month period and not more than one hundred twenty days in any two-year period, to augment Coast Guard active duty forces.

Section 403 of the Senate Amendment is substantively similar to the House provision; however it also expands the ability to use recalls for a threat of a terrorist attack. The provision also requires that, for purposes of calculating the duration of active duty, a period of active duty shall begin on the first day that a member reports to active duty, including for training.

The Conference substitute adopts the Senate provision with a technical amendment.

*Section 207. Reserve Officer distribution*

Section 207 of the House bill amends Section 724 of title 14, United States Code, to link Coast Guard Reserve officer authorization levels to active duty officer authorization levels for junior and mid-grade officers in order to properly distribute the numbers of Reserve officers in those grades. The proposal would also make clear that Reserve officers in an active status are counted only against the Reserve component strength.

Section 401 of the Senate amendment is identical to the House provision, except for a minor technical change.

The Conference substitute adopts the House provision.

*Section 208. Expansion of use of auxiliary equipment to support*

COAST GUARD MISSIONS

Section 208 of the House bill authorizes the Coast Guard to cover personal motorized vehicles of members of the Coast Guard Auxiliary, in limited circumstances, under Coast Guard claims procedures when an Auxiliary member is towing, under official Coast Guard orders and in support of Coast Guard missions, trailers that carry government owned boats and other equipment. Currently, an Auxiliary member is only eligible for liability coverage under Coast Guard claims procedures when the member uses his own vehicle to tow his own boat or Auxiliary equipment that has been designated for Coast Guard use.

Section 404 of the Senate amendment is substantively similar to the House provision.

The Conference substitute adopts the House provision with a clarifying amendment.

*Section 209. Coast Guard History Fellowships*

Section 209 of the House bill authorizes the Secretary to develop regulations to award Coast Guard History Fellowships to graduate students who agree to prepare their doctoral dissertations on issues related to the history of the Coast Guard.

The Senate amendment did not contain a similar provision.

The Conference substitute adopts the House provision with an amendment that limits the total amount of any fellowship to $25,000 per year and the number of fellowships awarded in each year to no more than two.

*Section 210. Icebreakers*

Sec. 210 of the House bill requires the Secretary to submit, not later than 90 days after the date of the enactment of the Act, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for operation and maintenance of Coast Guard icebreakers in the waters of Antarctica after FY 2006 that does not rely on the transfer of funds to the Coast Guard by any other Federal agency. The plan must be implemented after FY 2006, subject to the availability of appropriations.

Sec. 210 of the Senate amendment requires the Coast Guard to take all necessary measures to maintain, at a minimum, its current vessel capacity for carrying out icebreaking in the Arctic and Antarctic regions and for the long-term recapitalization of such vessels. It authorizes $100,000,000 for the Department in which the Coast Guard is operating to carry out this section.

The Conference substitute adopts a provision that requires the Coast Guard to submit to Congress not later than 90 days after enactment a plan to operate and maintain the POLAR STAR, POLAR SEA, and HEALY fleet after FY 2006 and for the long-term recapitalization of the Coast Guard's polar icebreaking fleet. The provision further directs the Coast Guard to take all measures necessary to maintain current operational capabilities to carry out icebreaking operations in the Arctic, the Antarctic, the Great Lakes and the Northeast. Lastly, the provision includes an authorization of $100,000,000 for FY 2006 to carry out these obligations with respect to the Coast Guard's polar icebreakers.

The conferees are extremely concerned by the Administration's continued proposals to divert funds to operate Coast Guard icebreakers from the Coast Guard's budget to that of another Federal agency. Such a transfer of funds from the Coast Guard's control could force the service to operate and maintain these vessels in the future without any reliable source of funding. The conferees strongly agree with the recommendations of the National Academy of Sciences' interim report that the United States retains icebreaking capabilities to assert significant geo-political, security, economic, and scientific interests in the Arctic and Antarctic.

*Section 211. Operation as a service in the Navy*

Section 211 of the House bill removes the automatic trigger in current law whereby the Coast Guard will operate as a service in the United States Navy upon the declaration of war. It retains the provision in current law whereby the Coast Guard will operate as a service in the Navy when the President directs.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts language that clarifies that the Coast Guard shall operate as a service in the Navy only upon positive action by Congress or the President.

*Section 212. Limitation on transfer to St. Elizabeths Hospital*

Section 215 of the House bill provides that the Coast Guard may not move any of its personnel, property, or other assets to the West Campus of St. Elizabeths Hospital until the Administrator of General Services submits to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate plans to provide road access to the site from Interstate 295 and for the design of facilities for at least one federal agency other than the Coast Guard that would house no less than 2,000 employees at such location.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment that adds several items to the scope of the plans that are required to be submitted to Congress.

*Section 213. Cooperative arrangements*

The House bill does not contain a comparable provision.

Section 204 of the Senate amendment would require the Coast Guard to submit a report on opportunities for and the feasibility of co-locating Coast Guard assets and personnel at facilities of other Armed Services branches as well as entering into cooperative agreements for carrying out Coast Guard missions.

The Conference substitute adopts the Senate provision with a technical modification. The conferees direct the Coast Guard to examine Naval Station Everett and Naval Station Pascagoula for such potential arrangements.

*Section 214. Biodiesel feasibility report*

The House bill does not contain a comparable provision.

Section 209 of the Senate amendment would require the Coast Guard to submit a report on the feasibility of using bio-diesel fuel in both new and existing vehicles and vessels.

The Conference substitute adopts the Senate provision. The conferees expect the Coast Guard to identify and consider analyses on the use of biodiesel fuel conducted by other agencies as part of its study.

*Section 215. Boating Safety Director*

The House bill does not contain a comparable provision.

Section 408 of the Senate amendment would ensure that the individual who is assigned as the Director of the Coast Guard's Office of Boating Safety office will be a uniformed officer in the rank of Captain.

The Conference substitute adopts the Senate provision.

*Section 216. Hangar at Coast Guard Air Station Barbers Point*

The House bill does not contain a comparable provision.

Section 409 of the Senate amendment would require the Coast Guard to submit a report that includes a proposal and cost analysis for constructing an enclosed hangar at Coast Guard Air Station Barbers Point. The current station is not enclosed and is not 10 large enough to house a single C–130. Due to the resulting exposure, aircraft are experiencing corrosion.

The Conference substitute adopts the Senate provision.

*Section 217. Promotion of Coast Guard Officers*

The House bill does not contain a comparable provision.

Section 410 of the Senate amendment modifies the requirement for advice and consent of the Senate for officer appointments to the rank of Lieutenant (O–3) and below in both peacetime and wartime.

The Conference substitute adopts the Senate provision.

*Section 218. Redesignation of Coast Guard Law Specialists as Judge Advocates*

The House bill does not contain a comparable provision.

Section 407 of the Senate amendment would redesignate Coast Guard ''law specialists'' as ''judge advocates.'' The Coast Guard is currently the only military service that does not use the title ''judge advocate'' for its military attorneys.

The Conference substitute adopts the Senate provision.

TITLE III—SHIPPING AND NAVIGATION

*Section 301. Treatment of ferries as passenger vessels*

Section 301 of the House bill amends the definition of ''passenger vessel'' and ''small passenger vessel'' to include ferries that carry passengers with or without charge.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision.

*Section 302. Great Lakes pilotage annual ratemaking*

Section 302 of the House bill requires the Coast Guard to review and adjust pilotage rates as necessary by March 1 of each year, which is in advance of the opening of the Great Lakes shipping season. Annual adjustments lend stability to the shipping system by avoiding the much larger increases that have occurred recently when multiple years lapse between adjustments.

The Senate amendment does not contain a comparable provision.

The Conference substitute includes a provision that requires the Secretary of the department in which the Coast Guard is operating to adjust Great Lakes pilotage rates annually based on an annual review of base pilotage rates that are required to be established not less than every 5 years following a full rulemaking process. It is not, however, the intent of the conferees that the adjustment of annual rates be subject to a full rulemaking process.

*Section 303. Certification of vessel nationality in drug smuggling cases*

Section 303 of the House bill amends the Maritime Drug Law Enforcement Act to strike the requirement that the United States receive a denial of a vessel's claim of

registry from a foreign country before asserting jurisdiction over a vessel. The revised language requires only that the United States receive a response from a foreign government regarding the claim of registry. Therefore, this amendment would allow the U.S. to prove that a flag State, which the defendant alleged has jurisdiction, does not have such jurisdiction if the flag State, in response to a U.S. inquiry, responds that it can neither confirm nor deny a suspect vessel's nationality.

Section 210 of the Senate amendment contains a substantively similar provision with a technical change that clarifies that the response of a foreign nation may be made by radio, telephone, or similar oral or electronic means and is conclusively proved by certification of the Secretary of State or the Secretary's designee.

The Conference substitute adopts the Senate provision with a technical amendment.

*Section 304. LNG tankers*

Section 304 of the House bill requires the Secretary of Transportation to develop a program to promote the transportation of liquefied natural gas (LNG) by the maritime transportation sector. The provision also amends the Deepwater Port Act to direct the Secretary to prioritize the processing of licenses for LNG facilities that would be supplied by U.S.-flagged LNG vessels.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts the House provision with an amendment that amends the Deepwater Port Act to require an applicant for a deepwater port license to include, as part of the application, information regarding the vessels that are reasonably expected to service the port upon construction. The provision also requires the Coast Guard to provide the same information to the Federal Energy Regulatory Commission as part of the Coast Guard's contribution to the Environmental Impact Statement for landside liquefied natural gas and liquefied petroleum facilities.

*Section 305. Use of maritime safety and security teams*

The House bill does not include a comparable provision.

Section 704 of the Senate amendment provides that the Secretary may use maritime safety and security teams to implement any mission of the Coast Guard.

The Conference substitute adopts the Senate provision with a technical amendment.

*Section 306. Enhanced civil penalties for violations of the Maritime Transportation Security Act*

The House bill does not include a comparable provision.

Section 704 of the Senate amendment would amend section 70119 of title 46, United States Code, to permit the Secretary to assess substantial separate and continuing civil penalties to compel owners and operators of vessels and facilities to comply with MTSA. The total fines per violation would not exceed $50,000 during FY2006, $75,000 during FY2007, and $100,000 after FY2007.

The Conference substitute adopts a provision that makes each day during which a violation of Chapter 701 of title 46, United States Code, a separate violation and caps a civil penalty for a violation at no more than $50,000. Additionally the conferees agree that the Secretary shall have the prerogative to take into account the nature, circumstances, and extent of the violation in assessing the penalty.

This section will add a dimension of enforcement flexibility for the Secretary to assess a civil penalty for each day an owner/operator remains non-compliant beyond the first day on which the violation was cited. Currently, the only alternative means of enforcement is for the Secretary to order cessation of vessel or facility operation until the owner or operator corrects the outstanding violation. This provision will expand the enforcement options available to the Secretary under MTSA, consistent with other statutes that provide for a separate violation for each day a violation remains outstanding.

*Section 307. Training of cadets at United States Merchant Marine Academy*

Section 406 of the House bill authorizes cadets at the Merchant Marine Academy to train aboard foreign-flagged liquefied natural gas (LNG) vessels if the Secretary determines that such training is in the interest of the United States.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts the House provision.

Currently, cadets at the Academy are prohibited from training aboard foreign-flagged vessels; however there are no U.S.-flagged LNG vessels in operation. Future national energy strategies will likely place increased emphasis on the transport of LNG to U.S. ports resulting in a high demand for merchant mariners with previous training and experience aboard LNG vessels. This authority will allow Merchant Marine Academy cadets to gain that training in the interim before U.S.-flagged LNG vessels come into operation.

*Section 308. Reports from mortgagees of vessels*

Section 411 of the House bill authorizes the Secretary to require reports from mortgagees in addition to those required of owners, masters and charterers. Section 12120 of Title 46, United States Code, authorizes the Secretary of the Department in which the Coast Guard is operating to require owners, masters and charterers of vessels engaged in the coastwise trade and the fisheries to submit reports to ensure compliance with vessel documentation laws. These reports may be in any reasonable form prescribed by the Secretary.

Section 206 of the Senate amendment is identical.

The Conference substitute adopts the House provision.

*Section 309. Determination of the Secretary*

Section 413 of the House bill would prevent the Secretary from considering any felony conviction that occurred more than 7 years prior to the date of the Secretary's determination when evaluating whether an individual poses a terrorism risk for the United States for the purpose of obtaining a transportation security card. This provision also specifies that an appeal of a denial of an application for a transportation security card must include an opportunity for a hearing before an administrative law judge.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts a provision that requires the Secretary of the department in which the Coast Guard is operating to establish a review process before administration law judges to consider an appeal of a denial of an application for a transportation security card.

Nothing in this section provides authority for the Secretary or the Administrative Law Judge to make a separate determination as to whether an individual may be denied admission to the United States or removed from the United States under the Immigration and Nationality Act. Those determinations are to be governed by the Immigration and Nationality Act and not section 70105 of title 46, United States Code.

*Section 310. Setting, relocating, and recovery of anchors*

Section 415 of the House bill prohibits the use of a vessel that has not been documented under U.S. law with a registry endorsement to set or move anchors or other mooring equipment of a mobile offshore drilling unit located above or on the outer Continental Shelf.

Section 217 of the Senate amendment contains a similar provision that additionally prohibits the movement of merchandise or personnel to or from a point in the United States from or to a mobile offshore drilling unit located over the outer Continental Shelf that is not attached to the seabed or attached to the seabed but not actively exploring for oil and gas resources.

The Conference substitute adopts a provision that prohibits the use of a vessel that does not hold a registry endorsement to set or move anchors or other mooring equipment of a mobile offshore drilling unit located over the outer Continental Shelf or to transport merchandise or personnel to or from a point in the United States from or to a mobile offshore drilling unit located over the outer Continental Shelf that is not attached to the seabed. The purpose of subsection (c)(1 )(A) is to require that only an American registered vessel can engage in any activity performed in connection with the mooring or unmooring of a mobile offshore drilling unit located over the U.S. outer Continental Shelf.

*Section 311. International tonnage measurement of vessels engaged in the Aleutian Trade*

Section 416 of the House bill would amend Chapter 33 of title 46, United States Code, to apply the current exemption from Coast Guard inspection for certain fish tender vessels that are 500 gross tons or less, as measured under the regulatory tonnage system, and engaged in the Aleutian trade to such vessels that are 2,500 gross tons or less, as measured under the International Tonnage Convention.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts the House provision.

Under current law, fish tender vessels that are not more than 500 gross tons, as measured under regulatory tonnage, or an alternate tonnage to be prescribed by the Secretary and engaged in the Aleutian trade are exempt from Coast Guard inspection requirements. However, the Coast Guard has never completed the rulemaking process to establish an equivalent alternate tonnage under the international measurement system. As a result, the Aleutian trade fleet has experienced confusion and complications as vessel owners seek to proceed with fleet modernization plans that call for the replacement of current vessels with new vessels that have been measured under the International Tonnage Convention. This provision will alleviate the delay in implementing regulations establishing alternate tonnages as part of the transition from traditional regulatory tonnage to the international measures system.

The conferees recommend that the Coast Guard and the Secretary take swift action to complete the regulatory process to adopt alternate tonnage systems for all vessel classes in the U.S. fleet.

*Section 312. Riding gangs*

Section 425 of the House bill would authorize foreign citizens who are not considered seamen and who do not carry out watchstanding functions aboard a vessel to carry out certain repair work on U.S.-flag vessels while underway. The provision also requires that any such foreign personnel

must possess a valid transportation security card that is required for maritime workers under section 70105 of title 46, United States Code.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts a provision that would authorize the use of foreign citizens who are not considered seamen and who do not carry out watchstanding functions aboard a vessel to carry out certain repair work on U.S.-flag vessels while underway when U.S. citizens or residents are unavailable to complete the work and for not more than 60 days in each calendar year.

The conferees intend to allow for the employment of certain individuals on freight vessels on international voyages for extended periods qualifying as ''riding gang members'' without placing these vessels at a competitive disadvantage against similar foreign flag vessels. Under this section, riding gang members may only perform repairs consistent with the provisions of the section, as deemed necessary by the Master, acting on behalf of the vessel operator. This language in no way prevents or limits a vessel's Master from obtaining necessary personnel to perform unforeseen emergency repairs when such circumstances arise. Under the section, the Master, acting on behalf of the vessel operator, may utilize riding gang personnel, in addition to the 60 days allowed under this section, under certain situations when a riding gang member is necessary to perform warranty work.

This section requires each riding gang member to undergo a criminal background check and requires the vessel owner or operator to certify that these checks have been completed. New section 8106(a)(1)(A) of title 46 U.S. Code requires that such individuals possess a valid United States nonimmigrant visa for persons desiring to enter the United States temporarily if they are not a U.S. citizen or alien lawfully admitted for permanent residence.

The section also provides for chemical testing, as well as compliance with shipboard familiarization training in accordance with the International Convention of Training, Certification, and Watchkeeping for Seafarers, 1978, as amended. The Coast Guard is expressly authorized to order the removal of an individual found with probable cause to have committed certain criminal offenses or otherwise constitutes a threat to the safety of U.S. flag freight vessels.

The conferees do not intend to alter collective bargaining agreements that freight vessel owners or operators may have with U.S. maritime labor unions or their documented mariners through this section; nor is it intended in any way to derogate from the traditional maritime jurisdiction of any maritime labor unions. Owners and operators will be required to ensure that an agreement be entered into with each riding gang member that meets or exceeds the minimum international standards of all applicable ILO conventions to which the United States is a party, and shall, at a minimum, include all of the merchant seamen protection and relief provisions contained in the United States Code, including but not limited to those that are set forth in Chapter 103 of Title 46 of the United States Code.

Under this section, violations are punishable by a civil penalty of not more than $10,000 a day, and each day of a continuing violation constitutes a separate violation. The legislation further establishes maximum penalties for continuing violations. Moreover, in determining the amount of the penalty, the Secretary is authorized to take into account the nature, circumstances, extent, and gravity of the violation committed and, with respect to the violator, the degree of culpability, history or prior offenses, ability to pay, and such other matters as justice may require.

TITLE IV—MISCELLANEOUS

*Section 401. Authorization of Junior Reserve Officers Training Program Pilot Program*

Section 402 of the House bill authorizes the Secretary to carry out a pilot program to establish a Coast Guard junior reserve officers training program in Camden County, North Carolina.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts the House provision with an amendment to clarify that active duty officers and members of the Coast Guard, including reservists on active duty, may not be stationed as administrators or instructors as part of the pilot program.

*Section 402. Transfer*

Section 403 of the House bill authorizes the Secretary to convey the decommissioned Coast Guard cutter PLANTREE to the CAS Foundation, Inc., a nonprofit corporation in the State of Indiana.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts the House provision with an amendment that permits the vessel to be used for humanitarian purposes.

*Section 403. LORAN-C*

The House bill does not include a comparable provision.

Section 214 of the Senate amendment would authorize the Department of Transportation to transfer $25,000,000 in FY 2006 and in FY 2007 from the Federal Aviation Administration to the Coast Guard for recapitalization of the LORAN-C radio navigation system.

The Conference substitute adopts the Senate provision.

*Section 404. Long-range vessel tracking system*

Section 404 of the House bill directs the Secretary to carry out a pilot program to demonstrate long-range vessel tracking systems pursuant to 46 U.S.C. 70115. The section also authorizes an amount of $4 million in FY 2006 to carry out the pilot project.

Section 215 of the Senate amendment includes a similar provision with an additional requirement that the project be conducted with the assistance of an existing non-profit maritime organization that has a demonstrated capability of operating satellite communications systems able to transmit this type of data. In addition, it authorizes funding for each of FYs 2006, 2007, and 2008.

The Conference substitute adopts the Senate provision with an amendment to make the program subject to the availability of appropriations.

*Section 405. Marine vessel and cold water safety education*

The House bill does not include a comparable provision.

Section 216 of the Senate amendment requires the Coast Guard to continue existing agreements with organizations that provide marine vessel safety training and cold water immersion education to fishermen and children.

The Conference substitute adopts the Senate provision.

*Section 406. Reports*

Section 405 of the House bill requires the Secretary to review and report to Congress on the adequacy of Coast Guard air and surface assets at several Coast Guard stations and sectors to carry out the Service's traditional missions of search and rescue, drug and migrant interdiction, and marine environmental protection in addition to homeland security responsibilities.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts a provision that is similar to the House-passed provision.

*Section 407. Conveyance of the Decommissioned Coast Guard Cutter MACKINAW*

Section 408 of the House bill directs the Commandant of the Coast Guard to convey the USCGC MACKINAW to the City and County of Cheboygan, Michigan upon the vessel's scheduled decommissioning. The section requires that the cutter be used as a museum and be made available to the Federal Government if needed in time of war or national emergency.

Section 408 of the Senate amendment contains a similar provision but requires the Commandant to deliver the vessel to the City between June 10, 2006 and June 30, 2006.

The Conference substitute adopts the Senate provision with a slight modification to the delivery schedule to allow for a change in the date of decommissioning and an adjustment to convey the vessel directly to a non-profit museum.

*Section 408. Deepwater reports*

Section 409 of the House bill requires the Secretary of the department in which the Coast Guard is operating to submit a complete implementation plan for the Deepwater program not later than 30 days after the enactment of the Act. The plan was required to include a complete timeline for the acquisition of each new Deepwater asset and the phase-out of legacy assets for the life of the program, a projection of the remaining operational lifespan of each legacy asset, a detailed justification for each modification in each Integrated Deepwater Program asset that fulfills the revised mission needs statement for the program, and a total cost of the program that aligns with the revised mission needs statement for the program.

Sections 212 and 213 of the Senate amendment are substantively similar provisions. Section 212 of the Senate amendment would require the Coast Guard to submit a report on the status of their compliance with the GAO's recommendations in report GAO–04–380, ''Coast Guard Deepwater Program Needs Increased Attention to Management and Contractor Oversight.'' Section 213 would require the Coast Guard to provide an acquisition time line and associated costs for each asset that reflects project completion in 10 years and 15 years. It also would require the Coast Guard to contract with an independent entity to analyze the plan and assess whether the mix of assets and capabilities selected as part of that plan will meet the Coast Guard's criteria of performance, minimizing total ownership costs, and whether additional or different assets should be considered as part of the plan.

The Conference substitute adopts a provision that require the Coast Guard to submit reports that include components from both the House- and Senate-passed provisions.

The conferees remain concerned that legacy assets are deteriorating at a much faster rate than was originally expected when the Deepwater plan was first developed. Coast Guard vessels and aircraft are increasingly unavailable to carry out the Service's missions due to unscheduled maintenance and repairs. The conferees again support acceleration of the Deepwater program to, in part, provide new assets to replace aging legacy assets that are jeopardizing the success of Coast Guard missions, putting at risk the lives of the men and women of the Coast Guard and siphoning away funding from the acquisition of new assets.

The conferees expect that the reports required under this section will contain a complete delivery schedule for each asset to be

acquired, a projection of the remaining operational lifespan of each legacy asset, a detailed justification for each modification to the original Deepwater plan to meet the Service's revised mission needs statement, and an explanation of the costs that will be required above the estimated costs of the original Deepwater program resulting from such modifications.

*Section 409. Helicopters*

Section 410 of the House bill would limit the number of HH–65 helicopters that the Coast Guard may acquire to no more than four and prohibit the Commandant from acquiring such helicopters until 90 days after the submission to Congress of a determination that the cost of acquiring used HH–65 helicopters and the cost to modifying those helicopters or airframes to meet the same design, construction, and equipment standards that apply to the current fleet of HH–65 helicopters is more cost-effective than an acquisition or leasing of a similar number of MH–68 helicopters.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts a provision that requires the Coast Guard to study and report to Congress an analysis of the potential impacts, including costs and benefits, of a requirement that the Coast Guard only acquires helicopters or major helicopter components built in the United States. The conferees understand that some foreign helicopter manufacturers own U.S. manufacturing facilities capable of building helicopters and some helicopter components, but that some components of those helicopters are only manufactured outside the United States.

*Section 410. Newton Creek, New York City, New York*

Section 412 of the House bill requires the Coast Guard to carry out a study and report to Congress on the pollution of Newtown Creek in the city of New York, New York caused by oil seepage.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with a modification to require the Environmental Protection Agency to carry out the study rather than the Coast Guard.

*Section 411. Report on technology*

Section 414 of the House bill requires the Commandant of the Coast Guard to submit a report that includes an assessment of the availability and effectiveness of technologies that evaluate and identify inbound vessels and their cargo for potential threats before they reach United States ports, including technologies already tested or in testing at joint operating centers, as well as the costs associated with implementing such technology at all United States ports.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts a provision that is substantively similar to the House-passed provision.

*Section 412. Assessment and planning*

Section 417 of the House bill authorizes an amount of $400,000 to be appropriated to the Coast Guard to carry out an assessment of and planning for the impact of an Arctic Sea Route on the indigenous people of Alaska.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment to authorize the funding to the Maritime Administration to carry out the assessment and planning rather than the Coast Guard.

*Section 413. Homeport*

Section 418 of the House bill requires, subject to the availability of appropriations, the Commandant of the Coast Guard to homeport the Coast Guard cutter HEALY in Anchorage, Alaska.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts a provision that requires the Coast Guard to conduct a study to assess the current homeport for the Coast Guard polar icebreaker HEALY and to assess whether that site or alternative homeporting arrangements would enhance the Coast Guard's capabilities to meet the recommendations of the Interim Report of the National Academy of Sciences (Polar Icebreaker Roles and U.S. Future Needs: A Preliminary Assessment), namely that the United States should maintain dedicated, year-round icebreaking capability in the Arctic. The provision further requires the Coast Guard to report the findings of the study to Congress not later than one year after the enactment of this Act.

*Section 414. Opinions regarding whether certain facilities create obstructions to navigation*

Section 419 of the House bill requires the Coast Guard to provide an opinion in writing that states whether a proposed wind energy facility would create an obstruction to navigation in any case in which a person requests the Secretary of the Army to take action to permit a wind energy facility under the authority of section 10 of the Act of March 3, 1899 (33 U.S.C. 403).

The Senate bill does not contain a comparable provision.

The Conference substitute adopts a provision that prohibits the construction of an offshore wind energy facility in Nantucket Sound unless approved by the Commandant of the Coast Guard.

*Section 415. Port Richmond*

Section 424 of the House bill would prohibit the Commandant of the Coast Guard from approving a security plan under section 70103(c) of title 46, United States Code, for a liquefied natural gas import facility at Port Richmond in Philadelphia, Pennsylvania until the Secretary conducts a vulnerability assessment under section 70102(b) of such title.

The Senate bill does not contain a comparable provision.

The Conference substitute adopts the House provision.

*Section 416. Eligibility to participate in Western Alaska Community Development Quota Program*

Section 426 of the House bill clarifies that the approval by the Secretary of Commerce of a community development plan for a Western Alaska Community Development Group does not constitute a major Federal action under Federal law.

The Senate bill does not contain a comparable provision.

The Conference substitute establishes the Western Alaska Community Development Quota program and lists the purposes of the program. It is the intent of Congress that all activities of the CDQ groups continue to be considered tax-exempt (as has been the practice since the program's inception in 1992) so that the six CDQ groups can more readily address the pressing economic needs of the region.

The Conference substitute requires that the CDQ program continue to receive the same annual percentage allocations of each fishery as it does now under existing Federal statute and regulation. It also requires that the percentage of a particular fishery allocated to the CDQ program shall be a directed fishing allowance if treated as such under existing practice and law (such as in the Bering Sea and Aleutian Islands pollock fishery), or in the alternative to include both directed fishing and non-target fishing allocation needs in fisheries where that is the current practice and law for the CDQ allocation. It is not the intent of the conferees to either change the current allocations to the CDQ program or create ''squid box'' problems where minor species such a squid inhibit any directed fishing under the CDQ program.

The Conference substitute provides that the allocation to the CDQ program of certain Bering Sea and Aleutian Islands groundfish species (including Pacific cod, mackerel, and flatfish species) be permanently increased to 10 percent (up from 7.5 percent) and treated as directed fishing allocations as soon as any quota-type programs are established in any sector of the applicable fishery or sector allocations are adopted in the fishery.

The Conference substitute requires that a directed fishing allocation of 10 percent be made to the CDQ program in any new fishery that is opened in the Bering Sea and Aleutian Islands.

The Conference substitute codifies existing practice with respect to processing and any other rights related to CDQ allocations. It specifies that the allocations to the CDQ program itself, as well as the allocations to each of the CDQ groups include the harvesting rights, the rights to process the fish, and any other rights or privileges related to the fish that are associated with the allocations as of March 1, 2006. This is not intended to give the CDQ program or the CDQ groups processing privileges that they do not already have. The language is also not intended to change the inshore/offshore split contained in the American Fisheries Act.

The Conference substitute requires that the harvest of the CDQ allocations be regulated in a manner no more restrictive or costly than for other participants in the applicable sector of the fishery. This section only applies to fisheries with individual quotas or fishing cooperatives.

The Conference substitute allocates to each CDQ group the same percentage of each species that it was authorized to harvest annually by the Secretary as of March 1, 2006. It codifies the existing allocations among the groups dating back to 2003 as well as allocations for new crab CDQ allocations which were approved by the National Marine Fisheries Service in 2005. This includes all species for which the CDQ groups receive an allocation. Additionally, the provision establishes a new system to reallocate up to 10 percent of a CDQ group's allocation if the group fails to meet goals and criteria weighted by the group itself and based on the needs of its region.

By eliminating short term changes in fishery allocations, the conferees intend for the CDQ groups to be able to more readily address the economic needs of western Alaska.

The Conference substitute clarifies existing law by naming the 65 communities and six entities eligible to participate in the CDQ program.

The Conference substitute establishes the requirements that each of the six CDQ groups must fulfill to maintain eligibility in the CDQ program. Each group must be governed by a board of directors, at least 75 percent of the members of which are resident fishermen from the CDQ group's member villages, and have at least one director from each of its member villages. Each CDQ group must select a representative to serve on the CDQ panel.

The Conference substitute allows each CDQ group to make up to 20 percent of its annual investments: (I) on non-fishery projects in its member villages; (II) on pooled or joint investments with other CDQ groups in their regions; or (III) for the purpose of matching Federal or State grants for projects or programs in its member villages. Any remaining

investments must be in fishery related projects or for purposes consistent with the current practices of the CDQ groups. It also requires each CDQ group to submit an annual written statement to the Secretary of Commerce and the State of Alaska which summarizes its investments for the previous year.

The Conference substitute requires CDQ groups to comply with any excessive share limitations in the BSAI fisheries only to the extent of their proportional ownership in any other entities. This provision is intended to address the inherent conflict between excessive share limitations in the fisheries and the CDQ program goal to expand the economic base of the adjacent communities through investment in the fisheries.

The excessive share limitations imposed by the North Pacific Council, Secretary, and Congress are mainly intended to prevent for-profit entities and individuals from acquiring excessive shares of fishing privileges in the fisheries. The excessive share concept stems from National Standard Four of the Magnuson-Stevens Act. It pre-dates the CDQ program and fails to take into account the unique characteristics of the CDQ program.

The Conference substitute would therefore exempt CDQ groups from the ''attribution'' requirements of the American Fisheries Act, the crab quota program, and other federal regulations. Under the ''attribution'' rules, an entity is attributed with the entirety of another entity's harvesting or processing capacity even if the original entity only owns as little as 10 percent of the other entity. Under the substitute, if a CDQ group owns 25 percent of another entity, only 25 percent of the other entity's harvesting or processing capacity would be counted against the CDQ group in determining compliance with any excessive share limitation. Similarly, if a CDQ group owns 77 percent of another entity, only 77 percent of the other entity's capacity would be counted against the CDQ group. The provision is intended to allow the CDQ groups to continue to expand in the BSAI fisheries off their shores, while not completely exempting CDQ groups from excessive share limitations.

The Conference substitute requires each CDQ group to comply with State of Alaska law for the purpose of ensuring that the group provides an annual report to its member villages describing its financial operations, including its general and administrative costs and compensation levels. This provision ensures that the State of Alaska's role is to ensure adequate ''transparency'' to the member villages, particularly with respect to administrative costs.

The Conference substitute requires CDQ groups to additionally comply with State of Alaska banking and securities law to prevent fraud. This requirement removes the State of Alaska from the investment planning and decisions of the CDQ groups, but creates anew, narrower role, to assist the member villages in ensuring against any fraud by the CDQ group. The provision also Clause (iii) requires that the CDQ group and State of Alaska keep confidential from public disclosure any information the disclosure of which would be harmful to the entity or its investments.

The Conference substitute exempts CDQ groups from compliance with any State approval of financial transactions, community development plans, and community development plan amendments, however the provision requires CDQ groups to comply with the decennial review conducted by the State of Alaska.

The Conference substitute establishes a community development quota program panel. The CDQ Panel will consists consist of a member from each of the six CDQ groups. The CDQ Panel removes the need for governmental oversight of the CDQ program and encourages the CDQ groups to work together. Decisions by the CDQ Panel require the unanimous vote of all six Panel members. The Panel may not act if there is a vacancy.

The Conference substitute requires a decennial review of the CDQ program by the State of Alaska. The first review will be in 2012. The CDQ Panel establishes a system to be used by the State of Alaska for purposes of the decennial review that allows each CDQ group to assign relative values to certain criteria in order to match the relative weights of the criteria to the specific needs identified by the CDQ group for its villages. The criteria are: (I) changes in the population, poverty level, and economic development in the CDQ group's member villages; (II) the overall financial performance of the CDQ group, including its fishery and non-fishery investments; (III) the employment, scholarships, and training supported by the CDQ group; (IV) the achievement of the goals of the entities Community Development Plan. Each CDQ group would weight these criteria to reflect the needs of its member villages.

The Conference substitute requires the State of Alaska to use the criteria as weighted by each CDQ group to determine the performance of each CDQ group under the decennial review. The State of Alaska is required to make each performance determination on the record and after an opportunity for a hearing. If the State applies the CDQ group's weightings and determines that a CDQ group has maintained or improved its overall performance, the allocations to the CDQ group are automatically extended for the next 10-year period. If, on the other hand, the State determines that a CDQ group has failed to maintain or improve its performance as measured under the weighted criteria, then at least 90 percent of the CDQ group's allocation of each species under is automatically extended, and the State may determine an appropriate reduction of up to 10 percent of each species for all or part of the next 10-year period. If State law prevents the State from making this determination then the Secretary may make the appropriate reduction. Any reductions imposed by the State of Alaska or the Secretary under shall be reallocated for the period of the reduction to the other non-penalized groups in proportion to each non-penalized group's allocation of the applicable species.

The Conference substitute eliminates the requirement that CDQ groups seek either the review or approval by the Secretary of community development plans or amendments to community development plans. The Conference agreement does not require the State of Alaska to approve community development plans and amendments.

Nothing in the Conference substitute should be construed or implemented in a way that causes any interruption to the CDQ program or to the opportunity of CDQ groups to harvest their allocations.

Subsection (b) would amend existing CDQ loan authority to set the upper limit for the total of the CDQ loans provided by the recent bill language, and paragraph (2) would clarify that CDQ loans under the 1998 CDQ program may be used for the purchase of vessels, processors, permits, quota, and cooperative rights.

*Section 417. Quota share allocation*

Section 427 of the House bill provides that a portion of the total crab processing quota shares equal to 1.5 percent of the total allowable catch for the Bristol Bay red king crab fishery and the Bering Sea C. Opilio crab fishery be made available to the vessel Blue Dutch, LLC in years when the total allowable catch for that fishery is more than 2 percent higher than the total allowable catch for that fishery during calendar year 2005.

The provision further provides that the Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands implementing regulations shall thereafter be adjusted so that the total of all crab processing quota shares for each fishery referred to equals 90 percent of the total allowable catch.

The Senate bill does not contain a comparable provision.

The Conference substitute adopts a provision that directs the Secretary of Commerce to modify the Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands to provide 0.75 percent of the processor quota share units for the Bristol Bay red king crab fishery and the Bering Sea C. Opilio crab fishery to the vessel Blue Dutch, LLC in years when the total allowable catch for that fishery is more than 2 percent higher than the most recent total allowable catch for that fishery prior to September 15, 2005.

*Section 418. Maine fish tender vessels*

The House bill does not contain a comparable provision.

Section 211 of the Senate amendment would establish a waiver that would allow vessels not built in the United States to transport fish and shellfish within the coastal waters of the State of Maine if that vessel is ineligible for documentation under chapter 121 of title 46, United States Code because it measures less than 5 net tons and has transported fish or shellfish within the coastal waters of the State of Maine prior to December 31, 2004.

The Conference substitute adopts a provision that authorizes foreign-built vessels that are less than 5 net tons to transport fish or shellfish between places in the State of Maine if that vessel transported fish or shellfish between places in Maine prior to January 1, 2005; the owner. of such vessel owns a valid wholesale seafood license to conduct such transportation that was issued under the Revised Maine Statutes prior to January 1, 2005; the vessel is owned by a person or persons that meet U.S. citizenship requirements under section 2 of the Shipping Act, 1996; and the owner of the vessel submits within 180 days of enactment of this Act an affidavit to the Secretary in which the Coast Guard is operating that certifies that the owner and vessel meet the requirements of this section.

*Section 419. Automatic identification system*

The House bill does not contain a comparable provision.

Section 219 of the Senate amendment authorizes the Secretary to transfer $1,000,000 to the Department of Commerce for the purposes of awarding a competitive grant to design, develop, and prototype a device that integrates a Class B Automatic Identification System (AIS) transponder with an FCC-approved wireless maritime data device. The Senate-passed amendment also expresses the Sense of the Senate that the Federal Communications Commission should quickly resolve the disposition of its rulemaking on the AIS and licensee use of AIS frequency bands.

The Conference substitute adopts the Senate provision.

*Section 420. Voyage data recorder study and report*

Section 429 of the House bill would require the Secretary to prescribe regulations to require ferries that carry more than 399 passengers be equipped with a voyage data recorder and to establish standards, methods

for approval of models, and procedures for annual performance testing.

The Senate amendment does not include a comparable provision.

The Conference substitute adopts a provision that requires the Coast Guard to conduct a study that examines the costs and benefits of carriage of a voice data recorder aboard ferries that carry 400 or more passengers. The Coast Guard is required to submit the findings of the study to Congress not more than 1 year after enactment and to include a recommendation for proposed legislative language if it is deemed appropriate and necessary.

*Section 421. Distant water tuna fleet*

The House bill does not contain a comparable provision.

Section 218 of the Senate amendment would permit U.S.-flag purse seine fishing vessels that operate out of American Samoa and that fish exclusively for highly migratory species under a fishing license issued pursuant to the 1987 Treaty of Fisheries Between the Governments of Certain Pacific Islands States and the Government of the United States of America to utilize non-United States licensed and documented personnel to meet manning requirements for a 48-month period beginning on the date of enactment of this Act if, after timely notice of a vacancy, no United States-licensed and documented personnel are readily available.

The Conference substitute adopts a provision that would permit such U.S.-flag vessels to utilize foreign citizens that hold a valid license issued in accordance with the standards established by the 1995 amendments to the Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 95) and under competency and training standards that are equivalent or exceed such standards, in the determination of the Secretary, that are required for U.S. licensed personnel. The provision maintains the requirement that the vessel's master be a U.S. citizen licensed by the Coast Guard and provides that this exemption applies only when no U.S. licensed and documented personnel area available. The substitute maintains the sunset and geographical restrictions that were included in the Senate amendment.

TITLE V—LIGHTHOUSES

*Section 501. Transfer*

Section 501 of the House bill transfers administrative jurisdiction from the Secretary of Agriculture to the Secretary of the department in which the Coast Guard is operating over several National Forest System lands in the State of Alaska upon which are located certain Coast Guard facilities, and over improvements situated on the lands, without requiring consideration and directs the Secretary of Interior to select an eligible entity under the National Historic Lighthouse Preservation Act to take custody of the structures and surrounding lands once the Coast Guard has determined that the land is excess property.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision.

*Section 502. Misty Fiords National Monument and Wilderness*

Section 502 of the House bill permits the Secretary of the department in which the Coast Guard is operating to transfer to the Secretary of Agriculture all administrative jurisdiction over the Tree Point Light Station, without consideration, if the Secretary determines that the Tree Point Light Station is no longer needed for the purposes of the Coast Guard. The Commandant of the Coast Guard, however, may reserve rights to operate and maintain Federal aids to navigation at the site.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision.

*Section 503. Miscellaneous light stations*

Section 503 of the House bill specifies that, for purposes of section 416(a)(2) of Public Law 105–383, the Cape St. Elias Light Station shall comprise approximately 10 acres in fee, along with additional access easements issued without consideration by the Secretary of Agriculture, as generally described in the map entitled 'Cape St. Elias Light Station,' dated September 14, 2004. That law authorized the Commandant of the Coast Guard, or the Administrator of the General Services Administration, as appropriate, to convey all right, title, and interest of the United States to Cape St. Elias Light Station to the Cape St. Elias Light Keepers Association; however, it did not clearly describe the property to be conveyed. This provision provides. a description of this property.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment that amends Section 325(c)(3) of the Coast Guard Authorization Act of 1993 (Public Law 103–206; 107 Stat. 2432) to include several housing units and related structures with the property that was transferred in association with Point Wilson Lighthouse in the State of Washington under that Act.

*Section 504. Inclusion of lighthouse in St. Marks National Wildlife Refuge, Florida*

Section 504 of the House bill revokes the reservation of public land described in subsection (b) for lighthouse purposes by the Executive Order dated November 12, 1838, as amended by Public Land Order 5655, dated January 9, 1979, consisting of approximately 8.0 acres within the external boundaries of St. Marks National Wildlife Refuge in Wakulla County, Florida. Administrative jurisdiction over this land, and over all improvements, structures, and fixtures located thereon, is transferred from the department in which the Coast Guard is operating to the Secretary of the Interior, without reimbursement. However, any Federal aids to navigation located at the Refuge will continue to be operated and maintained by the Coast Guard for as long as they are needed for navigational purposes, and the Coast Guard may remove, replace, or install any Federal aid to navigation at the Refuge as may be necessary.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment that prohibits the transfer of the property until the Coast Guard has completed all response and restoration activities at the site.

TITLE VI—DELAWARE RIVER PROTECTION AND MISCELLANEOUS OIL PROVISIONS.

*Section 601. Short title*

Section 601 of the House bill states that the legislation may be referred to as the ''Delaware River Protection Act of 2005''.

The Senate amendment does not contain a comparable provision.

The Conference substitute states that this title may be referred to as the ''Delaware River Protection Act of 2006''.

*Section 602. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States*

Section 602 of the House bill establishes a requirement to notify the Coast Guard of a release of an object from a vessel or facility that creates an obstruction to navigation. Individuals who fail to ''promptly'' notify the Coast Guard of a loss of such an object will be subject to existing civil and criminal penalties under the Ports and Waterways Safety Act.

Under Subchapter C of title 33, Code of Federal Regulations, owners of sunken or submerged vessels that could obstruct navigation in U.S. waters must mark and report the existence of the obstruction. However, there is no current statutory or regulatory requirement that an owner of an object, other than a vessel, notify the Coast Guard after the release of such an object into the navigable waterways of the United States. This provision will address that discrepancy and will improve the Coast Guard's capabilities to maintain safe and efficient navigation on U.S. waterways.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision.

*Section 603. Limits on liability*

Section 603 of the House bill amends the Oil Pollution Act of 1990 (OPA) to adjust oil spill liability limits to reflect the change in the Consumer Price Index (CPI) since the Act's passage in 1990. The provision would increase liability limits to the December, 2004 CPI-adjusted level (approximately $1,700 per gross ton) over a three year period. The provision makes distinctions between single-hull vessels and double-hull vessels. Liability levels for double-hull vessels would be increased by $500 per gross ton over 3 years, while liability levels for single-hull vessels would be increased by $1,050 per gross ton over three years. This amount is equal to twice the adjustment (approximately $525 per gross ton) based on the increase in the CPI from 1990–2004. The provision also requires the President to adjust the liability limits within three years of the enactment of the Act and every three years thereafter.

OPA established liability limits for tank vessels at a level of $1,200 per gross ton. Under OPA, liability for cleanup costs and damages resulting from oil spills rests with a ''responsible party'' who is either the owner or operator of a vessel. In the event of a spill, the responsible party must pay removal costs incurred by the government or others and damages to claimants who are injured by the spill. Damages may include natural resources damages, damages to real or personal property, damages for loss of use of a natural resource such as a fishery, damages for lost revenue or profit caused by a spill, and damages for the cost of government response necessitated by the spill.

Under OPA, the President is required to adjust these limits every three years according to changes in the Consumer Price Index (CPI). Despite this requirement, no such adjustments have ever been made. The Secretary of the Department of Homeland Security has recently delegated this authority to the Coast Guard.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment to increase liability limits for single-hull tank vessels to $3,000 per gross ton; for double-hull tank vessels to $1,900 per gross ton; and for nontank vessels to $950 per gross ton. These adjustments are based on the projected increase in the end-of-year CPI figure for calendar year 2006.

The substitute also requires the Coast Guard to provide a report within 45 days of enactment of the Act on the extent to which oil discharges from vessels and non-vessel sources have or are likely to result in response costs and damages that exceed these

new limits, the impact on the Oil Spill Liability Trust Fund, and recommendations on whether the liability limits need to be further adjusted. This report is to be updated annually.

*Section 604. Requirement to update Philadelphia area contingency plan*

Section 604 of the House bill requires the Philadelphia Area Committee to annually update its area contingency plan to include the most recent environmental sensitivity data that has been collected by State and Federal agencies.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision.

*Section 605. Submerged oil removal*

Section 605 of the House bill requires the National Oceanic and Atmospheric Administration (NOAA), in conjunction with the Coast Guard, to establish a submerged oil research program to research methods to detect, monitor and remove submerged oil and improve modeling capabilities to better predict the movement and behavior of submerged oil. The provision also requires the Coast Guard to carry out a demonstration project to demonstrate technologies and processes to detect and remove submerged oil from waterways including the Delaware River.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment to limit the scope of the submerged oil research program to the Delaware River and Delaware Bay region.

Title VII of the Oil Pollution Act establishes an Oil Pollution Research and Development Program and an Interagency Coordinating Committee on Oil Pollution Research to carry out the Program. The program established under this section would carry out specific research on the effects and persistence of submerged oil in addition to the research program that is carried out by the Committee. A large percentage of the oil that was released from the ATHOS I was or still remains submerged at the bottom of the river, and little work has been done to increase capabilities to predict the persistence of or vertical and horizontal movement of oil within the water column.

The conferees recommend that the efforts of the research program be focused on developing methods and technologies to remove or diminish the persistence of submerged oil that is currently found in the Delaware River. Further, the conferees recommend that the effort of the demonstration program be concentrated on evaluating methods and technologies of removing submerged oil of the type that was released into the Delaware River as a result of the grounding of the ATHOS I and under the conditions that are observed in the area of the Delaware River that was impacted by such oil.

*Section 606. Assessment of oil spill costs*

The House bill does not contain a comparable provision.

The Senate amendment does not contain a comparable provision.

The Conference substitute requires the Government Accountability Office to assess the costs of response activities and claim that resulted from oil spills into U.S. waters since January 1, 1990.

*Section 607. Delaware River and Bay Oil Spill Advisory Committee*

Section 606 of the House bill establishes an advisory committee composed of representatives from port authorities, shipping interests, oil refineries, labor, river pilots, environmental groups and the general public. The Committee is tasked with developing recommendations for Congress on the prevention of and response to future oil spills on the Delaware River and Bay.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment to increase the membership of the advisory committee.

The conferees do not intend the advisory committee established under this section to, in any way, assume or duplicate the roles and responsibilities inherent to any existing advisory committees including the Mariners Advisory Committee for the Delaware River and Bay, as well as any committees established under the Oil Pollution Act of 1990 or under Chapter 701 of title 46, United States Code, nor do the conferees wish the advisory committee to duplicate the work of these other entities.

*Section 608. Nontank vessels*

The House bill does not contain a comparable provision.

Section 519 of the Senate amendment would clarify the applicability of section 701 of P.L. 108–293 (Coast Guard and Maritime Transportation Act of 2004) to nontank vessels within 12 nautical miles of the United States.

The Conference substitute adopts the Senate provision with a technical amendment.

TITLE VII—HURRICANE RESPONSE

*Section 701. Homeowners assistance for Coast Guard personnel affected by Hurricanes Katrina or Rita*

Section 213 of the House bill authorizes the Secretary to purchase the primary residences of Coast Guard personnel who were assigned to a facility in Louisiana, Mississippi, or Alabama prior to the landfall of Hurricane Katrina that were damaged or destroyed by the storm. Eligible personnel would receive up to 85 percent of fair market value or the amount of any outstanding mortgage, minus an amount of money received from insurance and would transfer to the Secretary all title and interest to the property. The authority to make such purchases is subject to the availability of appropriations.

The Senate amendment does not contain a comparable provision.

The Conference substitute adopts the House provision with an amendment to make personnel assigned to facilities in the State of Texas and properties damaged as a result of Hurricane Rita eligible for reimbursement under this section.

The conferees believe that this provision recognizes the unique situation in which the men and women of the Coast Guard are placed. The Coast Guard was among the first on the scene after (and during) Hurricanes Katrina and Rita and rescued approximately 35,000 Americans. At the same time, members suffered great personal losses. Instead of going home to save personal items, they remained on duty.

*Section 702. Temporary authorization to extend the duration of licenses, certificates of registry, and merchant mariners' documents*

Section 420 of the House bill would authorize the Secretary through December 31, 2006 to temporarily extend the duration of a license or certificate of registry or merchant mariners' document issued for an individual for up to one year if the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina or the individual is a resident of Alabama, Mississippi, or Louisiana.

Section 705 of the Senate amendment contains a similar provision but authorizes extensions ''when such action is deemed appropriate and necessary'' and extends the authority to grant exemptions through September 30, 2007.

The Conference substitute adopts the House provision with an amendment to permit the Secretary to provide an extension to a mariner whose records were damaged or lost as a result of Hurricane Katrina and provides that the authority to grant extensions will expire on April 1, 2007.

The conference adopts this provision to address the concerns of the Coast Guard and Gulf merchant mariners affected by Hurricanes Katrina and Rita. The extension will allow merchant mariners to continue working in the region to while the Coast Guard continues its efforts to recover documents that were held in the Regional Examination Center in New Orleans.

The conferees also direct the Coast Guard to expedite the processing of merchant mariner documents for new applicants from the Gulf Coast region. The dislocation of the local population due to Hurricanes Katrina and Rita left many Gulf Coast vessel operators without enough employees to meet the offshore repair workload. As the speed with which these repairs are made have a significant impact on U.S. energy supplies, the Coast Guard should make every effort to expedite the processing of merchant mariner documents for new applicants required to do this work.

*Section 703. Temporary authorization to extend the duration of vessel certification of vessel certificates of inspection*

Section 421 of the House bill authorizes the Secretary through December 31, 2006 to temporarily extend the duration or the validity of a certificate of inspection or a certificate of compliance for up to 6 months for a vessel inspected by a Coast Guard Marine Safety Office located in Alabama, Mississippi, or Louisiana.

Section 705 of the Senate amendment contains a similar provision except that it does not limit the application of the provision to vessels inspected by a Coast Guard Marine Safety Office located in Alabama, Mississippi, or Louisiana. Also, the Senate amendment extends authorization through September 30, 2007.

The Conference substitute adopts the House provision with an amendment to extend the authority through April 1, 2007.

*Section 704. Preservation of leave lost due to Hurricane Katrina operations*

The House bill does not contain a comparable provision.

Section 707 of the Senate amendment would preserve up to 90 days of accumulated leave that would otherwise be lost for Coast Guardsmen who were stationed in or assisted with operations in the areas that were affected by Hurricane Katrina. This section also provides that any leave in excess of 60 days that is preserved under this language will be lost if not used prior to the end of FY 2006.

The Conference substitute adopts the Senate provision.

The conference adopts this provision to rectify the inequity that would occur to certain Coast Guard personnel who worked in the region affected by hurricane Katrina and did not take accumulated leave.

*Section 705. Report on impacts to Coast Guard*

Section 214 of the House bill requires the Coast Guard to submit a report on the personnel and assets deployed to assist in the response to Hurricane Katrina and the costs incurred as a result of such response that are in addition to funds already appropriated for the Coast Guard for FY 2005.

Section 708 of the Senate amendment contains a comparable provision that requires

the Coast Guard to analyze the impacts of Hurricane Katrina on Coast Guard assets and operations, the Coast Guard's preparedness for such a storm, the Coast Guard's capabilities to communicate during and after the storm, and the financial impacts unbudgeted increases in the price of fuel on Coast Guard operations in FYs 2005 and 2006.

The Conference substitute adopts the Senate provision.

*Section 706. Report on impacts on navigable waterways*

The House bill does not contain a comparable provision.

Section 709 of the Senate amendment requires the Coast Guard to submit a report on the impacts of Hurricane Katrina on navigable waterways and the response of the Coast Guard to such impacts.

The Conference substitute adopts the Senate provision.

TITLE VIII—OCEAN COMMISSION RECOMMENDATIONS

*Section 801. Implementation of international agreements*

The House bill does not contain a comparable provision.

Section 302 of the Senate amendment requires the Secretary to work with responsible officials and agencies of other nations to accelerate efforts at the International Maritime Organization (IMO) to enhance flag state oversight and enforcement of security, environmental, and other agreements adopted within the IMO, including implementation of a code outlining flag state responsibilities and obligations, an audit regime for evaluating flag state performance, measures to ensure that responsible organizations, acting on behalf of flag states, meet established performance standards, and cooperative arrangements to improve enforcement on a bilateral, regional or international basis.

The Conference substitute adopts the Senate provision with a technical amendment to clarify that the Secretary shall work with our international partners to accelerate the implementation and enforcement of those international agreements to which those nations are a party.

*Section 802. Voluntary measures for reducing pollution from recreational boats*

The House bill does not contain a comparable provision.

Section 303 of the Senate amendment requires the Secretary to, in consultation with appropriate federal, state, and local government agencies, undertake outreach programs for educating the owners and operators of boats using two-stroke engines about the pollution associated with such engines, and to support voluntary programs to reduce such pollution and encourage the early replacement of older two-stroke engines.

The Conference substitute adopts the Senate provision.

*Section 803. Integration of vessel monitoring system data*

The House bill does not contain a comparable section.

Section 304 of the Senate amendment requires the Secretary to integrate vessel monitoring system data into its maritime operations databases for the purpose of improving monitoring and enforcement of federal fisheries laws and to work with the Undersecretary of Commerce for Oceans and Atmosphere to ensure effective use of such data for monitoring and enforcement.

The Conference substitute adopts the Senate provision.

*Section 804. Foreign fishing incursions*

The House bill does not contain a comparable provision.

Section 304 of the Senate amendment requires the Secretary to report on steps that the Coast Guard will take to significantly improve the Coast Guard's detection and interdiction of illegal incursions into the United States exclusive economic zone by foreign fishing vessels.

The Conference substitute adopts the Senate provision with an amendment to also include incursions in the Bering Sea within the scope of the report.

TITLE IX—TECHNICAL CORRECTIONS

Section 401 of the House bill makes several technical corrections to current law related to the Coast Guard and maritime transportation.

Sections 501–518 of the Senate amendment make several conforming amendments to current law to reflect the transfer of the Coast Guard to the Department of Homeland Security from the Department of Homeland Security.

Sections 208, 520 and 521 of the Senate amendment make several other amendments that are technical or conforming in nature.

Section 601 of the Senate amendment establishes an effective date for technical amendments that were included in the Senate amendment.

The Conference Report makes several technical and conforming amendments to statutes related to Coast Guard and maritime transportation and establishes an effective date for those amendments.

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

DON YOUNG,
FRANK A. LOBIONDO,
HOWARD COBLE,
PETER HOEKSTRA,
PETE SIMMONS,
MARIO DIAZ-BALART,
CHARLES W. BOUSTANY, Jr.,
JAMES L. OBERSTAR,
BOB FILNER,
GENE TAYLOR,
BRIAN HIGGINS,
ALLYSON Y. SCHWARTZ,

From the Committee on Energy and Commerce, for consideration of sec. 408 of the Hosue bill, and modifications committed to conference:

JOE BARTON,
PAUL GILLMOR,
JOHN D. DINGELL,

From the Committee on Homeland Security, for consideration of secs. 101, 404, 413, and 424 of the House bill, and secs. 202, 207, 215, and 302 of the Senage amendment, and modifications committed to conference:

BENNIE G. THOMPSON,

From the Committee on Resources, for consideration of secs. 426, 427, and title V of the House bill, and modifications committed to conference:

RICHARD POMBO,
WALTER B. JONES,
*Managers on the Part of the House.*

TED STEVENS,
OLYMPIA SNOWE,
*(except section 414),*
TRENT LOTT,
GORDON SMITH,
DANIEL K. INOUYE,
MARIA CANTWELL,
*(except section 414),*
FRANK R. LAUTENBERG,
*(except section 414),*
*Managers on the Part of the Senate.*

## THE PRESCRIPTION DRUG BENEFIT

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

Mr. GINGREY. Mr. Speaker, I am very happy, of course, to be here tonight to take this leadership hour and talk about something that is really near and dear to my heart but, more importantly, near and dear to the hearts of 41, 42 million seniors in this country who finally, because of the leadership of this Congress, the Republican leadership and this President, have delivered on a promise that was made years ago. And that delivery, I know a lot about them because as an OB/GYN physician before coming to Congress, I delivered 5,200 babies, but this may be the best delivery that I have ever been a part of, Mr. Speaker, and that is delivering, as I say, on a promise made by former Congresses and other Presidents over the 45-year history of the Medicare program, which was introduced in 1965 with no prescription drug benefit. And what we have done here is add part D, the ''D'' for ''drugs'' or, if you want, the ''delivery'' that we have finally provided to our American seniors.

This prescription drug benefit is a wonderful thing, and, of course, we are going to talk about that tonight. I have a number of my colleagues that have joined me, and we will be getting information from them, from their districts. We will be engaging in colloquy as we go through the hour, Mr. Speaker, talking about the success stories because we do not want to stand up here for an hour and expect people to take our word for this. I think it is very important, Mr. Speaker, that we hear from our seniors, whether they are from the 11th District of Georgia that I represent or whether they are from the gentlewoman's Virginia District, Representative THELMA DRAKE, who is here with us, and others.

But when we passed this bill in November of 2003 and the President signed it into law shortly thereafter in December, we had so much criticism from the other side of the aisle, it was really amazing. Of course, maybe I could understand the politics of it back then because we had finally delivered on a promise that maybe they had made and not delivered on. But we are into the sign-up period, and, in fact, May 15, after that date there is a penalty for late signing up, and yet the other side is still discouraging the 8 million that have not yet signed up. And that is, Mr. Speaker, I think just so disappointing.

I have heard for the last 1½ years the criticism from the Democrats about this program being nothing but a giveaway to the pharmaceutical industry, that the program was designed by them, that the government cannot negotiate price controls.

Well, I want to take a few minutes, Mr. Speaker, before yielding to my good friend from Virginia. Listen to this: on March 9, 2000, the Clinton

White House released the following ''united vision for a new Medicare prescription drug benefit.'' Many parts of this vision closely mirror the Republican-passed plan that the Democrats have been opposing and criticizing for a 1½ years. And I take this text that I am going to read directly from the Clinton White House Web site.

The White House, Office of the Press Secretary: ''President Clinton and Senate Democrats unified in vision for new Medicare prescription drug benefit for immediate release March the 9th, 2000. Senate Democrats agree on principles for a new Medicare prescription drug benefit. Today Senator Daschle and the Senate Democratic Caucus released a set of prescription drug principles that will guide the current congressional debate over the provision of a new Medicare prescription drug benefit to millions of seniors. These principles state that any new benefit should be: Number one, voluntary.'' Sound familiar? ''Medicare beneficiaries who now have dependable, affordable coverage should have the option of keeping that coverage.

''Accessible to all beneficiaries.'' Again, sound familiar? ''All seniors and individuals with disabilities, including those in traditional Medicare, should have access to a reliable benefit designed to give beneficiaries meaningful protection and bargaining power. A Medicare drug benefit should help seniors and the disabled with the high cost of prescription drugs and protect against excessive out-of-pocket costs.'' The catastrophic coverage in our plan. ''It should give beneficiaries bargaining power that they lack today and include a defined benefit, assuring access to medically necessary drugs.'' Exactly what this Republican Medicare modernization part D bill does.

''Affordable to all beneficiaries and the program, Medicare should contribute enough towards a prescription drug premium to make it affordable for all beneficiaries. While subsidies should be provided to all to assure the benefit is affordable, low-income beneficiaries should receive extra help with the cost of premium and cost sharing.''

Again, Mr. Speaker and my colleagues, does that sound familiar? That is exactly what this bill does.

Let me continue because this is just so instructive. Again, this is the Bill Clinton Presidency and Democratic Congress plan back in 2000.

''Administered using private sector entities and competitive purchasing techniques. Discounts should be achieved through competition, not regulation or price controls.''

They have been griping about this for 1½ years, and their plan calls for private competition and no price controls.

□ 2200

It should mirror practices employed by private insurers in delivering prescription drugs. Private organizations should negotiate prices with drug manufacturers and handle the day-to-day administrative responsibilities of the benefit.'' That is exactly what this plan does and what they have been railing about, again, for the past year-and-a-half. So hypocritical, it is unbelievable.

So I just wanted to bring this press release, this Clinton press release, and show you that the Democrats really wanted to do this, but they couldn't deliver. They could not deliver on the goods, and they can't stand it. They literally cannot stand the fact that this President, who they despise, who they detest, and this Republican leadership, who has been in control of this Congress for the last 12 years and is delivering, is getting things done, is not just simply sitting back and throwing bricks and screaming and hollering. And as we get closer and closer to the deadline, the rhetoric will continue to increase.

Well, I just wanted to start the hour, Mr. Speaker, certainly not on a negative tone, because we are very positive about this. I personally as a physician Member am extremely excited that we are leaving tomorrow, most of us will be leaving tomorrow, to go back to our districts for a 2-week work period.

I am told by our Conference chairperson, the gentlelady from Ohio, DEBORAH PRYCE, that the Republicans, the 231 of us in this body, have scheduled over 200 town hall meetings over this 10-day period while we go back home and work for our seniors, not against our seniors.

I am excited about it, because I have four of those 200 scheduled in my district, and I am really looking forward to it and looking forward to help get those few, I think I said at the outset that some 27 million of 41 million eligible have now signed up, probably 5 or 6 million of those who have not already have a drug plan. We understand that. They have a plan, whether it is TRICARE, if they happen to be a veteran, or the widow or widower of a veteran, or they are signed up under a company that they worked many years for and retired with not only health insurance benefits, but a prescription drug coverage. They don't need it. But there are still 6 or 8 million that do, and that is why I am excited to get home and bring the good news to them.

At this point I want to yield to my colleagues. We have several with us here on the floor tonight, Mr. Speaker. The gentleman from Pennsylvania is the first to stand, and I want to recognize him.

I want to say a little bit about him before I turn the microphone over to Dr. MURPHY.

Dr. TIM MURPHY is a classmate of mine. We came in the 108th Congress. We have served together now for about 3½ years. He and I actually cochair the Republican Health Care Public Relations Committee. We could probably spend this hour talking about any number of issues regarding health care that the Republicans have done.

But we are going to concentrate, as I said at the outset, and talk about this Medicare modernization. We don't want to forget that part, because that is almost as important as the prescription drug part.

At this time, I am very proud to yield to my friend from Pennsylvania, Dr. Representative TIM MURPHY.

Mr. MURPHY. I thank the distinguished doctor from Georgia for yielding to me and for your important information for our colleagues and really for our Nation to understand the importance of the Medicare prescription drug plan.

Some of the things said will bear repeating several times over the next few weeks, and one of the points I want to talk about, as you have discussed as well, is misinformation that is sent out about this plan.

Any time something is new, there is going to be some glitches. All of us, when our children were new, well, we knew as parents we didn't exactly know everything we were doing and we had a foul-up or two, but we persevered and our children turned out well. No matter what one does in life, when it is something new in learning the ropes of it, it is going to take a little adjustment.

But as we were signing up 27 million seniors at a rate sometimes approaching 400,000 a week, the system wasn't always perfectly ready for all of them, and there were some glitches, particularly for some folks who were dual eligible.

But the point is HHS or Medicare responded, put extra people on board, worked out some of the glitches, and I am pleased to say that many of the seniors that I talked to are very pleased with this program.

As a matter of fact, I was recently giving a town hall meeting, there must have been 200 people in the audience there, and I asked how many of them have yet to sign up for a Medicare plan? Not a single hand went up. It seems that all of them had looked at the plan at that point, and that Pennsylvania had chosen a number of things.

One gentleman decided to stick with the veterans plan. He liked that. He had served in the military for many years now as a veteran. Another woman was pleased that she could maintain the Pennsylvania PACE plan for low income seniors that worked well for her. Another woman said she was actually saving several hundred dollars so far, and it was only March, with the Medicare prescription drug plan.

It is folks like this who really tell the truth about what is going on. While politicians may be out there trying to scare seniors, it is the seniors themselves that are perhaps the best salesmen saying it is valuable.

It was only a short period ago that the stories that were always in the newspapers were of seniors getting on board busses and going off to Canada to pick up their prescription drugs, or perhaps using mail order systems to

try to pick up prescription drugs. But I want to point out a couple of things that is important that.

One, a study of the overall costs of traveling off to Canada, it turns out that the overall cost savings was probably only around 1 percent when you looked at it. But AARP and others have said that actually the savings that comes from the Medicare prescription drug plan are at least equal to and sometimes better than traveling across the Nation's lines to pick up drugs.

Also a very, very important savings factor here is not just a matter of saving money, but saving lives. And in the process of seniors trying to find drugs that are affordable to them, Mr. Speaker, what they are also doing is getting on the Internet or going through mail order houses and trying to pick up prescription drugs from foreign sources and tragically finding that those sources contain counterfeit drugs.

One, a drug used to treat schizophrenia, it turned out to be nothing more than white pills that said the word aspirin on them. Other medications had water in them that was tainted. Other ones may have had paint or foreign substances in them.

The point is, not only were they sometimes toxic in and of themselves, but in not treating the illness, the things that went with that is sometimes having seniors take medications that they could have been allergic to or take medications that certainly, at the very least, were not treating their illness.

By having an affordable prescription drug plan, what we have instead is getting the right medicines to the right people so that they are taking medications that are valuable to them and can help treat their illnesses.

But let me point out some more things we have to understand, because as people also look at the expense of a prescription drug plan, we have to understand that, unfortunately, the way this system works in this Federal Government, the Congressional Budget Office doesn't ever tell us how much we save. But take a listen at a couple of these points.

First of all, ulcer surgery has become a relic of the past. New drugs, Nexium, Prilosec, other things we have seen advertised, really have ended up treating ulcers so well that surgical procedures to correct ulcers has fallen, and today it is really a thing of the past.

Medicines also reduce hospitalizations and surgery for heart disease. Drugs that reduce, for example, cholesterol levels and other things that in the past had been an automatic admission to a hospital and bypass surgery and angioplasty now we find are going down.

Medications to treat Alzheimer's diseases. Medications that have also worked out there to improve the cognitive functioning over time and keeping people out of long-term care and nursing care longer.

Also, listen to this, overall new medicines play a significant role in the life expectancy gains made in the U.S. and around the world. Recent research published in the Journal of Health Affairs concludes that new medicines generated 40 percent of the 2-year gain in life expectancy achieved in 52 countries between 1986 and 2000. In other words, we are not only providing medications that are affordable, but medications are now there that providing better and longer life for many seniors.

The list goes on with so many more, cancer drugs, drugs to treat AIDS, HIV, drugs that prevent stroke, that improve quality of life of children. There is a wide range.

But the main thing is before the Medicaid prescription drug plan came into effect, so many seniors, well, it was much like window shopping. You could look in the shop and admire the merchandise, but you couldn't go in to get it. Now that has changed. And that is a message that we need to be telling across America as we are doing tonight and our colleagues are going to do during this break.

It is of no value, as a matter of fact, it is a negative value and of questionable ethical value I think sometimes if people only spend their time criticizing the glitches that have been in the program, as with any program that occurs, whether it is a public or private program, criticizing it, standing on the outside and frightening seniors, frightening seniors into thinking that because there was complexities and difficulties, therefore they should not sign up.

I worry about this, Mr. Speaker. I worry because when I have held town meetings and I have heard seniors say ''I heard this is difficult; I don't think I can understand it so I have been holding off doing it,'' my worry in those circumstances, when the people are just playing politics with patients and frightening seniors away from this program, what happens if a senior needed medication and they did not get it because someone frightened them away?

The point is, if one dials 1–800–Medicare, they can talk to someone who is helpful. If they go on to web sites, Medicare.gov, they can get the information that they need. They can sit down with a family member or friends. And many drugstores, many pharmacists throughout the Nation will provide the kind of consultation free of charge to help seniors walk through this. But they need their name, address, their Social Security number, the names of the drugs they are on, the dosage levels they take, the prices they pay.

And don't just compare what it is today when you have the deductibles and copays. Look at what happens to the long-term costs throughout the year and look at those prices and determine which of the many plans available are the best ones for you. That is the message we should be telling seniors.

You know, so often in America we criticize that costs go up when people do not have a choice. Here with Medicare, people do have a choice. They have a choice of looking through many, several plans. They have a choice of doing nothing at all, quite frankly. But it is something that is available to seniors. And the main thing about this is having the availability of medications which can be lifesaving and life extending and help the quality of life, make the difference between someone who may be bound up in a nursing home and someone who is still at their home, those are the kinds of stories that Americans need to be talking about.

While there are those criticizing frightening seniors, let's remember this. Instead of frightening seniors, we should be thinking this: 27 million seniors have signed up for this program so far, and many more will sign up in the next few weeks. Those 27 million seniors can't all be wrong. And instead of politicians mocking them and mocking the program, maybe, just maybe, we would all do better to link our arms and say let's do what we can to help every senior get the medications they need. And even if they don't need them now, to sign up for a program, just like you don't need homeowner's insurance today if your house isn't on fire, you don't need automobile insurance today if you haven't had an accident, but you have it there in case you do.

Sometimes with low costs in Pennsylvania, I know it can be as little as $10 a month. Someone can at least have the piece of mind of knowing it is there when they need it. These are the things we need, Mr. Chairman. And to my colleague, Dr. GINGREY, I am so pleased that you have done so much to help seniors throughout the Nation know this and help our colleagues know this.

There is the deadline coming up next month for seniors to sign up, and it is good news that so many seniors are looking towards that deadline to sign up. Some have waited a little bit and want to see some glitches out of the program. Many of those are being addressed now. I certainly congratulate the Secretary of Health and Human Services for all of the work he has been doing to get this message out.

But we are not done, and as colleagues we need to be working together for the sake of our patients. Let's stop playing political games and really do what is right and decent and honorable for America's seniors.

I yield back to the gentleman from Georgia, and I thank you so much for sharing the time.

□ 2215

Mr. GINGREY. Mr. MURPHY, thank you so much for that and for your insights.

As I was standing here listening to Mr. MURPHY, I cannot help but, Mr. Speaker, wanting to go back just for a moment to this press release of March 9, 2000, from the Bill Clinton White House. There were a couple of things that I did not mention that I want to read to you before we yield to Representative DRAKE.

In this press release it says, and this is one of the bullet points, ''Consistent with broader reform. The addition of a Medicare drug benefit should be considered as part of an overall plan to strengthen and modernize Medicare. Medicare will face the same demographic strain as Social Security when the baby boom generation retires. Improving benefits is only one step in preparing Medicare for this new century's challenges.''

I will say one thing about the Democrats, they are pretty consistent because they opposed any changes to Social Security as well. In fact, this is exactly what they called for but, once again, as I said at the outset, they could not deliver and it is killing them. But unfortunately, their continuing rhetoric runs the risk of killing some of our seniors, the six or so million of them, who need this benefit. And it is just shameful. Shameless, as Garth Brooks sings the title of one of my favorite songs. But they keep on. But hopefully maybe over the next couple of weeks, maybe during this 2-week recess they will get religion. It is certainly a time for religion. And they will understand that it is time to stop playing footsie with our seniors and misleading them and trying to be part of the solution and not part of the problem.

Mr. Speaker, it is a pleasure at this time to introduce my colleague for her remarks, the gentlewoman from the Second District of Virginia (Mrs. DRAKE). She is a freshman but you would not know that. Her experience and the things that she has done in a short period of time in this body, on our side of the aisle, has just been amazing. She is a member of the House Armed Service Committee. She is passionate about veterans health care and health care for our military. So it is indeed an honor to have Representative DRAKE with us tonight.

Mr. Speaker, I yield to the gentlewoman from Virginia.

Mrs. DRAKE. Mr. Speaker, I would like to thank the gentleman for that very kind introduction and also for the opportunity to come and talk about such a wonderful program. You used the term that it is the modernization of Medicare, and often we only talk about the prescription drug benefit and seldom do we hear that we now have welcomed to Medicare checkups for our seniors as they are entering into Medicare.

But I would like to take a moment first and thank all of the people across America who have worked so hard to bring this program to our seniors, to explain it, so that our seniors have the information and can make the best choice for them. I know that the CMS employees have worked very hard. Our Agencies on Aging, our Senior Services Agencies have already been side-by-side with us in Virginia working, and many Members of Congress have been holding meetings since last fall.

Now, of course I have seen a great number of increase in people once we got into the first of the year after last fall. But I would also like to thank our pharmacists. I have had town hall meetings where pharmacists have come. I have had people in the Second District tell me they go to the pharmacy at their drugstore, leave their information they have filled out with their pharmacists, come back later and the pharmacist has run the program for them.

Well, as you said, I am a freshman so I was not involved in the debate or the vote in 2003, but by holding meetings throughout the district I have learned an incredible amount about this program, and I have heard what our seniors are concerned about and certainly I have read the newspaper articles that say it is a confusing program. I would disagree with that completely. But I didn't know that not only were our seniors hearing from Medicare, they were hearing from me, and they were hearing from all of the 18 companies in Virginia that offer 42 programs. And I think that was one of the concerns in 2003, was would companies step up, would they offer this? And what we have seen overwhelmingly is yes, companies have stood up. Companies have created competition. They have reduced the price on the programs.

Our seniors have not only a voluntary program in this Medicare program, if they choose to do exactly what they are doing and do not want the program that is entirely up to them as long, in my mind, that they know there are other options out there for them that are certainly much less expensive. And I know that the underlying premise when this was passed was that if we keep people well our overall health costs would be less. And as Congressman MURPHY just told us, it is much cheaper to provide a prescription drug for heart disease than it is to do heart surgery.

We have also heard the stories in 2003 about our seniors who either were not eating, were not heating their homes or were not buying their prescription drugs. I commend Congress for passing this legislation and all the people that have worked to put it in place. 42 million Medicare recipients and of that we know we are at 27, 28 million people right now. Six million do not need to sign up because they have as good or better coverage through a better plan. And our goal between now and May 15 is find those other 6 million people and make sure they know about the program.

Some of the things I have learned in the district, first of all, seniors did not understand that this is available to everyone. There is no income qualification. If you are eligible for Medicare you are eligible for this program.

I had one couple come just to ask me one question and they raised their hands early in the program and the man said, I have a wonderful health care coverage through my employer. I am retired. He said, but when I die my wife cannot continue in the program. So what does she need to do? And the answer was she is completely covered. When she loses that coverage, then she can go into Medicare part D with no penalty and she can go in within 60 days of losing that coverage. So little things like that.

One man raised his hands and he said, I was talking to my insurance agent, because it is important to remember that Medicare part D is not a government program. It is private sector insurance policy with a reduced premium because of the Federal Government. He said, my insurance agent told me it was okay to buy a plan that didn't cover my prescriptions. And I said, no, that is the wrong answer. You call that agent today and say your Member of Congress says you may not buy his plan until he gets your prescription drugs.

And what our seniors will find if they call, come to one of the seminars, we have asked people in our district to feel free to call us. We are happy to get them in the right place. But if you sit down at the computer, and I have done it myself, and I just go to www.medicare.gov and you scroll down very slowly and you do not go off into space somewhere on the left-hand side of the screen, you just keep scrolling down. Answer the questions. Put in the information and, most importantly, what are the drugs that you take, and that will sort through all the programs and give you the very best options.

I stopped and visited a friend on New Year's Eve. She had recently lost her husband and I thought that would probably be a tough time of the year for her. While I was there I asked the question I seemed to ask all seniors today and that is, what are you doing about Medicare part D? When I asked I was surprised that she had no prescription drug coverage. And she said, I only take one prescription. It is $78 a month and I am not going to do anything. And I said, well, there are choices out there and maybe you should call or you should write and you should get the information.

She said, I have already done that and she had the chart laid out of three plans that covered her drug. As she talked to me and looked at the plans, it became very apparent that there was one plan that would cost her $25 a month, $35 for her prescription, and she was going to save $28 a month just by signing up for that plan and that makes the assumption she won't take any additional drugs over the course of this year.

I think it is important, and you have talked about the May 15 date, and our seniors I think are well aware that since this is a private sector insurance policy and it has open enrollment, it has penalties. If you do not sign up in time, just like a lot of other insurance products, there will be a penalties after May 15. But the other thing that is so important to remember is that if you do not sign up, May 15 enrollment is closed until November 15 and then you

can sign up for January 1. So our seniors could be facing 7 months of not being able to get into the program simply because they didn't realize that. They didn't understand what their real choices were.

So I applaud everyone who is working hard to tell them. Thank you for holding this tonight. Thank you for giving me the opportunity to talk. There are lots of success stories in the Second District. And I know you have other Members that want to talk about it as well. So thank you for giving me the opportunity. I certainly am grateful. I know our seniors are once they are signed into the plan for what this plan offers to them.

When I talk to people my age or their parents, because they will come to our meetings, their first question is, How do I get it? My answer is, You have to be 65. So thank you very much.

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman so much for being with us tonight and I want to maybe expand just a little bit on her comments in regard to the penalty, as she explained it very carefully as to why that is necessary part of an insurance program.

By the way, Mr. Speaker, that is the exact same situation that exists with Medicare part B. Medicare part B was there in 1965 but it was the optional part. I think former President Truman was the first person to actually voluntarily sign up for part B, the doctor part where it is premium based, and the individual Medicare beneficiary pays 25 percent of the costs and the taxpayer and Medicare, if you will, pays 75 percent.

I will bet you, Mr. Speaker, I will bet you that 98, 99 percent of seniors voluntarily sign up for part B and they do it within the 6-month window of opportunity because if they go beyond that then just like in this part D, because a person on part D is an example, as Representative DRAKE pointed out. If they do not sign up for it and they go beyond the sign-up period, and then all of the sudden they get sick and they go from taking that one drug a month at $78 that she talked about to taking five at $5,000 a month, then they should pay more for their premium. So it is very important and it is not a punitive thing, but it is there to make the program work.

Mr. Speaker, we are again honored by one of our colleagues who has served in this House. I think this is his fourth term, and I am talking about the gentleman from Minnesota who I think very soon after November will be the United States Senator from Minnesota, and I am speaking none other than Representative MARK KENNEDY.

Representative KENNEDY, thank you for being with us tonight. I yield to you at this time.

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentleman for his leadership on this issue and all that he has done to make sure that that our seniors understand how important this program is and how it can really benefit them. Too many are out there trying to just dish the program and spread really complicating lies about it and scaring seniors. That is not what we ought to be doing to our seniors.

We ought to be out there making sure they understand the benefits that can be available to them. Through the efforts of you, so many in the community, as was mentioned, more than 27 million seniors are now enrolled in the Medicare part D prescription drug benefit. They are seeing hundreds, even thousands of dollars of savings. In fact, CMS, the Centers for Medicare and Medicaid Services, have projected that the benefit will save the average senior $1,100 this year. Meanwhile, the AARP and others have found that the benefit lowers the cost of drugs for seniors by an average of 44 percent, with low income seniors seeing price reductions of up to 90 percent.

Better yet, the average senior's monthly premium is 32 percent below the average estimate, a third. This terrific reduction is evidence that the market base competition used by Medicare part D is working to drive down prices and increase the benefits for our seniors. At the same time, CMS has reported that the projected costs of administering the benefit has come down $7.6 billion in 2006 from what they originally estimated, and States will see at least $700 million in additional savings this year.

All of this is very good news. However, the May 15 deadline for eligible seniors to sign up for the plan without penalty is fast approaching. Well, the program's enrollment has surpassed earlier estimates. There is now still more that needs to be done. That is why it is important that community activists and we as Members of Congress have been holding sign-up forms in our districts to spread the facts about this great new voluntary program.

□ 2230

These forums bring together CMS, trained volunteers, seniors and their families together in an environment where questions can be answered and seniors can become informed about which plan best fits their needs so they can begin saving on their drug costs.

I was pleased to hold two large forums in my district in Minnesota earlier this year, and I am working hard with other groups to help hold forums of their own. I want to thank those community groups who work in towns and cities all over this Nation to make sure seniors know their options. These events and other forums are essential to making sure that seniors who want to sign up for the Medicare drug plan are able to do so before May 15.

Mr. Speaker, it is easy for me to stand here and talk about the benefits of this plan, but do not just take it from me. Take it from the seniors who are realizing, in some cases, hundreds of dollars in savings every month. Countless seniors are reporting that they now have more money to use for other things, like paying for their bills or visiting their grandchildren.

Before the Republican Congress acted, we heard terrible stories of seniors forced to choose between life-saving medication and food. We heard these stories years, but we never saw action from our friends on the other side of the aisle, but we acted. Seniors are saving as a result.

I encourage my colleagues, and I thank Dr. GINGREY for his leadership on this, to continue to educate seniors in their districts before this May 15 deadline so every senior has access to affordable drug coverage, and I would turn it back over to the distinguished doctor from Georgia to continue to talk about what kind of benefit seniors are getting and why it is important that we take the time to make sure they understand before the May 15 deadline.

Mr. GINGREY. Mr. Speaker, I would just like to say I thank the gentleman, and I think the seniors are very fortunate, whether MARK KENNEDY is serving in this United States House of Representatives or representing them in the other body soon as a senator in the United States Senate. They are indeed fortunate to have his compassion and caring attitude, and I commend him for that.

Mr. Speaker, I think what I would like to do here for a minute is sort of frame this problem, before we delivered on this prescription drug benefit, to make sure that our colleagues and anybody within shouting or listening distance might possibly be watching our proceedings tonight, did they understand the situation that existed before we delivered on this promise of a prescription drug benefit part D under the Medicare program. Where were the seniors getting their prescription drug coverage before this plan?

Well, this first slide, Mr. Speaker, I want to make sure that my colleagues can see this. There were a number of people. This is about 26 percent, an estimate of seniors that had employment-based plans. We talked about that. We have talked about the fact that people worked 25, 30 years for a company, and part of their retirement benefit may be a little pension hopefully and a little health care benefit, in many cases to include a prescription drug coverage.

Now, there has been concern among these 26 percent because even before we brought forward this well-conceived, well-thought-out plan, in fact it was thought out pretty well, as I pointed out earlier on March 9, 2000, by President Clinton and the Democratic leadership in the Senate. They just did not deliver on it, but the 26 percent were concerned because employers were dropping these plans or changing the guidelines. All of a sudden a senior gets a letter in the mail, and it says, oh, by the way, first of the year, you are going to have to pay, instead of 20 percent of the premium, you are going to

have to pay 30, and oh, by the way, it is no longer going to cover prescription drugs or we have got a very limited formulary; it is not going to cover your hearing aid or your eyeglasses or whatever or even worse than that, Mr. Speaker, would be the ultimate dear John letter. That is a letter, that pink slip, that says, guess what, we are dropping your coverage; we are going to completely drop your prescription coverage or may, in fact, drop the whole health insurance coverage, and this has happened.

It was happening, and under this plan, though, to prevent that, to try to stop that, we, in designing this plan, this Republican majority, this President, under our leadership, we said, look, we will help you, John Q. Employer, if you will continue these plans and you will not renege on these promises. We will reimburse you, really, for some of the cost of those plans so that you do not drop them.

Again, I go back to my Clinton press release. One of the things that they called for in 2000, optional of course for all beneficiaries as we said earlier, but also provides financial incentives for employers to develop and retain their retiree health coverage. That is what Clinton and the Democrats called for. This is another thing that they have been railing against, the fact that we have incentivized these employers not to drop these plans.

Well, okay, 26 percent have employment-based plans. Three percent individually purchase policies. That would be like my mom, Helen Gingrey, my precious mom who has a medigap policy, but now, unfortunately, the prescription part of that was so expensive that she had to drop it. Of course, the Department of Veterans Affairs and TRICARE, we talked about that. That is about 3 percent. About 12 percent are covered by the State Medicaid program. Some are more generous than others, I think very generous in my State of Georgia, and then some other State-based programs and other sources, 6 percent.

But the real eye-opener on this chart, on this pie graph, is that 40 percent before this plan, 40 percent were getting prescription drug coverage out of their own pocket. In other words, they had no coverage, and they had no bargaining power, Mr. Speaker. They simply went to the drugstore and they paid sticker price, you know, like buying an automobile and not getting any discount because you did not know to ask for one. They had no clout, one individual and elderly, frail senior, and so they were paying sticker price, and that was the problem. That is why we knew that we had to do something, especially for the neediest, especially for those who literally were breaking pills, running out of medication, not going to the drugstore because they are embarrassed that they could not pay.

It is an act of compassion on our part, really, for the neediest seniors especially, and of course, now, the good news is that, and this next slide shows, a total of 27 million seniors now have coverage under Medicare Part D.

I see that the gentlewoman from Virginia has been kind enough to stay with us, despite the lateness of the hour, and I want to yield a little time to her and maybe we can get engaged in a little bit of a colloquy in talking about the some of the things that we both notice in our district.

Mrs. DRAKE. Mr. Speaker, I thank you for that, and you brought up the issue of your mother, and that is a very important thing for us seniors to be thinking about because many of our seniors did buy the supplements that you are talking about that gave them some health care coverage as well as their prescription drug benefits.

My daughter's mother-in-law has one of those, and she is paying over $300 a month for it. So we went online, and we looked at what can she get today under this new program. So I think it is important that people like your mother do not think that because they have one of those plans from before that that is good enough, that they can go on today and save an incredible amount of money. You can go into plans today that give you the health care coverage, as well as the prescription drug coverage, but there, again, with that reduced premium, my daughter's mother-in-law is going to save over $100 a month by going in and revamping that policy.

I know a lot of our seniors got kind of hung up on the thought of deductibles and things like that, but there again, you need to understand that when Medicare set the plan, when Congress passed the plan, they put a cap on what a deductible could be of $250, and many of these plans have no deductibles. We keep talking about a donut hole where there will be a gap in coverage at a certain point, and what I say in my meetings is, if you did not have any coverage, you have been living in a black hole. You can pick a plan that has no gap in coverage based on what you want to pay monthly and how to streamline it for you.

The other point I wanted to make as you continue on is one of the questions I have really been asked is what if I take no medication. Isn't that a wonderful thing for our seniors today? I always look at them and say I bet you bought a homeowner's policy and you have insurance on your car and you buy those before you need them. Same thing for our seniors with prescription drug coverage.

When they go in and look at these programs, there are so many options, low-price options, that it is worth that for the peace of mind to know that next year when you go to open enrollment, you can always change the plan, upgrade the plan, but you are in the plan.

So I thank you for letting me talk about your mother.

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman and my mother thanks the gentlewoman, but you have made such a great point about the option, and Representative DRAKE talked about the number of plans in Virginia. It is kind of similar in Georgia. There may be almost 50 plans, but there are only 18 companies.

But what that means is companies, good companies, offer more than one plan, so that seniors have the option, as she described, to say, well, if somebody says well I do not need that, I have got the Methuselah gene, that means you live a long, healthy life. A person like that might say, well, I do not take anything, I buy a few over-the-counter drugs a year and I bet I do not spend $200 a year. Well, God bless them. They are lucky. They are fortunate, but what Representative DRAKE is talking about is that very next week may be the time that the chest pain strikes and all of the sudden you have a coronary bypass or stints put in and you are on five or six medications. That happened to yours truly a couple or 3 years ago, and then all of the sudden you are kind of stuck.

So what the gentlewoman from Virginia was saying is look, seniors, if you are in that fortunate situation, do not roll the dice on this because you could come up snake eyes. Go ahead and take one of these plans where the monthly premium is 20 bucks a month. There is no deductible. There is a donut hole, but you are not worried about that donut hole because you are blessed with that Methuselah gene. Then later on, as she so correctly pointed out, if something does happen, then you can switch, and you do not have to pay a penalty because you did not sign up; you did not roll the dice and come up snake eyes.

Then the corollary to that is say someone who has a lot of prescription drug costs, they are already on six or eight drugs and they are spending $10,000 a year, and they look at that and they say hey, look, give me one, I will pay a higher monthly premium, I may pay 60 bucks a month premium, but that plan gives me coverage in that so-called donut hole. That is important because they are already spending a lot of money, and so you tailor these. The companies are actually doing that. I think it is a great thing.

Mrs. DRAKE. That is what is so important is that our seniors have choices, and you mentioned our veterans. I just wanted to finish up with them and let you finish up this evening and to remind our veterans that they are the only group of people that keep their veterans benefits and can purchase into Medicare Part D as well. So that gives them the ability, if there are medications they need that are not covered by the VA, that they can be covered by Medicare Part D. So I want to make sure that they understand that since they are the only group that can have both.

So certainly thank you again for letting me be here. Thank you for letting me talk about your mom and talking

about our veterans, and there are so many things to talk about with the program. I would like to encourage everyone, if there is a workshop in their area, to please attend because it is amazing the questions and the answers and the much better understanding and that you realize this is a good product for seniors. The price is so much lower, and it gives them so many choices.

Mr. GINGREY. Well, I thank the gentlewoman, and I know she is looking forward to going back into the 2nd District of Virginia tomorrow, and I am sure she is one of the many Republican Members who have got those town hall meetings scheduled to get those remaining 6 or 8 million signed up, and I thank her.

At the outset, I said do not just take our word for it, and I have been expounding a little bit for the last 50 minutes, but I did want to give some anecdotal stories, and let us do that for a moment, Mr. Speaker.

□ 2245

Barbara W. From El Mirage, Arizona, had no prescription drug coverage. She spent more than $2,600 a year on medication just this past year. She wanted an inexpensive plan with a low premium, so she did enroll in the part D plan, and it only had a $6.14 monthly premium. In 2006, she will save $1,800, nearly $200 a month, the lady from Arizona. God bless her.

Here is another, Mr. Speaker. Sandra S. from Woodland Hills, California. In 2005, she spent $4,600 per year on prescription drugs. She read about Medicare part D in the Los Angeles Times. I am sure they weren't praising it, but thank goodness she read about it. She called 1–800–MEDICARE for help. She wanted a plan with no donut hole. We just talked about that a minute ago. Her plan has a $50 monthly premium, no deductible, no gap in coverage and, of course as all those plans, it has that catastrophic coverage. So that if you really get into a year where you have out-of-pocket expenses of $3,600, out of your own pocket, then after that, the insurance pays 95 percent and you only pay 5 percent. What a godsend. Total savings for Sandra, $2,400 a year.

I think we have a couple more that I wanted to show. Barbara L. from Kemp, Texas. In 2005, spent $2,100 on prescription drugs. She enrolled in an AARP part D plan. They have a very good plan. So in 2006 she expects to pay $360. Barbara saved $1,740.

Well, I could go on and on, but let me just say one other thing, because I mentioned AARP, the American Association of Retired Persons. I am proudly one of them. I am not retired, but I was eligible and got my card at age 50, so I have had it a while. Thirty-seven million seniors are members. And AARP is not typically a conservative organization, supportive of Republican ideas. More typically, they are supportive of the Democrat line of thought, and yet they have supported this program.

My colleagues on the other side of the aisle came down to the well, Member after Member after Member, telling members of AARP to tear up their cards and throw them out the window. Thank God for AARP.

In fact, we had a press conference today, Mr. Speaker, talking about the plan and what the Republican Members are going to do when we go back to our districts, and we have 76, count them, 76 organizations that are supporting this program. The AIDS Institute, Alzheimer's Association, American Geriatric Society, American Pharmacists Association, Association of Black Cardiologists, National Hispanic Medical Association, National Alliance For the Mentally Ill, National Alliance for Hispanic Health, the Generic Pharmaceutical Association, and Easter Seals. I could go on and on, but there are 76.

Let me talk briefly as we close about groups misleading seniors about Medicare part D. In fact, they were out there protesting our press conference on the terrace of the Cannon Building this afternoon. Guess who was there chanting against seniors? MoveOn.org and far left shadow groups.

So let's see. Doctors, pharmacists, hospitals, health care providers and AARP, versus MoveOn.org, NANCY PELOSI, and other far-left groups. Who do you trust with senior health? I think the answer is pretty obvious, Mr. Speaker, and I am proud to be part of the solution and not part of the problem.

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

Mr. GINGREY. Mr. Speaker, I want to yield very quickly to the chairman of the House Armed Services Committee, my chairman, and I am talking about the gentleman from California, Representative DUNCAN HUNTER. I gladly yield to the chairman.

Mr. HUNTER. I thank my friend for yielding, Mr. Speaker, and I would just take a minute. I have been watching my friend and the gentlewoman from Virginia (Mrs. DRAKE), and I just wanted to tell you how proud I am of the job that you do representing your districts and representing those great contingencies of American veterans and active duty service people in your district.

I wanted to say, and I know you have been talking about health care, but I wanted to talk about another type of security just for one second, and that is national security. And I know my friend has been to Iraq, and I think he is going again soon, and many other Members of this body, Democrat and Republican, are going. Now is the time when America should take heart.

I have watched the newspapers and the mood of this House as of late, and I feel, especially coming from the Democrat side, the message is one that I have seen before. It is a message that we saw in the 1980s, when Ronald Reagan faced down the Soviet Union, and you had calls from the far left to the effect that President Reagan was going to have a war with the Soviets, that he needed to acquiesce, he needed to engage, even as they ringed our allies in Europe with SS–20 missiles. And yet Ronald Reagan stood tough. He stood for a policy of peace through strength. And at one point the Soviets picked up the phone and said, can we talk? And when we talked, we talked about the disassembly of the Soviet empire.

Similarly he stood tough in Central America, and today those two nations in question, El Salvador and Nicaragua, have fragile democracies because of America. Today, we are providing that military shield in Iraq while we put this fragile government together, a government based on something new in that part of the world: Freedom and representative government.

You know, this has been done on the shoulders of the great American servicemen and women who serve us in that very troubled and difficult part of the world. And their job is dusty and dirty and sometimes bloody, but it is worthwhile. And what they are giving to us, if we can stabilize that country and that neighborhood and have a country that has a benign relationship towards the United States, will accrue to the benefit of generations of Americans.

So now is the time to take heart. Now is the time to not fail. Now is the time to stand firm, and I want to thank the gentlemen for his work on Armed Services and the Rules Committee, for the great work he does in that regard.

Mr. GINGREY. Mr. Speaker, I thank the gentleman so much in these closing seconds. And of course we know of the work of the esteemed chairman of the House Armed Services Committee, Representative DUNCAN HUNTER. What a wonderful way to close this hour.

What is more important than the defense of this Nation, as this great patriot just described, and providing health care for our precious seniors?

## IN SUPPORT OF NOGORNO-KARABAKH

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

Mr. PALLONE. Mr. Speaker, I rise tonight to lend my support to the Republic of Nogorno-Karabakh in its pursuit of independence and international recognition. I believe that U.S. recognition of the Republic of Nogorno-Karabakh would greatly contribute to stability and peace in the South Caucasus region.

Nogorno-Karabakh is a country of proud citizens committed to the values of freedom, democracy, and respect for human rights. We as Americans cherish and defend these same values at home and internationally. The path to freedom has not been easy for the people of

Nogorno-Karabakh. Following a peaceful demand by Karabakh's legislative body to reunite the region with Armenia in 1988, Azerbaijan launched an ethnic cleansing campaign against individuals of Armenian descent in both Karabakh and Azerbaijan. As a result, thousands of ethnic Armenians were killed, while some 400,000 fled Azerbaijan to escape the killings.

Mr. Speaker, on September 2, 1991, the people of Nogorno-Karabakh, consistent with their status as an oblast, or autonomous region, under the Soviet constitution, declared their independence. The declaration of independence noted Azerbaijan's policies of discrimination against the Armenian people, the need to restore friendly relations between Armenia and Azerbaijani people, and respect for the universal declaration of human rights. In response, Azerbaijan launched an all-out war against Nogorno-Karabakh.

Mr. Speaker, the people of Nogorno-Karabakh have steadily progressed on the path of democracy and conducted regular elections for president and the legislature. I actually acted as an observer for the last presidential election, and those elections were praised by international observers, including the United States, as free, fair and transparent.

While strengthening its democratic institutions, Nogorno-Karabakh has also successfully transitioned from a Soviet-inherited centrally planned economy to a market economy. Despite significant setbacks, it has largely restored its infrastructure and introduced reforms to encourage private enterprise and foreign investments.

With its democratically elected government, capable armed forces, and an independent foreign policy, Nogorno-Karabakh clearly satisfies the international criteria for statehood. Throughout its 14-year history of independence, it has proven to be a reliable partner of the international community and has contributed meaningfully to peace and stability in the strategic south caucuses.

Mr. Speaker, the United States should formally recognize the Republic of Nogorno-Karabakh, basically expand its relationship with the democratically elected Republic of Nogorno-Karabakh, and provide increased U.S. humanitarian and development assistance. It is crucial for the U.S. to unequivocally support the right of the people of Nogorno-Karabakh to decide their own future.

Mr. Speaker, the Nogorno-Karabakh Republic's democratic regime is in sharp contrast to its neighbor, Azerbaijan. Azerbaijan has evolved since its succession from the Soviet Union into an autocratic dictatorship.

Finally, Mr. Speaker, there should not be a double standard. Since its independence, the Republic of Nogorno-Karabakh has enjoyed all attributes and institutions of statehood. Currently, its de facto statehood fully satisfies the requirements of conventional and customary international laws for de jure recognition.

## 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. 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.

Mr. MEEK of Florida. Thank you, Mr. Speaker. It is an honor to come before the House once again. And once again, the 30-something Working Group comes to the floor to share with the American people and to report what is happening here under the Capitol dome.

We look forward to continuing to do this in the future. We know we are going to be off for 2 weeks for the Easter break; all of next week, all of the week after, and we come back at the end of the month to try to do the business of the people of the United States of America.

I think it is important for us to understand what took place here, Mr. Speaker, in the Capitol just today. As you know, we have been working throughout the week and sharing with not only the American people but also with the Members of Congress the importance of what we do here under the Capitol dome. When I say under the Capitol dome, I am talking about the legislating that is supposed to be taking place on behalf of the American people.

I think it is important for us to not lose or miss the occurrence that did not take place here tonight or tomorrow. We were supposed to be in session tomorrow. We were supposed to vote on the budget that many Members on the majority side and the Republican side, Mr. Speaker, said was a good budget; that it is fiscally sound and we know what we are doing.

Well, we debated all day here on this floor. I was here a little earlier today, Mr. Speaker, maybe some 13 hours ago on this floor when we opened this Chamber at 10 a.m. this morning. And I pulled my chart out to talk about the borrowing that this Republican majority has done with the President of the United States, record-breaking borrowing from foreign nations and selling off the United States of America where foreign countries own our debt. And all day today I saw Members after that on the Republican side saying we are proud of this budget, this budget is going to put America back on track.

On this side, the Democratic side, we were talking about fiscal responsibility, we were talking about being reasonable with our spending and also making sure that we prioritize every day working Americans and not just the special interests and the super wealthy. I think that argument prevailed. Because I understood at the end of the day that there weren't enough Members on the majority side to pass President Bush's budget, because that is what it is.

This House has been just saying, yes, Mr. President, whatever you want. No matter what the Constitution says, no matter what our responsibility is to our constituents, we are going to do it the way you say you want it done.

□ 2300

That is what has gotten this House in a bad light with the American people.

Now, I am here tonight and the 30-something Working Group is here tonight to make sure that the American people and the Members of the majority side understand, we were united in voting for our budget which is a pay-as-you-go budget and that will balance the budget in 6 years. We were united. When I say ''we,'' House Democrats are united. If they were from the west coast or South Or North, whichever way you cut it, you can go all of the way to Hawaii, House Democrats were united in bringing America back into a fiscal responsibility era when we balanced the budget. We are the only party in this House that can say, We balanced the budget.

Now, I used to play football for Florida A&M, and it was kind of hard for the coach to talk about the national championship if the coach has never been to the national championship or played in the national championship game. Might have read about it, but it is hard for someone to tell you how it feels if you have never been there.

We have been there on the Democratic side. We have balanced the budget. We come to this floor to say if you are going to spend, then you better show where the money is coming from and how you are going to replace it. You just cannot say I am going to take the credit card out and I am going to put it on the backs of Americans, and I am going to come to the floor, and I am talking about, say for instance, hypothetically if I was on the majority side being a Republican, and it bothers me just saying it because the Republican majority has made history in all of the wrong places and for all of the wrong reasons over the past years of borrowing and spending. Borrowing and spending. Borrowing from whom? Let me just take my little map out here.

The Republican majority and President Bush, $1.05 trillion that foreign nations own that did not exist prior to this Republican majority having the opportunity to have their way along with following the President and bad policy. Japan, they own a part of the American pie. Did the American people do that? No. Did the Democrats do that? No. Remember, the Republican majority did it with the President of the United States. $682.8 billion is what Japan owns of U.S. debt. That is not my doing. That is the President and the Republican majority.

Red China, and we have major, major problems with China. I am talking about China as it relates to Red China, Communist China. We have a number of our jobs, we have U.S. workers training to do their job in China. Ninety

percent of the engineers will no longer be in the United States of America; they will be in China. They will be in Asia. They will be in other countries and so we have folks that are attending school now, those that can afford to, and I will get to that in a minute, those that can still afford to go to school, without the help of the Federal Government because the Republican majority would like to cut that in the budget also. They would like to attend school, but that is something that the Democratic Congress in the next Congress will hopefully be able to provide for them. China owns $248.8 billion of the American apple pie.

The United Kingdom owns $223.2 billion. They are buying our debt. If I was a Republican, it would be hard for me to go back home and share that I am a fiscal conservative. Just because you say you are, does not necessarily mean you are. These are the facts. Caribbean nations, all of them put together, $115.3 billion in foreign debt that they own of the United States because of the Republican majority and the President's policies.

Taiwan, $71.3 billion.

OPEC nations, we have a lot of problems with OPEC nations, and not only are we paying through the nose at the pump, countries like Iran that own a part of the American apple pie as it relates to foreign debt, $67.8 billion.

Germany. Germany, that means something to some of our veterans, $68.7 billion of our debt.

Korea, $66.5 billion of our debt. Once again, to our veterans, that means something.

Canada, just north of us, $53.8 billion of our debt.

I say to the majority Members, they do not want to lead on the Republican side of the aisle and they do not want to work in a bipartisan way and pick up the Democratic policies as it relates to governing in a way where everyone can participate and be a part of the United States of America, then they can join us because I believe the American people may very well see fit, not just Democrats and not just Independent, but there are some Republicans out there saying, what happened? What happened to the folks that lined up out here on the steps, Mr. Speaker, and said with this Contract on America, or for America or whatever it was called, that we were going to balance the budget and be fiscally sound and we were not going to be spenders? The biggest spenders in this Chamber are the Republican majority. If you want to clear that up, you can vote for a Democratic Congress.

I am glad to be joined by the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ). I was just going down the line, and I will also share with the Speaker and other Members the fact that we were supposed to vote on the budget if not tonight, tomorrow. It was pulled. Some may go home and say, and I want to make sure that there is not one American confused on why we did not vote for the budget. Somebody may say, The Democrats stopped us from voting for the budget. No, the Democrats pointed out what was in President Bush's budget, and the Republicans said, as they have been doing for the last 6, 7 years that the President has been in office, Oh, Mr. President, we are right with you. We do not have a process. You send it to us and we will rubber-stamp it and send it on out. Foreign countries may own our debt. We may go into deficits. Student loans may be cut. We can train the next generation to make us the leaders of the free world and continue to keep us in front. That is fine, Mr. President, whatever you send, we will do.

The bottom line is that the pressure was too great, and we were the ones that called out what was wrong.

I think some Members on the majority side felt a little bit uncomfortable going home for a couple of weeks sharing, and a big holy week coming up, some folks might have leaned over and said, Mr. Congressman, Madam Congresswoman, why do I have to pay more for my child's education? Why do we pay more for debt than we invest in education and homeland security?

I yield to Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. You asked why we were unable to vote on the budget. It is simple. Finally, finally, it obviously became clear to many of our Republican colleagues because we were all unified on the Democratic side, there was not going to be a single Democratic vote for this budget because we are not going to put a vote up for increasing the deficit or maintaining the deficit or increasing our national debt. We are not going to put a vote up on that board that makes drastic cuts in education or cuts in veterans health care. We are not going to put a vote up on that board that fails to protect the environment.

This Republican budget would have done all of those things. I have been here 15 months. I am a freshmen. This is my first year. I just completed my first year in Congress, and finally someone found a conscience on the other side of the aisle. Finally, it was not that they just put that bill out there and you saw enough arms being twisted and the board being held open long enough so they could wrench the votes that they needed.

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, it was not ''finally''; it was because the American people were saying, what's wrong with you guys? What is going on? I did not elect you all to go up there and represent the super-wealthy, and I didn't elect you all to make specials deals with special interests. I did not elect you to be fiscally irresponsible. They are reading the same papers. Somebody give me a newspaper. I just need a newspaper. They are reading the same newspapers and watching the same news and getting the same phone calls we are getting in our office about, are you all still with us? Are you with us or are you with them?

I need to get my Newt Gingrich quote up here because I just want to make sure that folks do not get confused. Ms. WASSERMAN SCHULTZ, I want to make sure that we tell it the way it is because I believe the American people and some Members are getting what we are sharing with them. You have the Gingrich quote. I think it is important that we continue to share this information.

When we talk about third-party validators, this is not just something that we talk about over lunch and say that sounds good. No, this is from government offices and former Members of this Chamber and generals that are out there that are retired and some are still serving.

Ms. WASSERMAN SCHULTZ. Let's just look at the record here. What we are talking about and what our colleagues on the other side of the aisle would have been faced with is going home for the next 2 weeks and looking their constituents in the eye and having to tell them if this budget had gone forward and they had supported it, that they would be supportive of the five largest deficits in history. The top-ranking deficit in history was in 2004 when we had a $412 billion deficit.

Number two was in 2003 when we had a $378 billion deficit.

Number three was 2006, the current year, when we had a $372 billion deficit.

The fourth largest year is 2007, still a $348 billion deficit.

And the fifth largest deficit, 2005, the year that just ended, with a $318 billion deficit.

Now these numbers jump all over the board, but if you go in order, the deficit is going in the wrong direction. 2006 is when you had the third highest deficit in history.

If, like the President said he was committed and his Republican leadership was committed to cutting the deficit in half, I don't know. It does not appear like it does. Is 318 half of 412? Are any of these numbers half of any other number here? I am not very good at math, but not the math I am familiar with.

Now let us look at the debt limit because we have also been careening every year towards the debt ceiling. You have held up letter after letter after letter from Secretary Snow, the Secretary of the Treasury who begs us, who was begging us recently to please increase the debt limit so the United States of America does not default on its loans, the loans that you were just outlining that cover the country. Can you pull those up?

Mr. MEEK of Florida. This was letter one, December 29th of 2005, the Secretary came into the office days before the New Year and said please raise the debt limit because we are about to run out of money.

February 16, he got a little nervous and said, Listen, the Federal retirement program, we are not going to be able to make the payments. This went to Mr. SPRATT, our ranking member.

Again on the 6th of March, 2006, it is almost like we are having problems and we may not be able to pay the light bill, in so many words. Those were written by Secretary Snow, appointed by the President and confirmed by the Senate.

Ms. WASSERMAN SCHULTZ. Lest people think that the increases we are talking about are small and insignificant, let's go through the kind of numbers that we are talking about and the increases we are referring to.

The Republicans have increased the debt limit by $3 trillion since 2002. That is since 2002. This is 2006. In 2002 they increased it by $450 billion. In 2003, May of 2003, by another $984 billion.

In November of 2004, the month I was elected, another $800 billion.

□ 2315

Now, where is the planning? I mean, what is going on? They are spending like drunken sailors. That is what is going. They have no self-control.

Let's go to March 2006, which was just last month. $781 billion. And you know it would be nice if we could have some transparency and some clarity and honesty in this Chamber, which would mean that we would have had a straight up or down vote on the debt limit. But this last time it was tucked into legislation. I bet you most Members, I can assure you, most Members had no idea that the increase in the debt limit was in there.

They do everything, the Republican leadership does everything possible to avoid us taking a straight up or down vote because, oh, my God, I mean, if they have to go home and face the families that they represent, who every day are struggling, Mr. RYAN, to make ends meet and not run up debt on their credit cards, and not spend more than they take in, well, it is a little tough to face your constituents when you don't do that with their money.

There is no regard here for the use of the American taxpayers dollars because it apparently doesn't matter to the Republican leadership here that we are spending more than we have. Clearly, it is baffling. It really is. And this is the party, supposedly, at least in name only, of fiscal responsibility, of smaller government, of reducing spending.

Mr. RYAN of Ohio. Will the gentlewoman yield?

Ms. WASSERMAN SCHULTZ. I will be happy to yield.

Mr. RYAN of Ohio. I think that we are starting to see, every single day in the news, and we don't need to bring up all the different topics, but every single day over the course of the last couple of years, we have seen the dismantling of the credibility of the Republican majority.

The party that came in saying they were going to balance the budget, gone. The party that came in and said they were in charge of real security in the United States, gone. Smuggling in nuclear material. The party that said that they were going to get the economy up and moving hasn't happened. All of the promises pre-war, none have happened. None. The party that said America first, well, Mr. MEEK, you have the beautiful poster, beautiful in the sense that it illustrates the point of where this Republican Congress is borrowing their money from. That is not America first. That is not taking care of home. I mean, we have got to get back to the basics.

And so every single day this Republican majority and this President are getting dismantled day by day by day in news accounts from people who work, underlings who have diminished the credibility of this administration. They have Republican generals coming out talking about how this has been such a foolhardy effort, and how the execution of the war has been an atrocity, how Katrina just fell apart right before the country's eyes on all of the cable news channels and on the network news channels.

And now, my friend, we have the father of the Republican revolution. I yield to my friend to talk about that because this it is one thing for Ms. WASSERMAN SCHULTZ, Tim Ryan from Ohio, Mr. MEEK from Florida, it is one thing for us to be critical. It is not just us. I yield to my friend.

Mr. MEEK of Florida. Well, what I am going is do is just pepper in, Mr. Speaker, the difference from what the Republican majority is proposing and ran out of town without voting on because it is a budget of shame versus what we have put forth as our budgets. And then Ms. WASSERMAN SCHULTZ is going to share with us what the former Speaker, the first Republican Speaker in a number of years, when the Republicans took over the House, what he has to say about the Republican majority.

But let me just, once again, you know, more of the same versus change. Okay? And the bottom line is, is this budget that we were supposed to vote on, either tomorrow or today, you let the majority tell it, is it fiscally responsible?

Number 1, we have a chart, and this chart, Mr. Speaker, for the majority Members and also for the American people, will be on housedemocrats.gov website starting tomorrow. Is it fiscally responsible? No. The GOP budget calls for deficits as far as the eye can see. Never achieving balance, a balanced budget, adding another $2.3 trillion to the national debt over the next 5 years.

Democratic budget, yes. Fiscally responsible. The deficit is lower than the GOP budget over the next 5 years and gets to a balanced budget, balanced budget, Mr. Speaker, in 6 years basically using pay-as-you-go rules which require that spending increases and tax cuts be paid for, and which brought us into a budget surplus in the 1990s. That is fact. That is not fiction.

I yield to Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. And when you are dealing with the facts staring you in the face like that, then even their former leader, the chief architect of what was then called the Republican revolution that began in 1994 and the run up to the 1994 election, when he begins to use ''us'' and ''they'' terminology, then you know they have really made some serious mistakes. They, the Republican leadership here has really made some serious mistakes.

And let's just go through what former Speaker Gingrich has said about what they are doing. He cited a series of blunders. Our third party validator for this evening is the Knight Ridder news papers. And Speaker Gingrich was quoted in their papers on Friday, March 31, 2006. 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.

But that is not all he said. He also noted that a congressional watchdog agency, and I will note that I can recall watching Speaker Gingrich on the House floor a number of times, and when he was in the minority, would cite the congressional watchdog either when the facts helped him, and then when he was in the majority, disparaging what the congressional watchdog that he was referring to said, depending on which side he felt like taking.

But in this case he noted that a congressional watchdog agency recently smuggled a truck carrying nuclear material in the country to test security. He said, why isn't the President pounding on the table? Why isn't he sending up 16 reform bills?

And that is the lack of outrage that we have talked about here on the House floor in the 30-something Working Group. Where is the outrage? I mean, if we have nuclear material being smuggled into this country, and no one knows it, where is their outrage? Where is the oversight? Where is the committee hearing?

Another thing he said, here is where he calls them ''they''. In the same article, he says, they are seen by the country as being in charge of a government that can't function.

Now, if the architect of the Republican revolution is calling the Republican leadership and the rank and file here ''they'', then I think it is clear that it is time for a change. It is time that we restore the PAYGO rules. It is time that we restore some fiscal responsibility. It is time that we make sure that actions match words. The American people, in each of their families, they struggle to spend only what they have.

Mr. RYAN of Ohio. Can I make a point?

Ms. WASSERMAN SCHULTZ. Yes, absolutely.

Mr. RYAN of Ohio. The point I want to make is one that we have made many, many times here, is that this outfit, on the other side of the aisle,

has for the last 14 or 16 years run down government. The only problem in society is government.

And so, when it comes to Katrina or comes to a war and you actually need government or education, you actually need government to work on behalf of the American people, all of a sudden it doesn't work. And it doesn't work because you have disrespected it for the last 14 or 16 years. You have appointed people to positions that are not qualified to actually run it.

And I think what we see here, with the Defense Department and Secretary Rumsfeld and the Pentagon and the way they have executed the war has been atrocious. Katrina, you have people who are not qualified to run the emergency management system in the country. And you get the kind of results that you have talked about. You get what you think about it. If you have a good attitude about things, good things will happen. Run it down, you get crap. And that is basically what has happened.

I yield to my friend.

Ms. WASSERMAN SCHULTZ. We have been talking about the pay-as-you-go needs that we have here. Because we are the 30-something Working Group, what we try to do really often is explain the multi generational impact that these fiscal policies and decisions have.

Let's take a look at the economic impact on college students, Mr. MEEK. We are talking about, in this chart, you have the average tuition and fees, which is this line here that has gone up and up and up. Yet, the Pell Grant average award has remained completely flat. The maximum award has also remained completely flat and doesn't even come anywhere close to meeting the needs that the students who are trying to attend college and who are struggling to get a higher education need the two to coincide. There is an impact seniors, an impact on college students.

I would be happy to yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Well, I just want to say what we are spending our money on, instead of spending it on the Pell Grants, this is what we are spending it on, just the interest on the debt that we have been talking about, and this is what we are spending on education.

We have got to balance the budget, implement these PAYGO rules that say that you are not going to spend any money in this government unless you know how to pay for it. And you are not going to go out and borrow it. We tried to do it with H. Con. Res. 95, couldn't do it. Zero Republicans voted to put PAYGO rules on to reign in spending. We tried it again with roll call vote Number 91 on March 25 of 2004. Dennis Miller tried to do it in Kansas. Charlie Stenholm tried to do it. Democrats have tried to reign in spending here in the United States Congress by putting these PAYGO rules in, Mr. MEEK, by putting these rules in. And no Republican, ladies and gentlemen, we had a huge vote today and the Republicans kept talking about we are reigning in spending. Baloney. We have tried to put these restraints on time and time again and no Republican, not one, tried to implement these rules.

I yield to my friend from Florida.

Mr. MEEK of Florida. I would appreciate, Mr. RYAN, while you are at it, if you give the website out to the Members.

Mr. RYAN of Ohio. www.housedemocrates.gov/30something. All of the charts that folks see here tonight, Mr. Speaker, can be accessed on this website. www.housedemocrats.gov/30something.

Mr. MEEK of Florida. Thank you, Mr. RYAN, and thank you Ms. WASSERMAN SCHULTZ. And Mr. Speaker, basically what we are talking about is change. We are giving the American people an alternative to where we are headed now, which is down a dark tunnel, and it very well can be a train versus the sunlight. And we believe the numbers that we showed here today, we want to make sure that everyone knows that all of these charts will be on the website, housedemocrats.gov. You can get that information. And we would like to thank the democratic leadership for allowing us to have this hour.

## REPUBLICAN REBUTTAL

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 30 minutes.

Ms. FOXX. Mr. Speaker, I am very much aware that I am the only thing standing between everybody going home tonight, so while I have 30 minutes, I am not sure that I am going to use all of them. But I have been listening to some of the things being said tonight. I listened to them last week when I was in the Chair. And I get pretty wrought up about some of those things. And so I am going to talk a little bit about some of the comments that have been made tonight and present some facts.

Now, I don't have tonight with me our great poster that says ''The Truth Squad''. But I am going to leave this white chart up here for just a few minutes. So imagine that that says on it ''The Truth Squad''. I couldn't find the poster tonight. I am sort of filling in for someone else tonight.

But I want to say that, you know, I am a rather plainspoken person. I come from the mountains of North Carolina and generally am known as pretty plainspoken. And tonight, when I was listening to some of the rhetoric that was going on over here, I thought, one of the first things I want to say, if you believe that the Democrats will do a better job of providing for national security, then I have got some swamp land in New Mexico for sale for a great price for you.

□ 2330

I have not been a big watcher of C–SPAN before I came to the House of Representatives. I know we have got a lot of great folks who watch it, and I am grateful to you for doing that. But my guess is that there have been more untruths told in this Chamber in the past 15 months than maybe any other period of time in the history of this country. I have been watching it and I know other people have been too. That is what caused us to form the Truth Squad so that we could come out and set the facts straight.

I get very concerned when people play fast and loose with the truth and particularly when they play fast and loose with talking about national security. You see, I take that very, very seriously; and I think most of my colleagues on the Republican side of the aisle do too. The role of the Federal Government is to provide for the national security of this Nation. We were savagely attacked on 9/11, and we have responded to that, I think, in an appropriate way. These are people that hate us, that hate our way of life, and that want to take us back to the 5th century and have us live the way they live.

I do not think the American people want to do that. I think the American people love their freedom and want to maintain that freedom, and we are interested in helping other people gain their freedom.

What I am curious about, the Democrats get up here and say, We could provide better for the national security. I just have a couple of questions to ask them: Where were they and their President when the World Trade Center was first hit? Where were they and their President when we got hit several other times and we could have had a response to that? My guess is if we had had a Democratic President when we were facing 9/11, we would still be negotiating at the U.N. somewhere and pretty soon we would be losing our freedoms in this country.

I do get a little upset about it. I think that they are absolutely ridiculous in the things that they say about how they would keep us safer than the Republicans have kept us safe. We are in a terrible time. We did not ask for the war. We are not imperialistic people, but we know how to protect ourselves when we are attacked, and we are going to continue to do that. The Democrats are Johnny-come-latelies on all of this stuff. They know that the American people see the Republican Party as the party that will protect us and protect our freedoms, and that is the number one role of the Federal Government and that is where our money should be spent. So I am very happy for us to be doing our job when it comes to national security. And we are going to be working on all of those things. Our budget will address that. Our budget has addressed that, and we will continue to do that.

I want to make another comment to sort of clear up the facts tonight, comments made about the fact that we did not pass President Bush's budget today and somehow or another that is terrible. Well, we have never passed President Bush's budget, and there is no intention of passing President Bush's budget now. The President does submit a budget. The Constitution requires him to do so. However, it is the Congress's responsibility to take that budget and to look at what is proposed and then to come up with our own budget. And we will do that. But to be so duplicitous as to say that we are going to rubber-stamp the President's budget is just unbelievable to me.

To talk about cutting student loans, as my colleague says here all the time, Representative PRICE of Georgia, you can have your opinions, but you cannot make up the facts. And there is no way that you can distort the facts in what we have done for the education budget and particularly the higher education budget.

They talk all the time about what they would do, what they would do, what they would do. Well, I want to show you what they would have done had we let the Democrats have their way in Appropriations Committee meetings and in Budget Committee meetings.

I am going to turn this chart around now. For all their rhetoric about cutting spending and doing something about the deficit, during the markup of the budget, they proposed new spending of $26.9 billion and new taxes of $19.3 billion. How much savings? Zero. Now, they can get up on the floor of the House and they can say lots of things, but when we bring out the facts, the comments that they make just do not hold true. They think people are just going to ignore what they really do and believe what they say.

I said this the other night: our motto in the State of North Carolina is to be, rather than to seem. Some day I am going to figure out a clever way to show how the Democrats want to seem, rather than to be, instead of reversing that. But that is what they want to do. They want the American people to believe that what they are saying is true when they live a totally different kind of life-style. And I think it is very important that every time this happens that we respond to it. It is very, very important that we do that and not let them get by with it.

I want to say a couple of things about the effect of what we have done in terms of cutting taxes. The difference between Democrats and Republicans is that the Democrats think they know how to spend your money better than you do and the Republicans think that the American people know how to spend their money better than the Federal Government knows how to spend it. So we want the American people to keep more of their money than they have been. So the Republicans instituted tax cuts, and what we have done is we see that tax receipts rebound with record increases based on tax cuts.

They want you to believe that all the ills of the world have come as a result of tax cuts. Well, the good things that have happened in this economy, most of them have come as a result of our having cut taxes. We want to let you keep your money in your pocket and spend it the way you want to and not turn it over to bureaucrats in Washington, D.C. who waste a lot of it and then spend a little bit of it maybe on some good things. That is not the way it ought to be. We want you to keep your money.

Let me show one other chart here that I have to talk about the projected growth of revenue and what will happen. We need to make the tax cuts that were instituted permanent, and that is one of the things that we need to be able to do so that we can keep this economy going in the right direction. And this is what will happen with tax relief made permanent. And, yes, indeed, we can cut the deficit in half by 2009, which is when the President said that it would be cut in half, and there is another chart over there to show that.

They just very, very cavalierly leave out certain things when they are talking, like the President said that the deficit would be cut in half. The President did not say the deficit would be cut in half this year. He said very clearly in 2009. And it will be if we can make the tax cuts permanent. The biggest fight we are having around here is how do we make those tax cuts permanent and keep that money in your pocket instead of putting it into the hands of people who will not spend it nearly as well as you do.

And you notice again that the Democrats are very, very selective in the things that they tell you in terms of their own actions and the things that they have done. They are fond of quoting third sources, and I want to quote something for you too tonight that you probably will not hear about in the mainstream media, the best friend of the Democrats. But Roll Call, one of the local newspapers here in town that is read primarily inside the Beltway, April 6, states: ''House Democrats have spent hundreds of thousands of dollars in taxpayer funds over the past several years on the party's annual retreats. Democrats have used official money to pay for a portion of their retreats for at least a decade. And a review of disbursement reports from the chief administrative officer shows that the House Democratic Caucus has spent more than $200,000 directly out of the caucus's official budget since 2003 on chartered jets, rented buses, entertainers, brochures, staff travel, and a host of other retreat expenses.''

These are not allowed. The Republicans do not do that. We pay for our retreats ourselves. But you are never going to hear this again from the mainstream media because they do not want you to know about the way Democrats abuse taxpayer funds.

I want to talk just a little bit tonight about some of the good and great things that have been done in this session of the Congress. It is the ''do big things Congress.'' The Democrats would like you to believe that we have not accomplished a great deal. They are focused tonight on the budget. We did not get the budget passed. Well, we do not have any deadline for doing that until the end of the session, actually. But we set ourselves to task at doing that, and we will do that. And it will be a good budget when we do it, and it will cut spending, which is what we need to be doing. And it will rein in some of the spending that is on automatic pilot because programs set up under Democratic administrations are difficult to cut back.

We passed the energy bill, H.R. 6, which brings America's energy system into the 21st century, signed into law by the President. We passed the highway bill, which creates millions of new jobs and improves public transportation and highways and other things all across the country, public law. We passed the Deficit Reduction Act, which provides $39.732 billion in savings by reforming the government, reducing the deficit, and renewing our commitment to hardworking American taxpayers.

How many Democrats voted for reducing the deficit? Zero. None of them. They can stand up here again and talk all they want, but they have got to walk the walk. And when it comes to that, they just do not do it.

We have passed liability reform, several liability reform bills. We have passed class action reform legislation to reduce frivolous lawsuits, to reduce all this money going into the hands of the trial lawyers.

We have passed a Combat Meth Act. Methamphetamines are a terrible scourge on our country, and we are doing something about that.

We passed the PATRIOT Act, again, something that we need to do to protect Americans, to allow our government to do proper investigations of the people who may be harming us. What did the Democrats do? They bragged that they killed it.

We passed a United Nations Reform Act in the House with very little support from Democrats. We are mandating budget oversight, accountability, and ethics into U.N. reforms. You do not hear that coming out of the Democrats.

We passed the Health Act, making positive changes to the health care liability system.

We have extended the death tax repeal permanently. Help from the Democrats, very little.

We passed the Tax Relief Extension Act. We are going to extend the tax provisions expiring in 2005. No Democrats helping with that.

We passed the Job Training Improvement Act of 2005, enhancing the workforce investment system of the Nation.

We have passed lots and lots of bills. We passed in December the Border Protection, Antiterrorism, and Illegal Immigration Control Act. Any help from the Democrats? No.

We are working hard to protect the American people in the way that they should be protected. And one of the ways that we need to be doing that is to be reducing the spending of the Federal Government and reducing the burden on hardworking Americans.

We also need to make sure that we maintain our freedom so that we can do all the other things that we want to do. That is what the Republicans are doing.

What you hear out of the Democrats is a lot of empty rhetoric, and I am afraid that it just won't wash anymore, because the Truth Squad is going to be around all the time calling their hand on the things that they are saying that are simply not true.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LANGEVIN (at the request of Ms. PELOSI) for today after 5:30 p.m.

Ms. SCHAKOWSKY (at the request of Ms. PELOSI) for April 5.

## 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. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. KILDEE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. TIERNEY, for 5 minutes, today.

(The following Members (at the request of Mr. HOEKSTRA) to revise and extend their remarks and include extraneous material:)

Mr. SHIMKUS, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. CONAWAY, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. FITZPATRICK of Pennsylvania, for 5 minutes, today.

## ENROLLED BILLS SIGNED

Mrs. Hass, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 81. Joint resolution providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 82. Joint resolution providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

## ADJOURNMENT

Ms. FOXX. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Accordingly, pursuant to the previous order of the House of today, the House stands adjourned until 2 p.m. on Monday, April 10, 2006, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 382, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Thereupon (at 11 o'clock and 45 minutes p.m.), pursuant to the previous order of the House of today, the House adjourned until 2 p.m. on Monday, April 10, 2006, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 382, in which case the House shall stand adjourned pursuant to that concurrent resolution.

## 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. 4973. A bill to restore the financial solvency of the national flood insurance program, and for other purposes (Rept. 109–410). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOEKSTRA: Permanent Select Committee on Intelligence. H.R. 5020. A bill to authorize appropriations for fiscal year 2007 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 109–411). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee of Conference. Conference report on H.R. 889. A bill to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes (Rept. 109–413). Ordered to be printed.

## REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 4411. A bill to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling, and for other purposes; with an amendment (Rept. 109–412, Pt. I). Referred to the Committee on the Judiciary for a period ending not later than May 26, 2006, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X. Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TOM DAVIS of Virginia (for himself, Mr. WAXMAN, Mr. SHAYS, Mr. LANTOS, Mr. GUTKNECHT, Mr. OWENS, Mr. PLATTS, Mr. TOWNS, Mrs. MILLER of Michigan, Mrs. MALONEY, Mr. ISSA, Mr. CUMMINGS, Mr. DENT, Mr. KUCINICH, Ms. FOXX, Mr. CLAY, Ms. WATSON, Mr. LYNCH, Mr. VAN HOLLEN, Mr. HIGGINS, Ms. NORTON, Mr. KANJORSKI, and Mr. DAVIS of Illinois):

H.R. 5112. A bill to provide for reform in the operations of the executive branch; to the Committee on Government Reform.

By Mr. CONYERS:

H.R. 5113. A bill to amend title 11, United States Code, with respect to reform of executive compensation in corporate bankruptcies; to the Committee on the Judiciary.

By Ms. HART (for herself, Ms. ESHOO, Ms. ZOE LOFGREN of California, Mr. TIAHRT, Mr. DOOLITTLE, Mrs. NORTHUP, Mr. GOODLATTE, Mr. POMBO, Mr. CLEAVER, Mr. SHIMKUS, Mr. SIMMONS, Mr. SESSIONS, Mr. GRAVES, Mr. PENCE, Mr. WESTMORELAND, Mr. CAMPBELL of California, Mr. CONAWAY, Mr. MCCAUL of Texas, Mr. CROWLEY, Mr. OTTER, Mr. PEARCE, Mr. GOODE, Miss MCMORRIS, Mr. HOEKSTRA, Mr. ISSA, Mrs. BLACKBURN, Mr. KENNEDY of Minnesota, Mr. BOOZMAN, Mrs. MILLER of Michigan, Mr. MCHUGH, Mr. BACHUS, Mr. NEUGEBAUER, Mr. SHUSTER, Mr. CANNON, Mr. MARIO DIAZ-BALART of Florida, Mr. HERGER, Ms. HARRIS, Mr. GERLACH, Mr. INGLIS of South Carolina, Mr. ENGLISH of Pennsylvania, Mr. SULLIVAN, Mr. CALVERT, Mr. CULBERSON, Mr. SIMPSON, Mr. KLINE, Mr. THOMPSON of California, Mr. ROSS, Mr. LEWIS of Kentucky, Mr. MCKEON, Mr. FLAKE, Mr. ROYCE, Mr. MANZULLO, Mrs. MYRICK, Mr. PORTER, Mr. CARTER, Mrs. MUSGRAVE, Ms. BEAN, Mr. REYNOLDS, Mr. CANTOR, Mr. LANGEVIN, Mr. MCHENRY, Mr. CARDOZA, Mr. PETERSON of Minnesota, Mr. WILSON of South Carolina, Mr. TAYLOR of North Carolina, Mr. NORWOOD, Mr. HONDA, Mr. HASTINGS of Washington, Mr. BEAUPREZ, Mr. JINDAL, Mr. SWEENEY, Mr. BOUSTANY, Mr. SOUDER, Mr. WAMP, Mr. FORBES, Mrs. CAPITO, Mr. POE, Mrs. KELLY, Mr. GARY G. MILLER of California, Mr. WALSH, Mr. MURPHY, Mr. AKIN, Mr. GALLEGLY, Mr. SAM JOHNSON of Texas, Mr. ADERHOLT, Mr. BERRY, Mr. BOYD, Mr. MELANCON, Mr. CAPUANO, Mr. FRANKS of Arizona, Mr. RENZI, Mr. ROGERS of Michigan, Mr. GUTKNECHT, Mr. HALL, Mrs. JO ANN DAVIS of Virginia, Mr. GOHMERT, Mr. LOBIONDO, Mr. CHOCOLA, Mr. WELLER, and Mr. FOLEY):

H.R. 5114. A bill to limit the development or implementation of a return-free tax system; to the Committee on Ways and Means.

By Ms. HART (for herself, Mr. ENGLISH of Pennsylvania, and Mr. WELLER):

H.R. 5115. A bill to amend the Internal Revenue Code of 1986 to modernize the tax treatment of biomedical research corporations; to the Committee on Ways and Means.

By Mrs. TAUSCHER (for herself, Mr. SMITH of Washington, Mr. DAVIS of Alabama, Mr. KIND, Mrs. MCCARTHY, Mr. INSLEE, Ms. HERSETH, Mr. CROWLEY, Mr. MEEKS of New York, Mr. EMANUEL, Ms. MILLENDER-MCDONALD, Mr. HIGGINS, Ms. HARMAN, Mr. PRICE of North Carolina, Mr. BAIRD, Ms. SCHWARTZ of Pennsylvania, Mr. MCINTYRE, Mr. ENGEL, Mr. ISRAEL, Mr. CHANDLER, Mr. BOSWELL, Ms. LORETTA SANCHEZ of California, Mr. LARSON of Connecticut, Mr. DAVIS of Florida, Mr. MOORE of Kansas, and Ms. HOOLEY):

H.R. 5116. A bill to amend title XVIII of the Social Security Act to extend the 2006 initial enrollment period for the Medicare prescription drug benefit by six months, to suspend the late enrollment penalty for such benefit during 2006, to permit Medicare beneficiaries to change enrollment in a prescription drug plan once a year, and to prevent changes in formularies other than at the time of open enrollment periods and only with advance notice; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PRYCE of Ohio (for herself, Mr. HOBSON, Mr. TIBERI, Mr. NEY, and Mr. LEACH):

H.R. 5117. A bill to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students; to the Committee on Financial Services.

By Mr. WALDEN of Oregon (for himself, Mr. POMEROY, Mr. ALEXANDER, Mr. ALLEN, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BOUCHER, Mr. BOYD, Mrs. CAPITO, Mr. CASE, Mr. COSTELLO, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Tennessee, Mr. DEFAZIO, Mrs. EMERSON, Mr. EVANS, Mr. GRAVES, Mr. HASTINGS of Washington, Ms. HERSETH, Mr. HINCHEY, Mr. HINOJOSA, Ms. HOOLEY, Mr. KIND, Ms. JACKSON-LEE of Texas, Mr. MARSHALL, Mr. MATHESON, Mr. MCHUGH, Mr. MCINTYRE, Miss MCMORRIS, Mr. MORAN of Kansas, Mr. OBERSTAR, Mr. ORTIZ, Mr. PAUL, Mr. PETERSON of Minnesota, Mr. PETERSON of Pennsylvania, Mr. RENZI, Mr. ROSS, Mr. SANDERS, Mr. SHUSTER, Mr. SIMPSON, Mr. SKELTON, Mr. STUPAK, Mr. SWEENEY, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. UDALL of New Mexico, Mr. WHITFIELD, Mr. WICKER, and Mr. YOUNG of Alaska):

H.R. 5118. A bill to amend title XVIII of the Social Security Act and the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to extend certain Medicare payment methodologies provided for rural health care providers; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY (for herself, Mr. BERMAN, Mr. EVANS, Mr. FILNER, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. STRICKLAND, Mrs. MALONEY, Mr. CHANDLER, and Mr. MICHAUD):

H.R. 5119. A bill to amend title 38, United States Code, to improve the pension program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. JENKINS (for himself, Mr. DELAHUNT, Mr. DUNCAN, and Mr. MEEHAN):

H.R. 5120. A bill to amend title 35, United States Code, to conform certain filing provisions within the Patent and Trademark Office; to the Committee on the Judiciary.

By Mr. NEY (for himself, Ms. WATERS, Mr. GARY G. MILLER of California, and Mr. TIBERI):

H.R. 5121. A bill to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes; to the Committee on Financial Services.

By Mr. HUNTER (for himself and Mr. SKELTON) (both by request):

H.R. 5122. 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.

By Mr. DOGGETT (for himself, Mr. RANGEL, Mr. STARK, Mr. LEVIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. JEFFERSON, Mr. BECERRA, Mr. POMEROY, Mrs. JONES of Ohio, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. EMANUEL, Mr. ALLEN, Mr. CONYERS, Mr. GRIJALVA, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SHERMAN, Ms. SLAUGHTER, and Ms. SOLIS):

H.R. 5123. A bill to amend the Internal Revenue Code of 1986 to simplify and provide greater uniformity for child-related tax benefits and to eliminate the potential for abuse created by the uniform definition of child in the Working Families Tax Relief Act of 2004; to the Committee on Ways and Means.

By Mr. RYAN of Wisconsin (for himself and Mr. GREEN of Wisconsin):

H.R. 5124. A bill to amend the Clean Air Act to provide for a Federal Fuels List, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COSTA (for himself and Mr. CARDOZA):

H.R. 5125. A bill to amend the Indian Gaming Regulatory Act to provide that the Secretary of the Interior shall not approve a Tribal-State gaming compact under that Act unless the State involved has a State law providing for a gaming master plan that has been approved by the Secretary; to the Committee on Resources.

By Mr. BARTON of Texas (for himself, Mr. ENGEL, Mr. SIMMONS, and Mr. REICHERT):

H.R. 5126. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEAUPREZ:

H.R. 5127. A bill to prohibit the Department of Energy from obligating funds for appropriation earmarks in the Energy Efficiency and Renewable Energy program; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDOZA (for himself, Mr. RADANOVICH, and Ms. MATSUI):

H.R. 5128. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California; to the Committee on Agriculture.

By Mr. CHOCOLA (for himself, Mr. KIRK, and Mr. COOPER):

H.R. 5129. A bill to amend title 31, United States Code, to require certain additional calculations to be included in the annual financial statement submitted under section 331(e) of that title; to the Committee on Government Reform.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 5130. A bill to extend Federal recognition to the Rappahannock Tribe, and for other purposes; to the Committee on Resources.

By Mr. LINCOLN DIAZ-BALART of Florida (for himself, Mr. BERMAN, Ms. ROYBAL-ALLARD, Ms. HART, Mr. LEACH, Mr. LAHOOD, Mr. SKELTON, Ms. ROS-LEHTINEN, Ms. HARMAN, Mr. MARIO DIAZ-BALART of Florida, Mr. GUTIERREZ, Mr. FORTUÑO, and Mr. SABO):

H.R. 5131. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. DINGELL:

H.R. 5132. A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812; to the Committee on Resources.

By Mr. DINGELL:

H.R. 5133. A bill to direct the Secretary of the Interior to accept the donation of certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812 for inclusion in the National Park System; to the Committee on Resources.

By Mrs. EMERSON (for herself, Mr. BERRY, Mr. CHANDLER, Mr. BROWN of Ohio, Mr. WILSON of South Carolina, Mr. KENNEDY of Rhode Island, Ms. HERSETH, Mr. MORAN of Virginia, Mr. BOOZMAN, Mr. WALDEN of Oregon, Ms. PRYCE of Ohio, Mr. JONES of North Carolina, Mr. GUTKNECHT, Mr. PITTS, Mr. ALLEN, Mr. BOREN, Mr. ISRAEL, Mr. CARDOZA, Mr. SKELTON, Mr. CLEAVER, Ms. ESHOO, Mr. POMEROY, Mr. MURTHA, Ms. KAPTUR, Mr. SCHWARZ of Michigan, Mrs. CAPITO, Mr. OSBORNE, Mr. SIMPSON, Mr. RENZI, Mr. WELLER, Mr. WAMP, Mr. LAHOOD, Mrs. CUBIN, Mr. WICKER, Mr. SWEENEY, Mr. CAPUANO, Mr. HULSHOF, Mr. SHIMKUS, Mr. BRADY of Texas, Mr. GILCHREST, and Mrs. CAPPS):

H.R. 5134. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ENGLISH of Pennsylvania:

H.R. 5135. A bill to amend the Internal Revenue Code of 1986 to add meningococcal vaccines to the list of taxable vaccines for purposes of the Vaccine Injury Compensation Trust Fund; to the Committee on Ways and Means.

By Mr. HALL (for himself and Mr. UDALL of Colorado):

H.R. 5136. A bill to establish a National Integrated Drought Information System within the National Oceanic and Atmospheric Administration to improve drought monitoring and forecasting capabilities; to the Committee on Science.

By Mr. HASTINGS of Florida:

H.R. 5137. A bill to assist first-time homebuyers to attain home ownership, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on 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. HAYWORTH:

H.R. 5138. A bill to amend the Internal Revenue Code of 1986 to restrict the use of tax return information by preparers of returns; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. WELDON of Pennsylvania, Ms. ZOE LOFGREN of California, Mr. PRICE of North Carolina, Ms. LEE, Mr. SMITH of Washington, Mr. CONYERS, Mr. OWENS, Mr. KENNEDY of Minnesota, Mr. EMANUEL, Mr. HINOJOSA, Mr. PAYNE, Mr. GRIJALVA, Mr. CAPUANO, Mr. MCDERMOTT, Mr. WOLF, Ms. SCHAKOWSKY, and Mr. INSLEE):

H.R. 5139. A bill to direct the Secretary of Education to establish and maintain a public website through which individuals may find a complete database of available scholarships, fellowships, and other programs of financial assistance in the study of science, technology, engineering, and mathematics; to the Committee on Education and the Workforce.

By Mr. HOLT (for himself, Mr. CONYERS, Ms. ZOE LOFGREN of California, Mr. KENNEDY of Minnesota, Ms. LEE, Mr. GRIJALVA, Mr. EMANUEL, Mr. HINOJOSA, Mr. MCDERMOTT, Mr. WOLF, Ms. SCHAKOWSKY, Mr. MCINTYRE, and Mr. INSLEE):

H.R. 5140. A bill to establish the Congressional Teacher Award Task Force to enter into an agreement with a nonprofit entity for the operation of a program to recognize excellent elementary and secondary school teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HOLT (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ZOE LOFGREN of California, Mr. CAPUANO, Mr. MARKEY, Mr. SMITH of Washington, Mr. PRICE of North Carolina, Mr. OWENS, Mr. PAYNE, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. HINOJOSA, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Mr. MCINTYRE, and Mr. INSLEE):

H.R. 5141. A bill to provide for the establishment of a program at the National Science Foundation to increase up to 10,000 per year the number of elementary and secondary science and mathematics teachers through a scholarship program encouraging students to obtain science, technology, engineering, and mathematics degrees with teacher certification, and for other purposes; to the Committee on Science.

By Mr. HOLT (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ZOE LOFGREN of California, Mr. MCDERMOTT, Mr. MARKEY, Mr. SMITH of Washington, Mr. INSLEE, Mr. OWENS, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. HINOJOSA, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. MCINTYRE, and Mr. JEFFERSON):

H.R. 5142. A bill to provide for the establishment of a program at the National Science Foundation to increase the population of science, technology, engineering, and mathematics undergraduate students through a scholarship program to increase the business, industrial, academic, and scientific workforce, and for other purposes; to the Committee on Science.

By Mr. INGLIS of South Carolina (for himself, Mr. LIPINSKI, Mr. KINGSTON, Mr. WAMP, Mr. WOLF, Mr. BOEHLERT, Mr. EHLERS, Mr. BARTLETT of Maryland, Mr. WYNN, Mr. DENT, Mr. LARSON of Connecticut, Mr. MCCAUL of Texas, Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, and Mr. TERRY):

H.R. 5143. A bill to authorize the Secretary of Energy to establish monetary prizes for achievements in overcoming scientific and technical barriers associated with hydrogen energy; to the Committee on Science.

By Mr. JINDAL:

H.R. 5144. A bill to provide for supply chain security cooperation between Department of Homeland Security and the private sector, and for other purposes; to the Committee on Homeland Security.

By Mr. JONES of North Carolina (for himself and Mr. DELAHUNT):

H.R. 5145. A bill to authorize the National War Dogs Monument, Inc. to establish a national monument in honor of military working dog teams; to the Committee on Resources.

By Mr. KNOLLENBERG:

H.R. 5146. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax to qualified small employers who create new jobs; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 5147. A bill to amend part B of title XVIII of the Social Security Act to repeal the income-related increase in part B premiums that was enacted as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173); to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. TOM DAVIS of Virginia, and Mr. HOYER):

H.R. 5148. A bill to ensure that at least one-half of the 12 weeks of parental leave made available to a Federal employee under subchapter V of chapter 63 of title 5, United States Code, shall be paid leave; to the Committee on Government Reform.

By Mr. MCKEON:

H.R. 5149. A bill to maintain the rural heritage of the Eastern Sierra and enhance the region's tourism economy by designating certain public lands as wilderness and certain rivers as wild and scenic rivers in the State of California, and for other purposes; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. TIERNEY, Ms. MCCOLLUM of Minnesota, Mr. GRIJALVA, and Mr. BISHOP of New York):

H.R. 5150. A bill to amend the Higher Education Act of 1965 to reduce interest rates for student and parent borrowers; to the Committee on Education and the Workforce.

By Mr. NADLER (for himself, Ms. SLAUGHTER, Mrs. LOWEY, Mr. CONYERS, Mrs. MALONEY, Ms. SCHAKOWSKY, Ms. MATSUI, Ms. BALDWIN, Mr. SHERMAN, Mr. WEXLER, Mr. GRIJALVA, Mr. OLVER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. MCDERMOTT, Ms. SOLIS, Mr. BERMAN, Mr. FILNER, Ms. HARMAN, Mr. HINCHEY, Mr. OWENS, Mr. GEORGE MILLER of California, and Mrs. CAPPS):

H.R. 5151. A bill to protect, consistent with Roe v. Wade, a woman's freedom to choose to bear a child or terminate a pregnancy, and for other purposes; to the Committee on the Judiciary.

By Mr. NADLER (for himself, Ms. BALDWIN, Mr. BERMAN, Mr. CONYERS, Mr. CROWLEY, Mr. EMANUEL, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. KENNEDY of Rhode Island, Mrs. MALONEY, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. STARK, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 5152. A bill to provide for entitlement to dependents' and survivors' benefits under the old-age, survivors, and disability insurance program under title II of the Social Security Act based on permanent partnership as well as marriage; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 5153. A bill to revise the number of associate judges of the Superior Court of the District of Columbia; to the Committee on Government Reform.

By Mr. POMBO:

H.R. 5154. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for teleworking; to the Committee on Ways and Means.

By Mr. PORTER (for himself, Mr. GIBBONS, and Ms. BERKLEY):

H.R. 5155. A bill to provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada and to grant a right-of-way across the released land for the construction and maintenance of a flood control project; to the Committee on Resources.

By Mr. ROGERS of Michigan (for himself and Mr. GENE GREEN of Texas):

H.R. 5156. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to counterfeit drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANDERS:

H.R. 5157. A bill to designate certain National Forest System land in the State of Vermont for inclusion in the National Wilderness Preservation system and designate a National Recreation Area; to the Committee on Resources, and in addition to the Committee on Agriculture, 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. SERRANO (for himself, Mr. WEINER, Mr. BACA, Mr. CROWLEY, Mr. GRIJALVA, Mr. HINCHEY, Mrs. MALONEY, and Mr. MCNULTY):

H.R. 5158. A bill to amend the Food Stamp Act of 1977 to provide greater access to the food stamp program by reducing duplicative and burdensome administrative requirements; authorize the Secretary of Agriculture to award grants to certain community-based nonprofit feeding and anti-hunger groups for the purpose of establishing and implementing a Beyond the Soup Kitchen Pilot Program for certain socially and economically disadvantaged populations, and for other purposes; to the Committee on Agriculture.

By Mr. SHUSTER (for himself, Mr. TANCREDO, Mr. COBLE, Mr. WILSON of South Carolina, Ms. GRANGER, Mr. KUHL of New York, Mr. SIMMONS, Mr. KLINE, Mr. FITZPATRICK of Pennsylvania, Ms. HART, Mr. GENE GREEN of Texas, Mrs. JO ANN DAVIS of Virginia, Mr. HALL, Mr. BROWN of Ohio,

Mr. HOBSON, Mr. PETERSON of Pennsylvania, Mr. BISHOP of Georgia, Mr. MCKEON, Mr. FRANKS of Arizona, Ms. CARSON, Mr. MCCAUL of Texas, and Mr. DENT):

H.R. 5159. A bill to posthumously award a Congressional gold medal on behalf of each person aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash; to the Committee on Financial Services.

By Mr. SIMMONS (for himself, Mr. ISRAEL, Mr. SHAYS, Mrs. JOHNSON of Connecticut, Mrs. MCCARTHY, Mr. HINCHEY, Mr. KING of New York, Mr. CROWLEY, Mr. BISHOP of New York, Mr. NADLER, Mr. FOSSELLA, Mr. SERRANO, Mr. MEEKS of New York, Mr. ACKERMAN, Mr. WALSH, Mrs. MALONEY, Ms. DELAURO, Mr. BOEHLERT, Mr. WEINER, Mr. OWENS, Mr. HIGGINS, Mrs. LOWEY, Mr. RANGEL, Mr. ENGEL, Mr. GILCHREST, and Mrs. KELLY):

H.R. 5160. A bill to establish the Long Island Sound Stewardship Initiative; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SOLIS (for herself, Mr. GUTIERREZ, Mr. BERMAN, Mr. HONDA, Mr. EMANUEL, Ms. MATSUI, Mr. LEWIS of Georgia, Ms. LEE, and Ms. ZOE LOFGREN of California):

H.R. 5161. A bill to establish a commission to study the removal of Mexican-Americans to Mexico during 1929-1941, and for other purposes; to the Committee on the Judiciary.

By Mr. STUPAK:

H.R. 5162. A bill to pay a one-time bonus to members of the Armed Forces who serve honorably in a combat zone designated for Operation Iraqi Freedom or Operation Enduring Freedom, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado:

H.R. 5163. A bill to direct the Administrator of the Small Business Administration to conduct a pilot program to raise awareness about telework among small business employers, and to encourage such employers to offer telework options to employees, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. RANGEL, Mr. GUTIERREZ, Ms. NORTON, and Mr. MEEKS of New York):

H.R. 5164. A bill to amend the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 5165. A bill to authorize the grant program under which the Secretary of Homeland Security makes discretionary grants for use in high-threat, high-density urban areas, and for other purposes; to the Committee on Homeland Security.

By Mr. WICKER (for himself, Mr. LOBIONDO, Mr. PICKERING, Mr. BONNER, Mr. BROWN of Ohio, Mr. PETERSON of Pennsylvania, Mrs. CUBIN, Mr. EVERETT, Mr. BACHUS, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. SODREL, Mr. CONAWAY, Mr. FORTENBERRY, Ms. HARRIS, Mr. WHITFIELD, Mr. BILIRAKIS, Mrs. EMERSON, Ms. PRYCE of Ohio, Mr. SCHWARZ of Michigan, Mr. FOLEY, Mr. LEACH, Mr. GERLACH, Mr. WALDEN of Oregon, Mrs. JO ANN DAVIS of Virginia, Mr. SHERWOOD, Mr. BOOZMAN, Mr. OSBORNE, Mr. DOOLITTLE, Mr. TIAHRT, Mr. BURGESS, Mr. AKIN, Mr. ADERHOLT, Mr. BLUNT, Mr. MCHENRY, Ms. FOXX, Mr. PENCE, Mr. BISHOP of Utah, Mr. GARRETT of New Jersey, Mr. HOEKSTRA, Mr. FITZPATRICK of Pennsylvania, Ms. KAPTUR, Mr. GUTKNECHT, Ms. WASSERMAN SCHULTZ, and Mr. VAN HOLLEN):

H.R. 5166. A bill to amend title XVIII of the Social Security Act to improve payments made by prescription drug plans and MA-PD plans to pharmacies for covered part D drugs dispensed through such pharmacies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY (for herself, Mr. SHAYS, Mr. CONYERS, Mrs. JOHNSON of Connecticut, Mr. GRIJALVA, Mr. FILNER, Mr. EVANS, Ms. WASSERMAN SCHULTZ, Mr. FARR, Mrs. CAPPS, Mr. POMEROY, and Ms. HERSETH):

H.R. 5167. A bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of ''food of minimal nutritional value'' to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself and Mr. BROWN of Ohio):

H. Con. Res. 381. Concurrent resolution expressing the sense of Congress regarding high level visits to the United States by democratically elected officials of Taiwan; to the Committee on International Relations.

By Mr. BOEHNER:

H. Con. Res. 382. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. FORTENBERRY:

H. Con. Res. 383. Concurrent resolution supporting the goals and ideals of the National Arbor Day Foundation and National Arbor Day; to the Committee on Government Reform.

By Mr. HINCHEY (for himself, Mr. RANGEL, Mr. SCOTT of Virginia, Mr. FATTAH, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. SCOTT of Georgia, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. SNYDER, Mr. CONYERS, Mr. MCDERMOTT, Ms. LEE, Mr. BRADY of Pennsylvania, Mr. PRICE of North Carolina, Mr. HASTINGS of Florida, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. ROSS, Mr. ETHERIDGE, Mrs. CHRISTENSEN, Mr. LEWIS of Georgia, Mr. HOLT, Mr. JEFFERSON, Mr. CUMMINGS, Mr. OWENS, Mr. BERRY, Ms. CARSON, Ms. JACKSON-LEE of Texas, Mr. BISHOP of Georgia, Mr. CARDIN, and Mr. MCGOVERN):

H. Con. Res. 384. Concurrent resolution recognizing and honoring the 100th anniversary of the founding of the Alpha Phi Alpha Fraternity, Incorporated, the first intercollegiate Greek-letter fraternity established for African Americans; to the Committee on Education and the Workforce.

By Ms. JACKSON-LEE of Texas (for herself, Mr. JEFFERSON, Ms. KILPATRICK of Michigan, Mr. BUTTERFIELD, Mr. DOGGETT, Mr. PAYNE, Ms. MCCOLLUM of Minnesota, Mr. LEWIS of Georgia, Mr. CLEAVER, Mr. CUMMINGS, Mr. HASTINGS of Florida, Mr. CONYERS, Ms. MCKINNEY, Ms. WASSERMAN SCHULTZ, Mr. DELAHUNT, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HONDA, Mr. OWENS, Mr. LANTOS, Ms. LEE, Mr. RANGEL, Mr. WEXLER, Ms. LINDA T. SÁNCHEZ of California, Ms. BERKLEY, Ms. DELAURO, Mr. BECERRA, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mrs. LOWEY, Mr. SCOTT of Virginia, Mr. MELANCON, Mr. CROWLEY, Mr. HINCHEY, Mr. MCDERMOTT, Mr. DAVIS of Illinois, Mr. WYNN, Mr. TOWNS, Mr. WATT, Ms. SOLIS, Mr. FILNER, Ms. MILLENDER-MCDONALD, and Ms. MATSUI):

H. Con. Res. 385. Concurrent resolution expressing the sense of Congress to encourage the State of Louisiana and the Department of Justice to establish satellite voting outside the State of Louisiana for the New Orleans elections scheduled for April 22, 2006; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. CAPUANO, Mr. OLVER, Mrs. MCCARTHY, Mr. DAVIS of Illinois, Mrs. CAPPS, Mr. DELAHUNT, Mr. CONYERS, Mr. GRIJALVA, Mr. CLEAVER, Mr. SCOTT of Georgia, Mr. MCDERMOTT, Mr. OWENS, Mr. SCOTT of Virginia, Mr. WYNN, Mrs. CHRISTENSEN, Mr. SHIMKUS, Ms. LEE, Mr. JEFFERSON, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. RUSH, Mr. RANGEL, Ms. WATSON, Ms. MOORE of Wisconsin, Mr. CUMMINGS, Mr. DAVIS of Alabama, Ms. NORTON, Mr. FATTAH, Ms. CORRINE BROWN of Florida, Mr. BISHOP of Georgia, Ms. CARSON, Ms. WATERS, Mr. WATT, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. AL GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. MEEK of Florida, and Ms. SOLIS):

H. Con. Res. 386. Concurrent resolution honoring Mary Eliza Mahoney, America's first professionally trained African-American nurse; to the Committee on Energy and Commerce.

By Ms. MILLENDER-MCDONALD:

H. Con. Res. 387. Concurrent resolution encouraging minority participation in the goals of Financial Literacy Month for April, 2006; to the Committee on Government Reform.

By Mr. WILSON of South Carolina (for himself, Mr. ACKERMAN, and Mr. GORDON):

H. Con. Res. 388. Concurrent resolution recognizing that the plight of Kashmiri Pandits has been an ongoing concern since 1989 and that their physical, political, and economic security should be safeguarded by the Government of India and the state government of Jammu and Kashmir; to the Committee on International Relations.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. SCOTT of Virginia, Mrs. DRAKE, Mr. CANTOR, and Mr. GOODLATTE):

H. Res. 769. A resolution recognizing Virginia's James River as ''America's Founding River''; to the Committee on Resources.

By Mr. MORAN of Virginia (for himself, Mrs. DRAKE, Mr. WOLF, Mr. BOUCHER, Mr. SCOTT of Virginia, and Mr. FORBES):

H. Res. 770. A resolution commending Christian Relief Services Charities and its founder Eugene L. Krizek on the organization's 20th anniversary; to the Committee on Government Reform.

By Mr. WILSON of South Carolina (for himself, Mr. KING of Iowa, and Mr. PITTS):

H. Res. 771. A resolution expressing the sense of the House of Representatives that individuals who commit acts of sexual violence against minor children should be prosecuted to the fullest extent of the law; to the Committee on the Judiciary.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

275. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 229 memorializing the Congress of the United States to maintain the combat capabilities and force structure of the National Guard; to the Committee on Armed Services.

276. Also, a memorial of the Senate of the State of West Virginia, relative to Senate Resolution No. 11 requesting the United States House of Representatives defeat the Budget Reconciliations Bill; to the Committee on the Budget.

277. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 48 memorializing the Congress of the United States to take such actions as are necessary to reduce by twenty-five percent the amount of outstanding federal student loan debt of any college graduate who resides in certain areas of Louisiana most affected by Hurricane Katrina or Hurricane Rita for at least five consecutive years immediately following graduation; to the Committee on Education and the Workforce.

278. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 13 memorializing the Congress of the United States to enact the ''School Energy Crisis Relief Act''; to the Committee on Education and the Workforce.

279. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 13 memorializing the Congress of the United States and the United States Secretary of Health and Human Services to reform the Medicaid program to ensure the program's solvency for future generations; to the Committee on Energy and Commerce.

280. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 13 memorializing the Congress of the United States and the United States Secretary of Health and Human Services to reform the Medicaid program to ensure the program's solvency for future generations; to the Committee on Energy and Commerce.

281. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 114 encouraging the Department of Energy and the Congress of the United States to identify, commit and sustain the funding necessary to allow design, development, testing and demonstration in Idaho at INL of safe, state of the art, advanced nuclear energy systems that can, ultimately, be commercially replicated in other locations throughout the United States and throughout the world; to the Committee on Energy and Commerce.

282. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 72 memorializing the Congress of the United States and the United States Department of Health and Human Services to take steps to improve access to fertility preservation options for cancer patients; to the Committee on Energy and Commerce.

283. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 19 encouraging the United States to continue its support of humanitarian efforts in and contributions of humanitarian aid to the Darfur region of Sudan and to encourage the United States to lead multilateral efforts to bring those responsible for the egregious human rights violation to justice; to the Committee on International Relations.

284. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 19 encouraging the United States to continue its support of humanitarian efforts in and contributions of humanitarian aid to the Darfur region of Sudan and encouraging the United States to lead multilateral efforts to bring those responsible for the egregious human rights violations to justice; to the Committee on International Relations.

285. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 67 memorializing the Congress of the United States to take such actions as are necessary, due to the many problems that have occurred in Jefferson Parish with the ZIP codes 70121 and 70123, to enact legislation to change the ZIP code in Jefferson Parish in the area currently covered by the ZIP code 70121 to 70021 and to change the ZIP code in Jefferson Parish in the area currently covered by the ZIP code 70123 to 70023 and also to assign new ZIP codes to the main post office in Metairie; to the Committee on Government Reform.

286. Also, a memorial of the Legislature of the Commonwealth of The Mariana Islands, relative to Senate Joint Resolution No. 15–01 requesting the United States House of Representatives convey non-voting delegate status to the Commonwealth of the Northern Mariana Islands; to the Committee on Resources.

287. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 29 memorializing the Congress of the United States to take such actions as are necessary to amend the Federal Rules of Civil Procedure to recognize state law authorizing legal continuances for members of the legislature during legislative sessions and to adopt a substantially similar rule in federal court; to the Committee on the Judiciary.

288. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 10 urging its congressional delegation to work to repeal any provisions of the USA Patriot Act that limit or impinge on rights and liberties protected equally by the United States Constitution and the California Constitution, and to oppose any pending and future federal legislation to the extent that it would infringe on Americans' rights and liberties; to the Committee on the Judiciary.

289. Also, a memorial of the Legislature of the State of West Virginia, relative to Senate Concurrent Resolution No. 60 expressing support of the United States armed forces in Iraq; jointly to the Committees on Armed Services and International Relations.

290. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the Congress of the United States to enact legislation regarding in-state tuition rates for in-state, undocumented immigrants who attend public institutions of higher education; jointly to the Committees on Education and the Workforce and the Judiciary.

291. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Resolution No. 4038 memorializing the Congress of the United States to enact the ''Diabetes Self-Management Training Act''; jointly to the Committees on Energy and Commerce and Ways and Means.

292. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Resolution No. 4023 urging the Congress of the United States to enact the ''Kidney Care Quality Improvement Act of 2005''; jointly to the Committees on Energy and Commerce and Ways and Means.

293. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Resolution No. 4031 urging the Congress of the United States to preserve section 5 of the Marine Mammal Protection Act of 1972 (33 U.S.C. 476) to continue protecting Puget Sound for current and future citizens of Washington and the United States to enjoy; jointly to the Committees on Resources and Transportation and Infrastructure.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PETRI (by request) introduced a bill (H.R. 5168) for the relief of Eric Westhagen; which was referred to the Committee on Resources.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 450: Mr. FATTAH.

H.R. 500: Mr. AKIN and Mr. PEARCE.

H.R. 550: Ms. WATERS.

H.R. 552: Mr. HAYWORTH.

H.R. 559: Mr. SERRANO, Ms. NORTON, Ms. DELAURO, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Mr. LANTOS, Ms. CARSON, and Mr. MCGOVERN.

H.R. 583: Mr. FATTAH.

H.R. 747: Mr. VAN HOLLEN, Mr. BOUCHER, and Mr. CASE.

H.R. 752: Ms. MATSUI, Mr. MARSHALL, and Mr. CRAMER.

H.R. 759: Ms. WATERS.

H.R. 791: Ms. DEGETTE.

H.R. 920: Mrs. MUSGRAVE.

H.R. 930: Mr. DAVIS of Kentucky and Mr. KANJORSKI.

H.R. 968: Mr. FORBES, Mr. DAVIS of Alabama, Mr. OBERSTAR, and Mrs. WILSON of New Mexico.

H.R. 994: Mrs. TAUSCHER, Mr. JOHNSON of Illinois, Mr. EHLERS, Ms. FOXX, Mr. BOUSTANY, Mr. ENGEL, Mr. SWEENEY, and Mr. SESSIONS.

H.R. 998: Mr. SMITH of Washington.

H.R. 1050: Mr. RANGEL.

H.R. 1079: Mr. CARTER.

H.R. 1105: Mr. MARKEY.

H.R. 1106: Mr. YOUNG of Alaska.

H.R. 1108: Mr. FATTAH.

H.R. 1125: Mr. YOUNG of Alaska.

H.R. 1131: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HASTINGS of Florida.

H.R. 1182: Ms. CARSON.

H.R. 1186: Ms. FOXX, Mr. GERLACH, and Mr. RAMSTAD.

H.R. 1217: Mr. CLEAVER.

H.R. 1249: Mr. BAIRD and Ms. ROYBAL-ALLARD.

H.R. 1333: Mrs. MALONEY and Mr. RUPPERSBERGER.

H.R. 1380: Mr. WELLER and Mr. YOUNG of Alaska.

H.R. 1402: Mr. YOUNG of Alaska.

H.R. 1405: Mr. BISHOP of Georgia.

H.R. 1415: Ms. BALDWIN, Mr. BISHOP of New York, Mr. MCGOVERN, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. SCHIFF, and Mr. WEINER.

H.R. 1447: Mr. FARR, Mr. DEFAZIO, and Mr. SOUDER.

H.R. 1456: Mr. HOLDEN.

H.R. 1471: Mr. KENNEDY of Minnesota.

H.R. 1498: Mr. DELAHUNT and Ms. MILLENDER-MCDONALD.
H.R. 1545: Mr. ALEXANDER and Mr. ANDREWS.
H.R. 1554: Mr. ENGEL.
H.R. 1578: Mr. MARSHALL.
H.R. 1582: Ms. HERSETH and Mr. YOUNG of Alaska.
H.R. 1603: Mr. WAMP.
H.R. 1621: Mr. ROTHMAN.
H.R. 1639: Mr. FATTAH.
H.R. 1732: Mr. COOPER and Mr. FORD.
H.R. 1733: Mr. COOPER and Mr. FORD.
H.R. 1734: Mr. COOPER and Mr. FORD.
H.R. 1946: Ms. MATSUI.
H.R. 1951: Mr. DOYLE, Ms. WATSON, Mr. ORTIZ, Ms. KILPATRICK of Michigan, and Mr. MARCHANT.
H.R. 2044: Mrs. MALONEY.
H.R. 2134: Mr. JEFFERSON.
H.R. 2177: Mr. OSBORNE.
H.R. 2206: Mr. ROGERS of Alabama, Mr. DAVIS of Alabama, Mr. POMBO, and Mr. OXLEY.
H.R. 2231: Mr. NORWOOD.
H.R. 2234: Mr. FATTAH.
H.R. 2317: Mrs. JONES of Ohio.
H.R. 2328: Mr. CRAMER, Mr. LEACH, Mr. SNYDER, and Mr. MOORE of Kansas.
H.R. 2386: Mr. POMBO.
H.R. 2418: Ms. BORDALLO and Mrs. MUSGRAVE.
H.R. 2428: Mr. SPRATT, Mr. WAXMAN, Mr. ROTHMAN, Mr. PALLONE, Mr. MORAN of Virginia, Mr. WU, and Mr. WEXLER.
H.R. 2498: Mr. BARTLETT of Maryland.
H.R. 2533: Mr. BAKER.
H.R. 2558: Mr. SIMMONS.
H.R. 2666: Mr. RAMSTAD.
H.R. 3061: Mr. SHUSTER.
H.R. 3145: Mr. KIND, Ms. HERSETH, and Mr. BISHOP of New York.
H.R. 3159: Ms. MCCOLLUM of Minnesota, Mr. BOOZMAN, and Mr. DENT.
H.R. 3185: Mr. COSTA.
H.R. 3350: Mr. FALEOMAVAEGA.
H.R. 3361: Mr. DELAHUNT.
H.R. 3476: Mr. PITTS.
H.R. 3478: Mr. SHUSTER and Mr. TIBERI.
H.R. 3628: Mr. PAYNE, Mrs. BLACKBURN, Mr. BERRY, and Mr. MILLER of North Carolina.
H.R. 3861: Mr. MURTHA.
H.R. 3875: Mr. FATTAH, Mr. FITZPATRICK of Pennsylvania, Mr. BROWN of Ohio, and Ms. ESHOO.
H.R. 3883: Mr. SOUDER, Mr. LAHOOD, and Mr. NORWOOD.
H.R. 3939: Mr. LEWIS of Kentucky.
H.R. 3949: Mr. UPTON and Mr. KILDEE.
H.R. 4033: Mr. CASTLE.
H.R. 4049: Mr. HINOJOSA.
H.R. 4127: Mr. DINGELL, Ms. SCHAKOWSKY, Ms. ESHOO, Mr. INSLEE, Ms. BALDWIN, and Mr. ROSS.
H.R. 4166: Mr. RUPPERSBERGER.
H.R. 4197: Mr. GENE GREEN of Texas.
H.R. 4212: Mr. YOUNG of Florida.
H.R. 4227: Mr. SOUDER.
H.R. 4294: Mr. UDALL of Colorado.
H.R. 4296: Mr. MCHUGH.
H.R. 4315: Mr. PALLONE.
H.R. 4318: Mr. NORWOOD, Mr. DANIEL E. LUNGREN of California, Mr. MCHENRY, Mr. NEUGEBAUER, Mr. BARRETT of South Carolina, Mr. FRANKS of Arizona, Mr. DELAY, Mr. PORTER, Mr. AKIN, Mr. CHOCOLA, and Mr. CANTOR.
H.R. 4341: Mr. DANIEL E. LUNGREN of California, Mr. WICKER, Mr. CANNON, Mr. WHITFIELD, and Mr. HEFLEY.
H.R. 4371: Mr. ENGLISH of Pennsylvania.
H.R. 4373: Mrs. MALONEY and Mr. WEINER.
H.R. 4392: Mr. CASE and Mr. DEFAZIO.
H.R. 4416: Ms. BORDALLO, Mr. LANTOS, Mr. SHIMKUS, Mr. GENE GREEN of Texas, Ms. DELAURO, Mr. LYNCH, Mr. HASTINGS of Florida, Mr. MEEK of Florida, Ms. CORRINE BROWN of Florida, Mrs. NAPOLITANO, Mr. CARDOZA, Mr. HINOJOSA, Mr. BISHOP of Georgia, Mr. JEFFERSON, Mr. DAVIS of Illinois, Ms. WATSON, and Mr. FATTAH.
H.R. 4470: Mr. EVANS, Mr. CUMMINGS, Mr. RANGEL, and Mr. JEFFERSON.
H.R. 4481: Ms. KAPTUR, Mr. OBERSTAR, Mr. INSLEE, and Ms. LEE.
H.R. 4511: Mr. HERGER.
H.R. 4542: Mr. ENGLISH of Pennsylvania, Mr. CONYERS, and Mr. FITZPATRICK of Pennsylvania.
H.R. 4560: Mr. ABERCROMBIE.
H.R. 4562: Mr. EVANS and Mr. RAHALL.
H.R. 4681: Mr. STUPAK, Mr. CARNAHAN, Mr. BACHUS, Mr. EVERETT, Mr. MEEK of Florida, Mr. ROGERS of Alabama, Mr. FRANKS of Arizona, Mr. BERRY, Mr. SHUSTER, Ms. HERSETH, Mr. CHOCOLA, Mr. HAYES, Mr. VAN HOLLEN, Mr. LEWIS of California, Mr. REYES, Mr. YOUNG of Alaska, Mr. WALSH, Mr. LEWIS of Georgia, Mr. BRADY of Texas, Mr. KENNEDY of Rhode Island, Mr. EMANUEL, Ms. PRYCE of Ohio, Mr. UDALL of Colorado, Mr. CUMMINGS, Mr. BACA, Mr. LATHAM, Mr. HERGER, Mr. UDALL of New Mexico, Mr. BILIRAKIS, Mr. REHBERG, Mr. GUTKNECHT, Mr. OSBORNE, Mr. RADANOVICH, Mr. CANNON, Mr. BARRETT of South Carolina, Mr. SMITH of Texas, Ms. SLAUGHTER, Mr. PASCRELL, Mr. WICKER, Mr. RYUN of Kansas, Mr. KNOLLENBERG, Mr. BOOZMAN, Mr. REICHERT, Ms. DELAURO, Mr. GALLEGLY, Mr. NEAL of Massachusetts, Ms. PELOSI, Ms. DEGETTE, Mr. LIPINSKI, and Mr. DANIEL E. LUNGREN of California.
H.R. 4722: Ms. CARSON.
H.R. 4739: Mr. PETERSON of Minnesota.
H.R. 4755: Mr. JOHNSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Tennessee, Mr. DAVIS of Alabama, Mr. FATTAH, Ms. MILLENDER-MCDONALD, Mr. AL GREEN of Texas, Mr. HOYER, Mr. FARR, Mr. NEAL of Massachusetts, Ms. PELOSI, Mr. CARDIN, Mr. ORTIZ, Mr. SANDERS, Mr. HIGGINS, Mr. CUMMINGS, Mr. MEEK of Florida, Mr. MARKEY, Ms. MOORE of Wisconsin, Mr. BOYD, and Mr. KILDEE.
H.R. 4761: Mr. CARTER, Mr. GENE GREEN of Texas, Mr. DAVIS of Kentucky, and Ms. FOXX.
H.R. 4774: Ms. CARSON.
H.R. 4777: Mr. KIRK.
H.R. 4790: Mr. GREEN of Wisconsin.
H.R. 4793: Mr. SCHWARZ of Michigan, Mr. MCGOVERN, Mr. MCCOTTER, Mr. LIPINSKI, and Mr. BROWN of Ohio.
H.R. 4808: Mr. SODREL and Mr. BISHOP of Georgia.
H.R. 4824: Mr. TERRY, Mr. ALLEN, and Mr. MCNULTY.
H.R. 4834: Mr. SOUDER.
H.R. 4836: Mr. PAUL, Mr. POE, and Mr. FITZPATRICK of Pennsylvania.
H.R. 4867: Mr. SMITH of Washington and Mr. BACHUS.
H.R. 4890: Mr. WELLER.
H.R. 4894: Mr. FITZPATRICK of Pennsylvania, Mr. SOUDER, and Mr. UDALL of Colorado.
H.R. 4901: Mr. CANNON.
H.R. 4902: Mr. TANNER, Mr. BARTLETT of Maryland, Mr. INGLIS of South Carolina, Mr. RYAN of Wisconsin, Mr. PALLONE, Mr. SCOTT of Georgia, Mr. SCOTT of Georgia, Mr. CAPUANO, Ms. HERSETH, Mr. CANNON, Mr. DUNCAN, Mr. KUHL of New York, Mr. POMEROY, Mr. TAYLOR of North Carolina, Mr. WAXMAN, Mr. OBERSTAR, Mr. OBEY, Mr. DAVIS of Tennessee, Mr. MATHESON, Mr. NEAL of Massachusetts, Mr. THOMPSON of Mississippi, Ms. KAPTUR, Mrs. JO ANN DAVIS of Virginia, Mr. PICKERING, Mr. PASTOR, Ms. BORDALLO, Mr. FATTAH, Mr. SWEENEY, Mr. BASS, Mr. DOGGETT, Mr. TURNER, Mr. HULSHOF, Mr. COSTA, Mr. HINCHEY, Mr. COSTELLO, Mr. DAVIS of Illinois, and Ms. MCCOLLUM of Minnesota.
H.R. 4903: Mr. GRIJALVA.
H.R. 4915: Mr. FORD, Mr. KUCINICH, Mr. MOORE of Kansas, Ms. WASSERMAN SCHULTZ, and Mr. BACA.
H.R. 4956: Mr. MCCAUL of Texas.
H.R. 4961: Ms. BEAN, Mr. FITZPATRICK of Pennsylvania, Mr. OTTER, Mrs. BLACKBURN, Mr. LOBIONDO, and Mr. BROWN of Ohio.
H.R. 4967: Mr. GUTKNECHT, Mr. AKIN, and Mr. FRANKS of Arizona.
H.R. 4976: Mr. INGLIS of South Carolina and Ms. ZOE LOFGREN of California.
H.R. 4980: Mr. YOUNG of Alaska.
H.R. 4988: Ms. DEGETTE.
H.R. 5005: Mr. KUHL of New York.
H.R. 5013: Mr. MCCAUL of Texas, Mrs. SCHMIDT, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 5023: Mr. ABERCROMBIE and Mr. CROWLEY.
H.R. 5032: Mr. SOUDER.
H.R. 5037: Mr. GALLEGLY, Mr. MARKEY, Mr. MILLER of North Carolina, Mr. HIGGINS, Mr. BECERRA, Mr. HINOJOSA, Mr. HONDA, Mr. CUELLAR, Mr. PETERSON of Minnesota, Mr. BACA, Mr. SALAZAR, Mr. SPRATT, Mr. MURTHA, Mr. KUCINICH, Mr. DOYLE, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. ROTHMAN, Mr. DOGGETT, Mr. STUPAK, Mr. ABERCROMBIE, Mr. CROWLEY, Mr. DAVIS of Tennessee, Mr. OTTER, Mr. SAXTON, Mr. DEFAZIO, Mr. GILLMOR, Mr. JONES OF NORTH CAROLINA, MR. DAVIS of Florida, Mr. GRIJALVA, Mr. WELDON of Pennsylvania, Ms. BALDWIN, Mr. MORAN of Kansas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WHITFIELD, Mr. PUTNAM, Ms. GINNY BROWN-WAITE of Florida, and Mr. ROGERS of Kentucky.
H.R. 5051: Mr. WALSH, Mr. HEFLEY, Mr. JOHNSON of Illinois, Ms. MCCOLLUM of Minnesota, Mr. OLVER, and Mr. NADLER.
H.R. 5055: Mr. SENSENBRENNER.
H.R. 5075: Mrs. NAPOLITANO, Mr. CUELLAR, and Mr. HOLT.
H.R. 5087: Mr. MCGOVERN.
H.R. 5097: Mr. MELANCON.
H.R. 5099: Mr. CASE, Mr. ORTIZ, Mr. SNYDER, Mr. SALAZAR, Mr. MCINTYRE, Mr. CONYERS, Mr. BOOZMAN, Mr. ADERHOLT, and Mr. COSTA.
H.R. 5100: Mr. BOEHLERT and Mr. KUCINICH.
H.R. 5101: Mr. SALAZAR.
H.R. 5102: Mr. NADLER, Mr. KILDEE, Mr. PALLONE, Ms. LEE, and Mr. GUTIERREZ.
H.R. 5106: Mr. LEVIN, Mr. REYES, and Mr. ORTIZ.
H. Con. Res. 3: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Ms. LEE, Mr. WATT, Mr. DAVIS of Alabama, Mr. SCOTT of Virginia, Mr. SCOTT of Georgia, Mr. CLAY, Mr. CLEAVER, Mr. BUTTERFIELD, Ms. KILPATRICK of Michigan, Mr. MEEK of Florida, Mr. OWENS, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. PAYNE, Mrs. JONES of Ohio, Mr. JEFFERSON, Mr. LEWIS of Georgia, Ms. NORTON, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. RANGEL, Mr. PEARCE, Mr. UDALL of Colorado, Mr. MEEKS of New York, Mr. TOWNS, Mr. WYNN, Mr. RUSH, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. KILDEE, Ms. MILLENDER-MCDONALD, and Mr. BISHOP of Georgia.
H. Con. Res. 100: Mr. BROWN of Ohio and Mr. ABERCROMBIE.
H. Con. Res. 197: Mr. ROTHMAN and Mr. CARDIN.
H. Con. Res. 231: Mr. YOUNG of Alaska.
H. Con. Res. 323: Mr. MCCOTTER and Mr. CONYERS.
H. Con. Res. 346: Mr. SOUDER.
H. Con. Res. 363: Mr. GUTIERREZ, and Ms. NORTON.
H. Con. Res. 365: Mr. ANDREWS.
H. Con. Res. 367: Mr. BLUNT.
H. Con. Res. 378: Mr. MOORE of Kansas, Mr. ORTIZ, Mr. REICHERT, Ms. ROYBAL-ALLARD, Ms. HART, Mr. MCCAUL of Texas, and Mr. CASE.
H. Con. Res. 380: Mr. CARTER and Mr. GORDON.
H. Res. 82: Mr. HINCHEY.
H: Res. 149: Mr. JEFFERSON.

H. Res. 327: Mr. GEORGE MILLER of California.

H. Res. 498: Mr. RYAN of Ohio, Mr. WEINER, Mr. SKELTON, and Mr. PITTS.

H. Res. 652: Mr. GOODLATTE.

H. Res. 686: Mr. GUTIERREZ and Ms. DEGETTE.

H. Res. 707: Mr. FOSSELLA.

H. Res. 731: Mr. GUTKNECHT, Mr. BRADY of Texas, Mr. AKIN, Mr. MCHENRY, Mr. COLE of Oklahoma, Mr. FEENEY, Mr. FLAKE, Mr. WAMP, Mr. ROHRABACHER, Mrs. MUSGRAVE, Mr. GARRETT of New Jersey, Mr. CONAWAY, Mr. ADERHOLT, Mr. GOHMERT, Mr. FRANKS of Arizona, Mrs. MYRICK, Mr. HENSARLING, Mr. RYAN of Wisconsin, Mr. KLINE, Mr. PETERSON of Minnesota, Mr. KENNEDY of Minnesota, Mr. ROGERS of Michigan, and Mr. PUTNAM.

H. Res. 735: Mr. CLAY.

H. Res. 753: Mr. MOORE of Kansas and Mr. MCHUGH.

H. Res. 756: Mr. CAMPBELL of California, Mr. GARRETT of New Jersey, Mrs. MUSGRAVE, Mr. MARCHANT, Mr. FRANKS of Arizona, Mr. FEENEY, Mr. COLE of Oklahoma, Mr. GINGREY, Mr. KLINE, Mr. PRICE of Georgia, Mr. TIAHRT, Mr. SODREL, Mr. AKIN, Mr. BARTLETT of Maryland, Mr. GUTKNECHT, Mr. MORAN of Kansas, Mr. DOOLITTLE, Mr. KUHL of New York, Mr. MANZULLO, Mr. CULBERSON, Mr. RYUN of Kansas, Mr. SHADEGG, Mr. PEARCE, Mr. BISHOP of Utah, Mr. CHABOT, Mr. BURGESS, Ms. FOXX, Mr. NEUGEBAUER, Mr. WAMP, Mr. PENCE, Mr. ROTHMAN, and Mr. EMANUEL.

H. Res. 764: Mr. TOM DAVIS of Virginia, Mr. LYNCH, Mr. SANDERS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SHAYS, Mr. OXLEY, Ms. HARMAN, Mr. DAVIS of Tennessee, Mr. CASTLE, Mr. RYAN of Ohio, Mr. GORDON, Mr. NEAL of Massachusetts, Mr. GERLACH, Mr. STRICKLAND, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ROHRABACHER, Mr. RUPPERSBERGER, Mr. FITZPATRICK of Pennsylvania, Mr. DELAHUNT, Mr. GRIJALVA, Mr. DEFAZIO, Mr. SMITH of Washington, Mr. CAPUANO, Mr. LEVIN, Mr. HOLDEN, Ms. CORRINE BROWN of Florida, Mr. OWENS, Mr. JOHNSON of Illinois, Mr. SNYDER, Mr. NORWOOD, Mr. BISHOP of Georgia, Mr. BOUSTANY, Mr. BRADLEY of New Hampshire, Mr. HOYER, Mr. BLUMENAUER, Mr. HEFLEY, Mr. DOYLE, Mr. SCHWARZ of Michigan, Mrs. LOWEY, Mr. LANGEVIN, Mr. BRADY of Pennsylvania, Mr. REYES, Ms. Bean, Mrs. BONO, Mr. POMBO, Mr. BROWN of South Carolina, Mr. KENNEDY of Minnesota, Mr. MICHAUD, Mr. POE, and Mr. WEXLER.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2646: Mr. FORD.

H.R. 4542: Mr. FORD.

H.R. 4881: Mr. FORD.

## PETITIONS, ETC.

Under clause 3 of rule XII,

112. The SPEAKER presented a petition of the Essex County Board of Supervisors, New York, relative to Resolution No. 16 requesting an explanation from FEMA, SEMO and our federal representatives as to the denial of flood disaster reimbursement for the towns of Crown Point, Moriah, Ticonderoga and the County of Essex in 2005; which was referred to the Committee on Transportation and Infrastructure.

## DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. EDWARDS on House Resolution 271: José E. Serrano.

Petition 4 by Ms. SLAUGHTER on House Resolution 460: José E. Serrano.

Petition 5 by Mr. WAXMAN on House Resolution 537: José E. Serrano.

Petition 6 by Mr. ABERCROMBIE on House Resolution 543: Benjamin L. Cardin, Michael M. Honda, Emanuel Cleaver, Wayne T. Gilchrest, Walter B. Jones, Ron Paul, Adam Smith, Mark Udall, Tom Udall, Richard E. Neal, Ted Strickland, Brad Miller, Albert Russell Wynn, David E. Price, David R. Obey, Frank Pallone, Jr., Maurice D. Hinchey, and José E. Serrano.

Petition 7 by Ms. HERSETH on House Resolution 568: Ted Strickland and José E. Serrano.

Petition 8 by Mr. WAXMAN on House Resolution 570: Ted Strickland and José E. Serrano.

Petition 9 by Mr. BOSWELL on House Resolution 584: Jim Marshall.

Petition 11 by Mr. BARROW on House Resolution 614: Mike Thompson.